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No. 149

## House of Representatives

The House met at 12 p.m. and was called to order by the Speaker pro tempore (Mr. CARSON).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 15, 2022.

I hereby appoint the Honorable ANDRÉ CARSON to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Holy God, come alongside us this day for in Your presence there is fullness of joy. So fill us with Your joy this day that we cannot help but reflect Your goodness and mercy in all we do, in all we say, in all our decisions, and in all our encounters with one another.

At Your right hand is pleasure to be found forever more. All that we need or desire, You provide. From the wealth of the satisfaction we find in You, may an abundance of gratitude flow from us that others would share in Your generous grace.

In You, love is found, for You are love. Let us then love one another for love comes from You.

And so may Your love shine forth in us this day, that your compassion, concern, forbearance, and faithfulness be evident in this place this day.

In Your steadfast and loving name we pray.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1 of rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. WILLIAMS) come forward and lead the House in the Pledge of Allegiance.

Mr. WILLIAMS of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 7500. An act to authorize major medical facility projects for the Department of Veterans Affairs for fiscal year 2022, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 533. An act to require a guidance clarity statement on certain agency guidance, and for other purposes.

S. 4057. An act to develop a comprehensive, strategic plan for Federal electric vehicle fleet battery management, and for other purposes.

S. 4235. An act to amend the Controlled Substances Act to fix a technical error in the definitions.

The message also announced that pursuant to Public Law 117-81, the Chair, on behalf of the Chairman of the Senate Committee on Armed Services, appoints the following individual to serve as a member of the Commission on the National Defense Strategy:

Alissa M. Starzak of the District of Columbia.

The message also announced that pursuant to Public Law 117-81, the Chair, on behalf of the Republican Leader, in consultation with the House Minority Leader, appoints the following individual to serve of the Afghanistan War Commission:

Dr. Colin Jackson of Rhode Island (co-chair).

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by the Speaker on Wednesday, September 14, 2022:

H.R. 5754, to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs;

S. 3103, to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title;

S. 4785, to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### NATIONAL POW/MIA RECOGNITION DAY

(Ms. PORTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PORTER. Mr. Speaker, more than 81,000 servicemembers have been

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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designated as prisoners of war or missing in action. On September 16, National POW/MIA Recognition Day, we recognize their heroism.

Some of these great Americans are honored at memorials like the Northwood Gratitude and Honor Memorial in my home community of Irvine. I have proudly voted to invest in the Defense POW/MIA Accounting Agency, which helps fulfill our Nation's promise to leave no servicemember behind.

This key agency is responsible for returning the remains of our troops to their loved ones and to a grateful Nation. Supporting our Orange County veterans and their families is how we honor their service. We cannot and will not forget our troops' sacrifices.

Mr. Speaker, I will continue working to protect their legacy.

#### HONORING THE LIFE AND LEGACY OF LEON WALLACE

(Ms. MALLIOTAKIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MALLIOTAKIS. Mr. Speaker, I rise today to honor the life and legacy of my constituent, Leon Wallace, who recently passed away at the age of 85, and to share with the Nation his contributions to our community and country.

Leon was a native Staten Islander who grew up in West Brighton and Mariners Harbor, attended P.S. 18, and graduated from McKee High School in 1956.

Leon enlisted in the U.S. Air Force where he served as a jet mechanic while stationed in Guam and later returned to service with the Army National Guard's 117th Calvary. He put his life on the line for our country at a time when our country did not afford him equal rights as an African American. That shows you how truly special he was.

Not only was Leon a dedicated member of our military but he was a steward of outstanding service to our community. After his time in the Air Force, Leon dedicated his time to helping individuals with developmental disabilities and their families. He was also a member of the NAACP, USIVO, and the 369th Veterans Association, as well as St. Philips Baptist Church, and recently, even completed the New York State chaplains' course to minister to other vets in need.

To many across our community, he was referred to as Uncle Leon. He was well-known for his uplifting sayings and positive perspective. Whenever you asked him how he was doing, he would smile and say, "I am too blessed to be stressed."

I was proud to call Leon a friend. This is our last photo together from June. I know I speak for so many in our community when I say that his presence will be missed.

#### A WOMAN'S RIGHT TO CHOOSE

(Mr. GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, and still I rise. I rise today to defend a woman's right to choose. I rise to say that I am totally, completely, and absolutely opposed to Senator GRAHAM's bill.

I rise to say that Senator GRAHAM's bill would deny a woman the right to choose, that it is a bill that is antithetical to the best interests of women.

I stand with the women. I support their right to choose. A woman ought to have the opportunity to consult with those who are closest to her, including her physician, to make this medical decision. Senator GRAHAM would deny this.

I stand with the women, and I stand for a woman's right to choose.

#### THE 80TH ANNIVERSARY OF FORT HOOD

(Mr. WILLIAMS of Texas asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS of Texas. Mr. Speaker, I rise today to recognize Fort Hood on their 80th anniversary marked this week.

Recognized as "The Great Place," Fort Hood has a rich history and is composed of great patriots who selflessly and honorably serve this country.

This largest Active-Duty armored post has answered the call to serve throughout our country's military history and has been an invaluable installation for Army soldiers, advanced weaponry, and the local community.

Whenever I am asked where the next generation of greatness is and leaders will be, I say: Go with me. Go to Fort Hood. That is where they are.

Fort Hood is a special part of Texas' 25th District, and it is my distinct honor to represent them in Congress and fight on behalf of the brave soldiers and their families each and every single day in Washington.

Congratulations to Fort Hood for 80 years of exceptional service to the United States Army and dedication to defending our freedoms at home and abroad.

In God We Trust.

#### SUPPORTING WOMEN'S REPRODUCTIVE RIGHTS

(Mrs. TRAHAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. TRAHAN. Mr. Speaker, 81 days. That is how long it took for Republicans to change their position from abortion as a State issue to supporting a nationwide abortion ban; 81 days to put their hypocrisy on full display for every American—every woman—to see.

Mr. Speaker, this is what it looks like when lawmakers show their true

intention. Their intention is to go beyond the Supreme Court's disastrous decision to overturn *Roe v. Wade*. Their intention is to go beyond the horrific State laws that have already stripped millions of women and young girls of their reproductive rights. Republicans backing this new proposal want to ban every woman in America from seeking abortion care—no exceptions.

Make no mistake, Mr. Speaker. If Republicans get their way, women's lives will be at risk, and many will die from delayed or denied care.

For our daughters, we cannot—we will not—let them win.

#### BORDER CRISIS

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Mr. Speaker, I rise today to speak to the human tragedy that is President Biden's border crisis.

From day one, the Biden administration has blatantly ignored U.S. immigration laws and policies that are designed to keep America safe. The consequences from the human trafficking, the sex trafficking, and the drug trafficking are devastating.

Under the incompetent administration of Biden and his Border Czar, the Vice President, and DHS Secretary Mayorkas, savage drug cartels now control our U.S. border and are sending massive amounts of deadly fentanyl illegally into our communities, including mine in the Shenandoah Valley of Virginia. Worse, they are now smuggling rainbow-colored and candy-flavored drugs across our border in an effort to target our children.

Biden's disastrous open border and amnesty policies have made this crisis worse every single day, but he is blind to see the chaos at our border. Americans are justifiably outraged by his failed leadership.

Border Czar KAMALA HARRIS recently said that the border is secure. The only thing that is secure is the cash flow to the drug cartels so long as Biden's border crisis continues.

#### LOWERING HEALTHCARE COSTS FOR AMERICANS

(Ms. BROWNLEY asked and was given permission to address the House for 1 minute.)

Ms. BROWNLEY. Mr. Speaker, I know the American people are feeling the effects of higher prices. That is why Congressional Democrats continue our work to provide relief to America's working families who are struggling to make ends meet by putting people over politics and passing the Inflation Reduction Act. This historic life-changing legislation significantly lowers healthcare costs for America's seniors by enabling Medicare to negotiate prescription drug prices and by capping Medicare out-of-pocket expenses to \$2,000 every year.

The Inflation Reduction Act tackles rising costs and inflation by ensuring big corporations pay their fair share of taxes which will, in turn, reduce the national debt. The legislation also makes the largest investment ever in fighting the climate crisis by investing in clean and secure energy production and manufacturing, while creating good-paying American jobs for the future.

Congressional Republicans are too busy trying to score political points rather than working with us to solve today's challenges.

Mr. Speaker, I urge my colleagues on the other side of the aisle to join us in working for the people.

#### BIDENFLATION IS A TAX ON ALL AMERICANS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, inflation is at the highest in over 40 years. Yet, by passing the inflation expansion act, Biden and the Democrats are further plunging American families into debt and destroying jobs.

Signed into law by President Biden, the Congressional Budget Office reports this bill will increase the deficit through 2026 and cost working families an additional \$60 billion.

Families are paying 14 percent more at the grocery store, according to the Bureau of Labor Statistics—the largest 1-year jump since 1979. Eggs are up 40 percent. Milk is up 17 percent. Bread is up 16 percent.

Since Biden took office, inflation has surged 13 percent, while wages have only risen 8 percent over the same period. The inflation crisis has cost the average American worker over \$3,000 in annual income.

Bidenflation is a tax on all Americans.

In conclusion, God bless our troops who successfully protected America for 20 years as the global war on terrorism moves from a safe haven in Afghanistan to America.

God bless victory for Ukraine.

□ 1215

#### RECOGNIZING FRANCES TIAFOE

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, there is always time to celebrate extraordinary Americans, which is why I rise today to recognize American tennis star and proud son of Maryland's Fifth District, Frances Tiafoe.

Last week, he became the first American man to reach the U.S. Open semifinals since 2006 and the first African-American man to do so since Arthur Ashe in 1972.

Indeed, Tiafoe is one of the only three African-American men in the history of tennis to advance out of the rounds and into the finals of the U.S. Open.

Of course, we have been very proud to cheer Serena Williams and Sloane Stephens, who together won 4 out of the last 10 women's titles in the U.S. Open, not to mention an extraordinary young woman, Coco Gauff, who made it to the U.S. Open quarterfinals.

Tiafoe's accomplishments in the men's tournament are especially impressive, Mr. Speaker, considering his extraordinary story. Born in Maryland's Fifth District—mine—to immigrant parents who fled civil war in Sierra Leone, Frances grew up living in a spare office at the Junior Tennis Champions Center in College Park, Maryland, where his father worked as a custodian. Indeed, earlier, his father had been part of the construction crew that built that tennis center.

Noticing young Frances' upbeat attitude and love of the game, the coaches and staff of the center took him under their wing and helped him train to become one of the most promising American tennis players in recent memory. How proud they must be.

We saw that training bear fruit last week when he made it to the semifinals by defeating one of the greatest tennis players in history, Rafael Nadal, from Spain. Although Frances ultimately didn't win the title, he showed the world that the future of American tennis is bright indeed.

I had the opportunity of talking to Frances just a few minutes ago. I am inviting him down to the Capitol, and I want all the Maryland Members to meet him. But I am going to invite all of you to meet him, as well, Mr. Speaker.

He is an extraordinary young man. I congratulate him, I congratulate his family, and I congratulate those coaches who saw a promising young man and took him under their wing not because he was paying them but because they saw great promise in Frances Tiafoe.

Boy, were they right.

#### HONORING PATRICIA ZAJAC OF UTICA, NEW YORK

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, I rise today to honor Patricia Zajac of Utica, New York, who passed away earlier this year.

Patricia was born on February 1, 1947, and spent her entire life in Utica except for a brief period when she attended Golden West Community College in California. Upon her return to Utica, she worked as a nurse's aide at Faxon Hospital in Utica.

Affectionately known as the Mayor of Frances Street, Patricia was notably active in the Utica community. She was a graduate of the Utica Police De-

partment's very first citizen's police academy, was a strong supporter of block associations, and was also active in local politics and projects that advocated for the betterment of her West Utica neighborhood. Patricia was also an active parishioner of Holy Trinity Church and a vital volunteer with the American Red Cross.

Patricia was also known for her efforts to care for homeless animals and pets and her strong support of our Nation's veterans. She was extremely proud of her daughter Mary's service in the United States Air Force.

Mr. Speaker, I thank Patricia so much for her lifetime of compassionate service to our wonderful community. Her memory will live on forever. I extend my sincerest condolences to friends, neighbors, and, of course, her loving family, whom she left behind.

#### RECOGNIZING IMPORTANCE OF IAEA

(Mr. FOSTER asked and was given permission to address the House for 1 minute.)

Mr. FOSTER. Mr. Speaker, I rise today to recognize the importance of the International Atomic Energy Agency, commonly known as the IAEA, and to urge Congress to continue its support so it can continue its mission to promote the peaceful use of nuclear energy.

The primary task of the IAEA is to verify that countries comply with their commitments to the Nuclear Non-Proliferation Treaty by monitoring and upholding standards for nuclear safety and security.

But it is more than that. Earlier this month, we witnessed shelling and damage to the Zaporizhzhia Nuclear Power Station in Ukraine, the largest nuclear power plant in Europe. The persistent fighting in the area and the occupation of the nuclear plant by Russian forces have raised concerns about the safety and the dangerous conditions that plant workers face.

So, who are you going to call? The IAEA. Its response to the situation in Ukraine demonstrates the crucial importance of its mission.

The IAEA stands as a trusted and stabilizing influence and reduces the danger of potential nuclear disasters worldwide.

#### REMEMBERING THE LIFE OF DEPUTY JAMES LEE

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WEBER of Texas. Mr. Speaker, I rise today to remember the life of one Jefferson County Sheriff's Office Deputy James Lee, who tragically passed away on July 9, leaving behind a legacy of service to Jefferson County.

Deputy Lee was a former marine. Maybe I should say is a marine because once a marine, always a marine. Deputy Lee was one who started with the

Jefferson County Sheriff's Office in 1973 and was 71 years old when he passed.

He was known as someone who enjoyed going to work to protect his community and who was tough but always showed compassion. He leaves behind a wife and a son, who will follow in his father's footsteps at the sheriff's office.

Though he may be gone, I know that Deputy Lee is still watching over his beloved community and family.

Mr. Speaker, please join me in recognizing the extraordinary life and service of one Deputy James Lee.

He will be missed.

#### DEMOCRATS REIN IN INFLATION

(Ms. SCANLON asked and was given permission to address the House for 1 minute.)

Ms. SCANLON. Mr. Speaker, for far too long, families in my district and across the country have struggled with rising healthcare and prescription drug costs. So, I am pleased to report that relief is on the way, thanks to Democrats' passage of the Inflation Reduction Act this summer.

This act reins in out-of-control healthcare costs and will make a real difference in family budgets by extending tax credits for health insurance, capping prescription drug costs for seniors at \$2,000 a year, capping insulin costs for seniors at \$35 a month, and allowing Medicare to negotiate lower prices with drug companies.

A family of four in Ridley Park could save more than \$2,800 in annual health insurance premiums. A senior couple in Media could save more than \$13,000 in yearly healthcare costs.

If the Inflation Reduction Act's \$35 insulin copay had been in effect in 2020, a Springfield resident who uses NovoLog could have saved \$1,300 a year.

Importantly, all these benefits are fully paid for by making the biggest corporations and billionaires pay their fair share.

#### REMEMBERING MARY FREEMAN KELLER ZERVIGON

(Mr. CARTER of Louisiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Louisiana. Mr. Speaker, I rise today to pay tribute to my friend, the dearly departed Mrs. Mary Freeman Keller Zervigon, an outstanding, cherished public servant from my home State.

A lifelong New Orleanian, Mrs. Zervigon was a policy advocate, philanthropist, and beloved civic leader who held posts in two mayoral administrations and spent countless hours working to improve the city of New Orleans as a member of many boards and commissions.

She lived her life doing what she believed in and in doing what was right. Raised with civic activism in her DNA—her mother played a key role in

desegregating New Orleans' public libraries—her ability to cut right to the chase made her an ideal lobbyist representing the city of New Orleans during rough legislative sessions.

She was an incredible lady and an incredible leader, one who will be sorely missed.

Rest in peace, my friend. God bless.

#### PREVENTING A PATRONAGE SYSTEM ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, pursuant to House Resolution 1339, I call up the bill (H.R. 302) to impose limits on excepting competitive service positions from the competitive service, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1339, the amendment in the nature of a substitute recommended by the Committee on Oversight and Reform, printed in the bill, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

#### H.R. 302

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing a Patronage System Act of 2021" or the "PPSA Act of 2021".

#### SEC. 2. LIMITATIONS ON EXCEPTION OF COMPETITIVE SERVICE POSITIONS.

(a) IN GENERAL.—No position in the competitive service (as defined under section 2102 of title 5, United States Code) may be excepted from the competitive service unless such position is placed—

(1) in any of the schedules A through E as described in section 6.2 of title 5, Code of Federal Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 6 of such title as in effect on such date.

(b) SUBSEQUENT TRANSFERS.—No position in the excepted service (as defined under section 2103 of title 5, United States Code) may be placed in any schedule other than a schedule described in subsection (a)(1).

The SPEAKER pro tempore. The bill, as amended, is debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform or their respective designees.

The gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Kentucky (Mr. COMER) each will control 30 minutes.

The Chair recognizes the gentlewoman from New York.

#### GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials on the bill before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 302, the Preventing a Patronage System Act, introduced by Government Operations Subcommittee Chair Gerry Connolly along with Representative BRIAN FITZPATRICK.

This straightforward bill affirms Congress' role in making major changes to the civil service system and ensures that no President can do so unilaterally.

Now, that may sound simple, but this is critical to upholding the merit system principles that have been in place for almost 140 years and fortify the civil service of America.

Career Federal workers serve both Democratic and Republican administrations. They do their jobs guided by their expertise and best judgment, not by allegiance to any political agenda.

In 2020, former President Trump issued an executive order creating a new Federal employee classification in the excepted service called schedule F. Employees transferred to schedule F would have been stripped of workplace protections and converted to at-will employees. If the order had been fully implemented, it could have harmed tens of thousands of Federal employees.

Agencies were directed to identify civil service positions with a policymaking function to convert to schedule F who would be more easily removed from their jobs for not rubberstamping the President's political agenda. Presumably, those positions could then be filled with people who would be more loyal to the President.

Fortunately, one of the first things that President Biden did upon taking office was to revoke the schedule F executive order. But the order still shocked the Federal workforce.

Such an attack against the integrity of the civil service should shock us all, particularly as Members of Congress. We depend on the Federal workforce to serve impartially and in accordance with the law. Schedule F would have instead put immense pressure on Federal workers to bend to the political whims of the President, even if it meant violating the law or Federal regulations.

But this bill is not just about the past. It applies the lessons we learned from schedule F to prevent similar efforts to undermine the Federal workforce in the future, whether from a Republican or Democratic President.

There are some who are ready and waiting to reinstitute a system like schedule F if given the opportunity. We must prevent that, and we can take a big step toward that today by passing the Preventing a Patronage System Act.

Mr. Speaker, I commend Chairman CONNOLLY for his leadership on this bill and for making it a bipartisan bill.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support it, and I reserve the balance of my time.

□ 1230

Mr. COMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is apparently Groundhog Day in the U.S. House of Representatives.

Today, just like the last day we debated a bill in the Oversight and Reform Committee's jurisdiction, Americans continue to face sky-high inflation, painfully high gas prices, and supply chain shortages.

Americans continue to face the consequences of a broken border that allow fentanyl shipments to flood in and kill our teens, along with a host of other urgent problems. They continue to look to this Congress for help with these real and pressing crises.

Yet, what are Democrats prioritizing instead of addressing these issues during one of the last legislative weeks of this session? Another bill that insulates Federal bureaucracy from accountability. This time the bill is Representative CONNOLLY's Preventing a Patronage System Act.

This is just another Democrat bill that has nothing to do with the American people's priorities. What is the problem the bill tries to address? The Democrats' bill seeks to prevent future Presidents making Federal employees more accountable to the American people whom they serve.

Our Founding Fathers never envisioned a massive, unelected, unaccountable Federal Government with the power to create policies that impact Americans' everyday lives. But that is currently the state of today's Federal bureaucracy.

President Trump sought to take on this bureaucracy and restore power to the people by draining the swamp. He issued an executive order in October 2020 to help make Federal bureaucrats who have the ability to create and implement policy more accountable for their actions.

We should all be in favor of policies making it easier to remove civil servants who refuse to follow the will of the voters. That is what President Trump's executive order did.

Democrats are beholden to the Federal bureaucracy—a workforce who thinks they know better than the American people. They are wrong. Democrats have made every effort to preserve bureaucrats' ability to thwart the policies of any President who tries to implement policies to reign in the expansive influence of the Federal Government over the daily lives of Americans.

This bill is contrary to the American way of government—of the people, by the people, and for the people.

The bill's sponsors allege it is a bill that prevents a return to the patronage system instituted in the 19th century. That is simply not true. President Trump never attempted to return to a patronage system. Just the opposite.

Instead of instituting a new patronage system, President Trump simply made it easier to discipline or remove

civil service officials in our government's policymaking roles.

These influential Federal employees should not be allowed to chronically underperform or actively undermine the work of their politically accountable superiors.

If you support an efficient and effective executive branch that is accountable to the American voters, then you must oppose H.R. 302.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume to respond to my colleagues who mentioned a problem with poor performers in the Federal workforce. Federal managers have tools now to remove poor performers when appropriate. In fact, over 10,000 Federal employees were removed last year from their jobs for poor performance.

This bill does not change the removal process for employees who are not performing their jobs well, and schedule F was never about removing employees who are performing poorly. That policy was designed to intimidate and remove career employees who dared to provide impartial advice that may be perceived as contrary to an administration's political agenda. Civil servants are supposed to help administrations follow the law.

So let's set the record straight about schedule F. It was intended to punish Federal employees doing their jobs ethically and legally.

Mr. Speaker, I am proud to yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY), the chairman of the Government Operations Subcommittee, and the author and sponsor of this bill.

Mr. CONNOLLY. Mr. Speaker, I thank my good friend, the chairwoman of the full committee, for yielding.

I have to say, when he cites that our Founders never envisioned a large government, that is true—there were 13 colonies that became 13 States.

I will remind my friend from Kentucky, neither did they ever envision the State of Kentucky. As a matter of fact, what is now Kentucky was claimed and owned by my home State, Virginia. So there are a lot of things that weren't envisioned back in the 1780s that we have to deal with in the 21st century. That is what we are doing here today.

Mr. Speaker, I thank you for the opportunity to discuss and advocate for the Preventing Patronage System Act, H.R. 302.

Our Federal workforce—the crown jewel of our Federal Government, especially during a pandemic—is comprised of roughly 2 million Federal employees hired on the basis of their acumen, their skill, and their dedication. They work each day for the American people—serving in myriad capacities to improve the Nation and America's posture abroad.

These impartial civil servants deliver mail; provide medical care to veterans;

help families in the wake of hurricanes and deadly fires; design websites that facilitate access to lifesaving payments like Social Security, unemployment insurance, and tax returns; and they build telescopes that make us rethink what is possible and what kind of universe there is to be explored.

This bill, H.R. 302, would ensure that Congress controls when and how to change the very nature of our invaluable civil service. It simply returns power to the legislative branch.

The Preventing Patronage System Act would protect merit-system principles in our civil service by limiting Federal employee reclassifications to the five excepted service schedules in use prior to fiscal year 2021. It doesn't preclude a President from requesting authorization from Congress to create a new one, but it requires it. It restores the balance.

Since the creation of the civil service in 1883, administrations have established an excepted service schedule only five times. These excepted service categories are created for positions that require unique hiring or operating rules, such as positions of a short-term political nature or positions in remote areas, or in instances in which there is a critical hiring need.

On October 21, 2020, then-President Trump signed Executive Order No. 13957 unilaterally attempting to create a new one, schedule F, in the excepted service. This executive order, according to a coalition of good government groups—I have got 34 of them endorsing this bill—could expose Federal employees to politically partisan motivated hiring and firing.

As drafted by that former President, schedule F would require agency heads to reclassify policy-determining, policymaking, or policy-advocating positions to a newly created schedule F. This action removes the due process rights and civil service protections of employees moved into that schedule.

Despite President Biden's rescinding of the schedule F, Axios recently reported that former President Trump continues to develop a unilateral plan to seize the reins of Federal Government and reclassify up to 50,000 Federal civil servants, who are now part of the civil service, and they would lose their protection and their merit-based promotion.

Blind loyalty and ideological purity tests should never determine who we trust with securing our Nation's borders, fortifying Federal IT systems, caring for seniors and veterans, fighting public health threats, or responding to natural disasters.

As one former Federal human resource expert said: Do we really think a government of political hacks and sycophants is in the best interests of the American people? Do we think making government more partisan will make it more trusted by the people?

The non-partisan Partnership for Public Service stated: "Endangering the skilled employees at the core of our

government . . . would harm the delivery of crucial services to the American people.”

Schedule F is a national security issue—and an issue that affects delivery of essential services and resources to every family and every business in this country.

H.R. 302 reinforces the legislative prerogative. It requires any attempt to create a new excepted service to have explicit congressional authorization.

It is bipartisan and it has 16 cosponsors, including three of my friends on the other side of the aisle.

Changing the nature and operations of the civil service is rare, important, and should require express congressional participation through legislation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield an additional 1 minute to the gentleman from Virginia.

Mr. CONNOLLY. Mr. Speaker, President Trump's schedule F would send our Nation back to 1881 when President Garfield was shot by a man who believed the support of the President should have earned him a political partisan position in the Federal Government. Congress passed the Pendleton Act in 1883, 2 years later, to a move away from that patronage system, and it has been in place ever since.

As President Theodore Roosevelt said, “The worst enemies of the Republic are the demagogue and corruptionist. The spoils-monger and spoils-seeker invariably breed the bribe-taker and the bribes-giver, the embezzler of public funds and the corrupter of voters.” A good Republican President.

Acumen, not political fealty, must define our civil service.

Mr. Speaker, I have so many groups that have endorsed this bill and many, many Members that have, as well.

Mr. Speaker, I include in the RECORD a list of organizations that endorse H.R. 302.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND REFORM,  
*Washington, DC, September 14, 2022.*

Ms. CHERYL L. JOHNSON,  
*Clerk of the U.S. House of Representatives,*  
*Washington, DC.*

DEAR Ms. JOHNSON: Below is a list of organizations that have endorsed H.R. 302:

1. American Federation of Government Employees (AFGE).
2. National Treasury Employees Union (NTEU).
3. The Partnership for Public Service.
4. National Federation of Federal Employees (NFFE).
5. International Federal of Professional and Technical Engineers (IFPTE).
6. National Weather Service Employees Organization (NWSEO).
7. Patent Office Professional Association (POPA).
8. United Power Trades Organization (UPTO).
9. Citizens for Responsibility and Ethics in Washington (CREW).
10. International Marine Mammal Project of Earth Island Institute.

11. Civil Leadership Education and Research Initiative.
12. Project Blueprint.
13. American Society for Public Administration (ASPA).
14. National Association of Retired and Federal Employees (NARFE).
15. Professional Managers Association.
16. Public Citizen.
17. Federal Law Enforcement Officers Association (FLEOA).
18. International Association of Fire Fighters (IAFF).
19. International Association of Machinists and Aerospace Workers (IAMAW).
20. National Association of Government Employees (NAGE).
21. Service Employees International Union (SEIU).
22. Professional Aviation Safety Specialists.
23. American Federation of State, County, and Municipal Employees.
24. American Foreign Service Association.
25. FAA Managers Association.
26. Laborers' International Union of North America.
27. National Air Traffic Controllers Association.
28. National Association of U.S. Attorneys.
29. National Association of Federal Veterinarians.
30. National Council of Social Security Management Associations.
31. National Postal Mail Handlers Union (NPMHU).
32. National Weather Service Employees Organization.
33. Patent Office Professional Association.
34. Federal Managers Association (FMA).

Sincerely,

GERALD E. CONNOLLY,  
*Chairman, Subcommittee on Government Operations, House Committee on Oversight and Reform.*

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND REFORM,  
*Washington, DC, September 12, 2022.*

Ms. CHERYL L. JOHNSON,  
*Clerk of the House of Representatives,*  
*Washington, DC.*

DEAR Ms. JOHNSON: Below is a list of Members of Congress who would have cosponsored H.R. 302 had they been able to be added prior to the House Committee on Oversight and Reform discharging the bill:

- Madeleine Dean (PA)  
Brad Sherman (CA)  
Rashida Tlaib (MI)  
Mike Quigley (IL)  
David Trone (MD)  
Jamie Raskin (MD)  
Henry C. “Hank” Johnson, Jr. (GA)  
Rick Larsen (WA)  
Norma J. Torres (CA)  
Paul D. Tonko

Sincerely,

GERALD E. CONNOLLY,  
*Chairman, Subcommittee on Government Operations, House Committee on Oversight and Reform.*

Mr. CONNOLLY. Mr. Speaker, I include in the RECORD two articles: an editorial in the Washington Post endorsing this bill and delineating the issue, and an article in Newsweek doing the same.

[From the Washington Post, Aug. 29, 2022]

OPINION: CONGRESS MUST PREVENT ANOTHER TRUMP-ATTEMPT TO PURGE THE GOVERNMENT

(By the Editorial Board)

It might sound like an innocuous change to the structure of the federal workforce: creating a category of employee, known as “Schedule F,” for positions related to “policy-determining, policy-making, or policy-advocating.” Yet, this change threatens to politicize the underappreciated ranks of those who keep the country's government running—the nation's professional civil service.

President Donald Trump created the Schedule F designation by executive order near the end of his term, just ahead of the 2020 election. The order would have removed long-held protections from tens of thousands of career bureaucrats, making them easier to dismiss. That would give the president vast powers to reshape the federal government at will—and could politicize positions long treated as nonpartisan and merit-based.

The Trump administration attempted unsuccessfully to rush through the change before the end of its term, and, upon taking office, President Biden immediately rescinded the order. But, according to a troubling recent report from Axios's Jonathan Swan, Mr. Trump and his associates plan to quickly reinstate Schedule F if he is elected in 2024, using it to fire career employees and replace them with loyalists. Other potential GOP presidential hopefuls have also indicated they would consider targeting the federal workforce.

The federal bureaucracy is a behemoth that includes approximately 2 million employees in myriad roles, working to keep the government operating. In 2020, the Trump administration justified its Schedule F executive order by suggesting that it would make it easier for supervisors to remove poor performers. No doubt there are ways to reform evaluation and dismissal processes so they are more nimble and responsive.

But much of our government's expertise rests with civil servants. A system that sees more people enter and leave federal agencies with the political churn would be less knowledgeable and efficient. It would also eliminate one of the major appeals of federal jobs: the understanding that there will be some measure of stability even when there are changes in administrations. If potential employees feel like they could be fired with little cause or recourse, fewer capable people will seek out these positions. That would only harm the wide range of government services on which Americans rely.

Democrats have introduced legislation that would forestall such a possibility. The Preventing a Patronage System Act, sponsored by Rep. Gerald E. Connolly (D-Va.), would block positions from being classified outside the existing system unless Congress consents to it. Mr. Connolly subsequently sponsored this as an amendment to the National Defense Authorization Act, and it passed the House last month. Six Democratic senators, led by Sen. Tim Kaine (Va.), have introduced companion legislation that would do the same thing. These measures would uphold protections for federal workers and reduce opportunities for patronage-based hiring in the future.

Populist politicians point to the “deep state” as the root of America's ills. In fact, what they cast as a threat—a professional, merit-based, experienced civil service—is one of the country's greatest assets.



[From Newsweek, Sept. 13, 2022]

HOUSE BILL WOULD BLOCK TRUMP PLAN TO MAKE IT EASIER TO FIRE FEDERAL WORKERS

(By Alex J. Rouhandedh)

The House will vote on a measure this week that would ensure the job security of thousands of federal employees who previously faced uncertainty around their employment security following an executive order issued by former President Donald Trump.

Trump issued an order in October 2020, the month before the presidential election, which established a new employment category for federal workers called "Schedule F." Under this category, individuals working in jobs tied to "policy-determining, policy-making, or policy-advocating" would lose protections, including due process rights, which prevent them from being easily fired when a new administration takes office.

That order effectively eliminated civil service employment protection for federal employees that had been in place for more than 135 years.

While President Joe Biden revoked the order not long after entering the White House, there is no law in place preventing a future president from executing such an order again.

And Trump has made it clear that if he is reelected in 2024, he plans to do just that.

During a March rally, Trump told supporters that if he were again to serve as president he would introduce "reforms making every executive branch employee fireable," subsequently justifying this action by saying, "the deep state must and will be brought to heel."

"(This would) allow a Trump to put political people in those jobs," Democratic Congressman Gerry Connolly of Virginia, who has introduced a bill to prevent this executive order from being reintroduced, told Newsweek.

Axios' Jonathan Swan reported in July that if Trump were to retake office, he plans to reintroduce the effort, putting an estimated 50,000 jobs at risk.

Connolly explained the effect on decision-making in the federal government that Schedule F would have.

"All of a sudden now, because the people making decisions are avowedly political, owing their allegiance not to the Constitution but to the president who appointed them, and they serve at his pleasure or her pleasure," he said. "They can also now look at everything through a partisan political lens, and that can affect services provided by the federal government."

Connolly represents Virginia's 11th Congressional District, an area near the Washington metro area, which houses a large number of federal employees. He said he interacts with these people regularly, and sees them largely as civil servants rather than members of a "deep state" that must be dismantled.

"This right-wing mythology that they've created that there's this deep state that is attempting to thwart the political will of our elected political leadership is completely false—there is zero evidence of that," Connolly said. "It's all a myth created in order to expand their partisan political power over the civil service."

Under the Pendleton Civil Service Reform Act of 1883, it became unlawful to fire or demote employees for political reasons, ushering in today's standard, in which positions in the federal government are awarded based on merit rather than their political affiliation. Today, the National Archives writes that the act "applies to most of the 2.9 million" federal jobs.

Connolly's proposed Preventing a Patronage System Act, which he first introduced in

January of 2021, would prevent a president from placing employees under a new schedule without the approval of Congress.

In addition to Connolly, the bill has 16 cosponsors. Three are Republicans, including Representative Brian Fitzpatrick of Pennsylvania, who served as Connolly's original partner on the effort.

The passage of this bill could represent a significant victory for Connolly, as he looks to make a case for why he should fill the Democratic party's top spot on the Oversight and Reform Committee once current chair Carolyn Maloney leaves Congress at the end of this year.

If Republicans take control of the House, the Oversight Committee could become an avenue through which the party launches investigations into President Biden and his administration's top officials, as Minority Leader Kevin McCarthy has expressed interest in doing. Connolly would stand at the frontlines in opposing this agenda.

The Virginia Democrat has been a staunch critic of the Trump agenda and the former president's role in altering the functioning of federal institutions. Connolly served as a prominent voice during the 2020 election when Democrats raised concerns regarding Trump's choice for Postmaster General Louis DeJoy's running of the United States Postal Service.

In wake of a federal judge calling DeJoy's actions a potential "politically motivated attack on the efficiency of the Postal Service," Connolly worked as an original cosponsor to help pass the bipartisan Postal Service Reform Act of 2022. In the time since, Connolly has continued to go after DeJoy, introducing legislation to stop him from replacing the postal fleet with gas-powered trucks instead of electric ones.

He likens his work on the DeJoy appointment to his current work on Schedule F. He said both were issues that had not drawn public attention. And, as with Schedule F, the DeJoy appointment sparked questions regarding the politicization of federal government positions long viewed as apolitical. "A career civil servant, (former Postmaster General) Meghan Brennan retires, and she is replaced by a Republican political donor," Connolly said.

"What we learned during the Trump years was that so much of our democracy is based on respecting the norms and precedent," Connolly added. "When you get an individual like Trump, who couldn't care less about any of that and is not going to respect it, you now have to look at codifying into law behavior that previously was assumed, and Schedule F, this patronage bill, is a good example of that."

Mr. COMER. Mr. Speaker, I yield myself such time as I may consume to respond to what my friend, Mr. CONNOLLY, just said. This schedule F has been grossly mischaracterized by my friends on the other side of the aisle.

I want to relay a scenario. Let's say, Mr. Speaker, that this year were a Presidential election year. Let's say that gas prices were an issue in the election. One Presidential candidate campaigns on: We are going to lower the price of gasoline at the pump significantly. We are going to lower it to the price it was when President Trump was in office. The other Presidential candidate campaigns, and says: No, we are going to convert everything to electric vehicles, and everything is going to be fine.

I would say in that scenario the candidate who says they are going to

lower gas prices is going to win overwhelmingly because this is one of the biggest issues in America right now.

Fast-forward to the administration. The President comes in, and he says: We are going to lower gas prices because we are going to issue more permits and we are going to reduce the barriers and roadblocks that the previous administration put in to block the American energy companies. He orders that. He has got a mandate from the people on that issue.

The bureaucrats then say: No. No. We are not going to issue more permits. No. We are going to make it even harder. You can't frack and you can't drill. I don't care what the American people said at the voting box. I am Mr. Bureaucrat, and no, we are not going to do it.

That is why we need schedule F employees because the unelected bureaucrats are not accountable to the American people. We have got a scenario here in Washington, D.C. where the unelected, unaccountable bureaucrats are calling the shots, regardless of the will of the American people. That is why we support President Trump's proposal for the schedule F employees.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House of Representatives.

□ 1245

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in strong support of this and the other two bills that we will vote on, the Oversight and Reform Committee bills that we are considering this week. Not only will they make government more accountable to the people it serves, they are also a testament to the extraordinary work and dedication to service of the committee's chairwoman, my friend, CAROLYN MALONEY.

She leaves Congress at the end of this year after an accomplishment of three decades in office. During that time, she has been a champion, not only for New York, but for all those across the country who cherish good government and the causes of justice, opportunity, and equality for which she has worked so very, very hard.

Few in the history of the Congress have worked on behalf of the consumers in a more dedicated and effective fashion than Chairwoman CAROLYN MALONEY.

Today, she continues that service by offering, on behalf of her committee, these three bills. I make particular mention of the bill authored by Chairman GERRY CONNOLLY of the Government Operations Subcommittee, which has been strongly supported by Chairwoman MALONEY and their colleagues and the committee's majority.

I, too, strongly support this effort, which would protect the nonpartisan

nature of our civil service by ensuring that Presidents cannot simply fire Federal workers by reclassifying them as “schedule F” employees. That is what the previous President suggested. That is what his supporters are suggesting now.

And they are suggesting, not only that, but they are going to put people in place who want to follow their political edicts, legal or not. They made it quite clear they want to eliminate what they call the deep state.

The deep state is a cadre of professionals dedicated to honoring the Constitution, the laws of this country, and carrying out the policies of the Congress and the President.

By the way, it is the Congress that makes policy, under the Constitution, under Article I. It is the executive that carries out policies. Now, Presidents of both parties want to be policymakers also. I get that. It is a nonpartisan desire of Presidents.

But our Founders but, more importantly, those who adopted the Civil Service Reform Act and have made amendments subsequent to that, and a majority of the Congress of the United States, both parties, thought that it was in the interest of citizens to have a professional cadre of employees, not subject to political pressure, or whim, or edict, but subject to following the law and carrying out the policies of this country.

We must guard against a future President taking that dangerous step of making them employees at will. Frankly, we have had a very stark example of a President whose will was inconsistent with American principles.

We must not return to the kind of patronage system that fueled corruption and partisanship before the civil service reforms of the late 19th century.

The other two bills authored by Chairwoman MALONEY are equally necessary and beneficial to the American people. The first would further protect whistleblowers against retaliation; and the second would protect the nonpartisan nature of the U.S. Census, prescribed by our Constitution, and so vital to equal representation.

When we passed whistleblower legislation and protections, we did so because we wanted people to be able to come forward and say the emperor has no clothes. The policies being pursued are being done inefficiently. The policies being pursued are wasting money. The policies being pursued are illegal.

That is why we protect whistleblowers, because it is in the interest of our citizens, of our country, and our laws and, by the way, in the interest of Congress, so that people can come forward to those of us who make policy, who appropriate money, to be told the policies that you passed are not being followed, or the money you dedicated is not being spent in the way you purposed it. So these bills are critically important.

And by the way, the Constitution says, count everybody. That is what

the Constitution says. The Supreme Court said that is what it said. Not just my friends; not just the people who like me; count everybody.

And by the way, if you are going to change the rules, tell the Congress, and tell us before it is too late for us to do anything about it. That is all this bill says. This bill ought to be overwhelmingly supported by both sides of the aisle.

Very frankly, if you have a deep state, you would think you would want to make sure that the Congress is the one that sets the policies of who is counted and not counted and how it is counted.

President Lincoln famously described ours as a “government of the people, by the people, and for the people.”

These bills, like the work of Chairwoman MALONEY, throughout her career in public service, will help us keep it that way.

I urge my colleagues on both sides of the aisle to support these bills.

And in closing, once again, I congratulate CAROLYN MALONEY of New York for her dedicated, extraordinarily effective service to the people of New York, people of her city, the people of this country. She has been an extraordinary Member of this institution and has made us better.

Mr. COMER. Mr. Speaker, I appreciate the distinguished majority leader quoting the Constitution’s constitutional role of Congress in making policy.

I will remind my friend, the majority leader, that it is Congress’ role to appropriate money, not the President. And that is why we should have oversight hearings on the \$300 billion student loan bailout proposal that the President unconstitutionally proposed.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, I rise in opposition to H.R. 302, Preventing a Patronage System Act. And the reason why I do so is that the executive branch needs to function in a way that helps the administration, the current President of the United States.

President Trump had an executive order to make a section called schedule F, where employees could be terminated. This is very important, and the reason why I say so is I am also a businessowner. And it is very important for any businessowner, any CEO, anyone running a company, to be able to terminate people working under them.

This is an important function of the executive branch. Preventing a Patronage System Act takes that away. It makes it to where they can put people into positions where you cannot fire them. That is wrong. This is not how the government should be working. It shouldn’t be putting people in places, unelected bureaucrats, into positions and jobs where they cannot be terminated. Anyone should be fired.

You see, there is a reason why the American people call Washington D.C.

the swamp, and it is not just because it is built on a swamp. It is called the swamp for a reason; because the American people see the government as a place where they call swamp creatures; they think they never leave.

In doing so, the Preventing a Patronage System Act, this bill will formally make it a Federal law in order to just make that happen.

You see, we really need a system in place. We need to make sure that we don’t pass Federal laws where people cannot be fired. It should never be the case.

People should be fired if they are not doing a good job. People should be fired if they are not doing things effectively for the administration they work for. The President of the United States should be able to fire whoever he or she wants.

The Democrats want to pass this bill to empower Democrat operatives; people that they have hired; people that they have put in their administration; they want to make sure those Democrat operatives are there to be able to undermine the next Republican President of the United States. That should not be a Federal law.

And as a businessowner, I am telling you, it is so important to be able to fire people in your company that aren’t doing a good job. And it should be no different for any President. The executive branch must be able to have people working there that can be terminated.

Everyone knows the movie “Pirates of the Caribbean.” And on the “Black Pearl”—that is the second one—it has pirates on the ship that become part of the ship walls. Effectively, that is what H.R. 302 is doing.

The Preventing a Patronage System Act will make employees in the executive branch just that, part of the building walls, making it impossible to get rid of them.

So, for this reason, I oppose this bill, and I urge my colleagues to vote against it.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

I would like to respond to the gentlewoman who may not have been here when I made my previous remarks, because I point out that this is not about making it hard to remove poor performers. The Federal Government can and does remove poor performers where appropriate. And there is a process for that.

According to data from the Office of Personnel Management, the Federal Government removed 10,687 employees in Fiscal Year 2021.

It is in the public’s best interest to ensure that the President cannot take action that would politicize the civil service and threaten the integrity of the work that we depend on civil servants to perform every day.

One expert on Federal human resources, Jeff Neal, has explained that the tension that can exist between career employees and political appointees



usually reflects the “need to ensure that proposals are legal” and that “statutory and regulatory requirements, such as the Administrative Procedure Act, are met.”

In other words, this tension is actually a sign that the system is working, and procedures are being properly followed. That is certainly not poor performance or cause for removal.

Schedule F would have improperly targeted those who ensure legality, equity, and appropriate stewardship of taxpayer dollars.

Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), a distinguished member of the Committee on Oversight and Reform and a champion for workers.

Ms. NORTON. Mr. Speaker, I thank my good friend for yielding to me. And I appreciate her correction of the prior speaker on the other side who repeatedly said that Federal employees could not be fired, ignoring the figures that the Chair had given of 10,000 employees fired last year.

This is a civil service system. It is not a private system. It rules under the Constitution and under the rule of law. That is the difference between working for the Federal Government and working for a private employer.

I speak in strong support of the Preventing a Patronage System Act—note that word—Patronage System Act, of which I am a cosponsor.

This bill would prevent a future President from reimposing the schedule F scheme that would move tens of thousands of career employees into positions that would essentially be a new form of political appointment. The nonpartisan, apolitical civil service system is critically important to how our government functions.

President Trump attempted to—former President Trump attempted to illegally create this new class of Federal employees, in contravention of the Constitution and, more specifically, these employees’ rights.

□ 1300

We need to encourage the best to join the Federal Government, and this type of ploy by the prior administration would hinder that effort; instead, allowing an administration to engage in a patronage system. The government needs experts, not political cronies.

I appreciate Congressman CONNOLLY for introducing this important bill, and I am pleased to be able to speak in support of it.

Mr. COMER. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. HICE), the ranking member of the Subcommittee on Government Operations.

Mr. HICE of Georgia. Mr. Speaker, I thank Mr. COMER for yielding time.

The numbers that were just shared are out of 2.1 million Federal employees, and the figure is accurate. Some 10,000 were terminated in 2021, but this is a fraction. People in the private sec-

tor are three times more likely to be terminated for poor performance than are people in the Federal Government. That is because it is so restrictive and so difficult to go through the process.

In fact, when the discussion deals with Federal employees that have been on the job past the probationary period, the number of terminations drops to half of what was just spoken of. These are skewed numbers that are being shared, but also a fraction of the over 2 million Federal employees and a fraction in comparison to those who were terminated in the private sector.

We must be able to deal with poor performers in the Federal Government, and our Democrat friends want to protect them and make Federal bureaucrats a protected class. That is absolute insanity. It is bad for America. It is bad for the American people.

Mr. Speaker, I again thank the gentleman for yielding to me.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume to respond to the gentleman’s statement.

Schedule F was never about removing employees who were performing poorly. That was not the purpose. There is already a procedure in place for that.

It aimed to strip workplace protections away from Federal employees so that anyone who didn’t adhere to an ideology aligned with the President, the former President, could be easily replaced with someone who did.

That is a violation of the impartiality with which the civil service is meant to operate. It is supposed to be an independent, merit-based system not tied to ideology.

If changes that consequential are to be made to the civil service, they shouldn’t happen without the approval of Congress. That is what this bill does. This bill preserves Congress’ authority in civil service policy. People can’t come in willy-nilly and change the system and make it a partisan system overnight.

If implemented, schedule F would have placed Federal employees’ careers in the hands of political appointees who could fire them for presenting data, evidence, or views that contradict the political whims of an administration.

Mr. Speaker, I yield 2 minutes to the gentleman from the great State of Virginia (Mr. BEYER), the distinguished chairman of the Joint Economic Committee.

Mr. BEYER. Mr. Speaker, I rise today in support of H.R. 302, sponsored by my friend and colleague from Virginia.

Three out of four of my grandparents were career Federal servants. I represent more Federal employees than any Member of Congress. I have a deep appreciation for the vital work our civil service does to keep our Federal Government functioning.

Our Federal employees have endured attack after attack from our former

President and his allies. The most significant threat to our Federal workers came when the former President tried to use executive action to strip Federal workers of their most basic protections and replace our career civil servants with political loyalists.

This rule would have made a huge number of Federal employees fireable by any future President, overturning a century-old system put in place by Congress to prevent this politicization.

Congress passed the Pendleton Act 139 years ago, through Democrats and Republican Presidents all those years, to require civil servants to be politically independent. We insist our public servants be loyal to our country, not to our political leaders. We demand integrity, competence, and experience, not partisanship and ideology.

Should schedule F ever be enacted, any future President could unilaterally transform a whole government overnight in wildly destructive ways.

The bill we are about to vote on will prevent something like schedule F from ever becoming law. It would block any reclassifications of Federal employees to schedule F and prevent any position in the competitive service from being reclassified to an excepted service position.

This bill is essential to keep Federal employees from being used as political bargaining chips and protects the careers of thousands of civil servants and their families, along with the legitimacy of the institutions under which they serve.

Mr. COMER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I listened to my colleagues talking about the politicization of how we deal with Federal employees. The fact is, the bureaucracy has never been more politicized than it is today.

This bill is the Federal bureaucrat protection act. That is what this is. Let’s be a hundred percent clear. This is about leftists in this body wanting to protect the entrenched leftists in the bureaucracy, undermining the will of the American people every single day. That is what it is about.

We don’t want to allow the people who are running the agencies to go in and fire people who are either not doing their job, completely violating their ethics at the desk, or, frankly, are going right against the law or the will of the American people.

Look no further than the Department of Homeland Security, which is turning a blind eye to our border. Look no further than an FBI that is targeting parents for daring to challenge school boards. That is what your Federal bureaucracy is doing.

All of these charges being levied, saying, oh, this is about hate, going after Federal employees—I am a former Federal prosecutor and worked with the Department of Justice. My father worked in the Federal Government for 20 years right here. But I know why the

gentleman, my friend, Mr. BEYER, was here: Because the richest counties in America are right here in Fairfax, Loudoun County, Montgomery County, feeding right off of the back of the beast that is the Federal Government, the bureaucrats that are stepping over the will of the American people.

If we dare put forward legislation, like I have, to say that those bureaucrats should be able to be fired at will—for example, how about the HUD employee caught using his work email for private business deals, the postal employee arrested for bringing cocaine into the workplace, and the EPA employee who spent years viewing pornography for 2 to 6 hours a workday?

The fact is, only 25 percent of Federal supervisors felt they could successfully remove an employee, while 78 percent reported that previous efforts to remove an employee had no effect. Only 3 percent of whistleblower complaints are substantiated. Mr. Speaker, 175 of 16,000 discrimination complaints were substantiated in 2019.

My colleagues on the other side of the aisle want to preserve an entrenched bureaucracy to step over the will of the people so that this town can decide the well-being of the American people. That is what it is about.

It is about power. It is about the entrenchment of power among bureaucrats. My colleagues know it, and that is why they are trying to advance this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I refer to my prior statements and reiterate that schedule F was never about removing employees who are performing poorly. There is a whole process to do that.

This is about protecting the integrity of a merit-based system, so people are not retaliated against and fired because they are not doing what somebody is dictating them to do.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GREEN), the distinguished Representative and chairman of the Subcommittee on Oversight and Investigations of the Financial Services Committee.

Mr. GREEN of Texas. Mr. Speaker, I thank the gentlewoman for yielding time, and I say to the gentlewoman that it has been a preeminent privilege to serve with her for 10 these many years; indeed, superlative pleasure. I miss you already. Thank you for what you are doing.

I am grateful to my colleague, Chairman CONNOLLY. I see this as another example of his legislative brilliance: to make a decision that will allow people to succeed on their merits or fail on their demerits, to take the political patronage out of the civil service system.

The civil service system functions efficaciously across the length and breadth of this country. Police departments and fire departments across the country that have civil servants provide the institutional knowledge. They have the expertise. Mr. Speaker, you don't want to just throw out all the

best of the best that have been working there and understand what the system is all about.

Every new person who comes in would like to bring in people to support his or her political philosophy. I support your having people to work with you, but I don't support destroying a system that allows us to have the institutional knowledge to keep the government functioning efficaciously.

This patronage system that has developed under F has been a failure, and it is little more than fatuous folly that will prove to be harmful to this country.

Mr. Speaker, I support H.R. 302, and I beg that my colleagues would do so, as well.

Mr. COMER. Mr. Speaker, I yield myself the balance of my time.

The U.S. House of Representatives needs to concentrate its energy on helping Americans survive economic turmoil and defending our borders and national security.

I once again urge House Democrats to get back to what the American people elected us to do: conduct oversight over the Federal Government and the Biden administration, which is on a path to destroy America.

We need to hold hearings, conduct oversight, and pass legislation affecting the crises that every American is facing today. That is our constitutional responsibility. But instead, today, we are once again spending valuable resources and time on divisive political messaging legislation.

I think if any American was watching this committee hearing today, they would share the frustration of those of us on this side of the aisle who are trying to drain the swamp, who are trying to hold unelectable, unaccountable Federal bureaucrats who refuse to do their jobs accountable. That is part of the job of Congress.

This bureaucracy gets bigger every Congress. I have noticed, with the exception of one speaker, all the speakers on the other side of the aisle who spoke in favor of this bill represent the Washington, D.C. Federal bureaucracy workforce.

The majority of Congress, we represent America, and America wants to hold poor-performing government employees, bureaucrats, who are paid with their hard-earned tax dollars, accountable. That is why the Republicans oppose this legislation, and I urge all of my colleagues on the other side of the aisle to do the same.

Mr. Speaker, I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time, and I will respond to my very good friend, who I have tremendous respect for.

I do not represent the Washington workforce. I represent New York City. I represent the private sector, the private-sector capital of the world, New York City, Manhattan. That is who I represent.

I also represent taxpayers, a lot of them, and they want their money to be spent for good government. They want the people working in the government to be impartial and dedicated to doing the best job possible without political influence. That is exactly what this bill we are talking about today is about.

Schedule F, as I repeat, was never about removing employees who were performing poorly. We have a whole system to do that. We removed over 10,000 last year. This is about protecting employees who are doing a good job from political influence.

I reiterate the crucial role of the people who make up the professional and nonpolitical civil service in delivering government services to our constituents, protecting our democracy, and carrying out agency missions across the Federal Government.

Injecting undue political influence into that system, as schedule F would have done, would be disastrous for the merit system we have in place.

□ 1315

When we pass this bill today, we are making sure that no President of either party, Democrat or Republican, can ever unilaterally take such destructive action in the future.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support a merit system, to support the civil service system that has served us so well, to vote to keep politics out of the civil service system, and to support the important underlying bill.

I congratulate my colleague and very good friend, Mr. CONNOLLY, on his excellent work on this bill. It is bipartisan. We have three Republicans. But I hope that we will pick up more, because this is about voting for freedom, democracy, independence, good government, you name it.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support this important bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CUELLAR). All time for debate has expired.

The further amendment printed in part A of House Report 117-464 may be offered only by the Member designated in the report, shall be in order without intervention of any point of order, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HICE OF GEORGIA

The SPEAKER pro tempore. It is now in order to consider amendment No. 1 printed in part A of House Report 117-464.

Mr. HICE of Georgia. Mr. Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 14, strike “; and” and insert the following: “, subject to the terms and conditions under part 6 of such title as in effect on such date; or”.

Page 3, strike lines 15 and 16 and insert the following:

(2) in schedule F of the excepted service as in effect on December 31, 2020, pursuant to Executive Order 13957 (85 Fed. Reg. 67631; relating to creating schedule F in the excepted service).

Page 3, line 20, before the period, insert “or (a)(2)”.

The SPEAKER pro tempore. Pursuant to House Resolution 1339, the gentleman from Georgia (Mr. HICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. HICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by stating clearly that I oppose the underlying bill here. Some of my Democratic colleagues claim that there is no such thing as a deep state, that there are no problems that we have within our Federal employee system. But there are genuine, valid concerns.

Take, for example, a Washington Post story titled: “Resistance from within: Federal workers push back against Trump.” In that article: “Federal workers are in regular consultation with recently departed Obama-era political appointees about what they can do to push back against the new President’s initiatives.”

We have a problem, and it is a problem that bureaucrats do not do their jobs in fulfilling the will of a duly-elected President and the will of the American people. Instead, over and over, as time has shown it, they resist the will of the President.

This whole title here of H.R. 302, “Preventing a Patronage System Act,” a patronage system is designed to get people in the front door. That is not even what we are talking about. We are talking about people who are already in the door who are not doing their job. For crying out loud, it is the back door that needs to be dealt with, when you have poor performers, people who are not doing their job.

President Trump dealt with this by instituting schedule F, giving him the authority to do away with policy-makers who refused to do their job. That is something that is desperately needed, and that is what is at stake. It is that issue that my amendment addresses.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise in opposition to the amendment offered by my good friend, Representative HICE.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, H.R. 302 preserves congressional authority to make sure that no President can establish a de-

structive policy like schedule F in the future without the approval of Congress.

The amendment would do the exact opposite. It opens the door for an administration to implement the revoked schedule F executive order and dangerously politicize the Federal workforce.

For all the reasons this was bad policy in 2020, it remains bad policy today.

Schedule F evaded congressional oversight in an attempt to make the civil service an instrument of partisan politics rather than the nonpartisan professional, independent workforce that Congress intended it to be.

Schedule F would replace a professional system with a patronage system, discouraging civil service employees from providing impartial advice based on the facts or reporting waste, fraud, and abuse.

Reviving this attack on Federal employees also makes it harder to retain and hire qualified employees, which further erodes the ability of the agencies to carry out their mission.

I strongly oppose this amendment, and I urge Members on both sides of the aisle to vote “no.”

Mr. Speaker, I reserve the balance of my time.

Mr. HICE of Georgia. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. COMER), the ranking member of the Committee on Oversight and Reform.

Mr. COMER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this commonsense amendment offered by my friend, Representative HICE.

President Trump took needed steps to ensure civil servants serve the American people, not their own interests. One of President Biden’s first actions was to undo these needed reforms.

Representative CONNOLLY introduced this bill, even before President Biden was sworn in, to overturn President Trump’s action and to prevent any future President from reinstating them.

Obviously, the Biden administration has a radically different view of the Federal workforce than President Trump did, one that House Republicans strongly disagree with.

This amendment would simply ensure that a future President could reinstate a policy similar to schedule F to allow for more accountability within the career civil service. We should not tie the hands of a future duly-elected President to implement the clear mandates of the American people.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), the chairman of the Subcommittee on Government Operations, and the sponsor and author of this bill, H.R. 302.

Mr. CONNOLLY. Mr. Speaker, I thank my friend, the chairwoman of the committee, for yielding.

I must say, the innuendos, the negative characterization, the smears, if

not slanders, launched against Federal employees in general on the floor today would come as news, unwelcome news, to the almost quarter of a million Federal employees in Kentucky, Georgia, and Texas. Almost 10 percent of the entire Federal workforce live in those three States.

The amendment just offered is a direct assault on our Federal workforce and would completely gut the bill in front of us. It grew from the Trump administration’s efforts to turn our expert civil service into a collection of cronies. This amendment invites the crony clown car into the Federal Government.

My concern is not hypothetical. In September of 2019, then-President Trump circled areas of Alabama with a Sharpie that he claimed were dangerously in the path of a hurricane, Hurricane Dorian. That prognostication was contrary to what expert civil servants, not swamp creatures, at the National Oceanic and Atmospheric Administration found. Luckily, the civil servants in NOAA’s Birmingham, Alabama, office tweeted out Mr. Trump’s error.

While “#Sharpiegate” made a funny hashtag on Twitter, the aftermath could have been catastrophic and cost lives.

What if FEMA deployed in the wrong region? What if millions of taxpayer dollars had been wasted, sending Federal help where it was not needed? What if families in the storm’s path were left stranded because our Federal workforce kowtowed to the permanent marker whims of the then-President.

I am not the only one sounding this alarm. Thirty-four professional associations, good government organizations, think tanks, and nonprofits, have endorsed this bill.

From the International Federation of Professional and Technical Engineers, hardly a politicized group:

The impact of schedule F and any similar effort to inject political patronage, cronyism, and corruption into the Federal Government would not only be felt by Federal employees; it would harm working people, our economy, the public interest, and the legitimacy of our democracy.

From the National Association of United States Attorneys:

If a President can unilaterally reclassify employees and strip them of their protections, there is no longer a safeguard against political interference. This is not the system of justice our Nation should support.

From the National Federation of Federal Employees:

Political operatives or ordinary criminals will be able to threaten the careers of Federal workers with impunity, jeopardizing the collective mission of the United States. This includes employees in Federal law enforcement, national security, and national defense, among others.

Hardly swamp creatures.

From the Nonpartisan Partnership for Public Service:

Endangering the skilled employees at the core of our government would not only further erode the critically low levels of trust

in government but would harm the delivery of crucial services to the American people, especially in a pandemic.

The SPEAKER pro tempore. The time of the gentlewoman from New York has expired.

Mr. HICE of Georgia. Mr. Speaker, I yield myself the balance of my time.

I respect greatly the gentleman from Virginia and enjoy working with him, but his characterization that we are attacking Federal employees is just not true.

There are millions of great Federal employees, and those who are doing their job have absolutely nothing to worry about. That is not what we are addressing here. We are addressing those who refuse to do their job.

There needs to be a means of dealing with those—especially in this schedule F that President Trump put in place—those who are responsible for policymaking, to do the will of the elected President of the United States. My Democrat colleagues are trying to protect those individuals and enable them, give them the right to continue to force their will upon the American people rather than the will of the American people as expressed through the duly-elected President, whomever that may be. This is absolutely wrong and beyond my comprehension.

Even Federal employees themselves, year after year after year, talk about how difficult it is to get rid of poor performers in the Federal workforce. Here we are trying to protect them rather than have the ability to deal with and terminate poor performers and, specifically with schedule F, those who are responsible, regardless of the administration, to perform the will of that administration.

My amendment addresses these issues. I strongly urge my colleagues on both sides of the aisle to support this amendment, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 1339, the previous question is ordered on the amendment offered by the gentleman from Georgia (Mr. HICE).

The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on the amendment offered by the gentleman from Georgia will be followed by 5-minute votes on:

Motion to recommit, if offered; and

Passage of H.R. 302, if ordered.

Members will record their vote by electronic device.

The vote was taken by electronic device, and there were—yeas 204, nays 226, not voting 2, as follows:

[Roll No. 431]

YEAS—204

Aderholt	Gibbs	Moolenaar
Allen	Gimenez	Mooney
Amodei	Gohmert	Moore (AL)
Armstrong	Gonzales, Tony	Moore (UT)
Arrington	Good (VA)	Mullin
Babin	Gooden (TX)	Murphy (NC)
Baird	Gosar	Nehls
Balderson	Granger	Newhouse
Banks	Graves (LA)	Norman
Barr	Graves (MO)	Obernolte
Bentz	Green (TN)	Owens
Bergman	Greene (GA)	Palazzo
Bice (OK)	Griffith	Palmer
Biggs	Grothman	Pence
Bilirakis	Guest	Perry
Bishop (NC)	Guthrie	Pfluger
Boebert	Harris	Posey
Bost	Harshbarger	Reschenthaler
Brady	Hartzer	Rice (SC)
Brooks	Hern	Rodgers (WA)
Buchanan	Herrell	Rogers (AL)
Buck	Herrera Beutler	Rogers (KY)
Bucshon	Hice (GA)	Rose
Burchett	Higgins (LA)	Rosendale
Burgess	Hill	Rouzer
Calvert	Hinson	Roy
Cammack	Hollingsworth	Rutherford
Carey	Hudson	Salazar
Carl	Huizenga	Scalise
Carter (GA)	Issa	Schweikert
Carter (TX)	Jackson	Scott, Austin
Cawthorn	Jacobs (NY)	Sempolinski
Chabot	Johnson (LA)	Sessions
Cline	Johnson (OH)	Simpson
Cloud	Johnson (SD)	Smith (MO)
Clyde	Jordan	Smith (NE)
Cole	Joyce (OH)	Smith (NJ)
Comer	Joyce (PA)	Smucker
Conway	Keller	Spartz
Crawford	Kelly (MS)	Staubert
Crenshaw	Kelly (PA)	Steel
Curtis	Kim (CA)	Stefanik
Davidson	Kustoff	Steil
Davis, Rodney	LaHood	Steube
DesJarlais	LaMalfa	Stewart
Diaz-Balart	Lamborn	Taylor
Donalds	Latta	Tenney
Duncan	LaTurner	Thompson (PA)
Dunn	Lesko	Tiffany
Elizy	Letlow	Timmons
Emmer	Long	Turner
Estes	Loudermilk	Upton
Fallon	Lucas	Valadao
Feenstra	Luetkemeyer	Van Drew
Ferguson	Mace	Van Dуйne
Finstad	Malliotakis	Wagner
Fischbach	Mann	Walberg
Fitzgerald	Massie	Waltz
Fleischmann	Mast	Weber (TX)
Flood	McCarthy	Webster (FL)
Flores	McCaul	Wenstrup
Fox	McClain	Westerman
Franklin, C.	McClintock	Williams (TX)
Scott	McHenry	Wilson (SC)
Fulcher	Meijer	Wittman
Gaetz	Meuser	Womack
Gallagher	Miller (IL)	Zeldin
Garbarino	Miller (WV)	
Garcia (CA)	Miller-Meeks	

NAYS—226

Adams	Carbajal	Crow
Agullar	Cárdenas	Cuellar
Allred	Carson	David (KS)
Auchincloss	Carter (LA)	Davis, Danny K.
Axne	Cartwright	Dean
Bacon	Case	DeFazio
Barragán	Casten	DeGette
Bass	Castor (FL)	DeLauro
Beatty	Castro (TX)	DelBene
Bera	Cheney	Demings
Beyer	Cherfilus-	DeSaulnier
Bishop (GA)	McCormick	Deutch
Blumenauer	Chu	Dingell
Blunt Rochester	Ciilline	Doggett
Bonamici	Clark (MA)	Doyle, Michael
Bourdeaux	Clarke (NY)	F.
Bowman	Cleaver	Escobar
Boyle, Brendan	Clyburn	Eshoo
F.	Cohen	Espallat
Brown (MD)	Connolly	Evans
Brown (OH)	Cooper	Fitzpatrick
Brownley	Correa	Fletcher
Bush	Costa	Foster
Bustos	Courtney	Frankel, Lois
Butterfield	Craig	Gallego

Garamendi	Lowenthal	Ryan (NY)
Garcia (IL)	Luria	Ryan (OH)
Garcia (TX)	Lynch	Sánchez
Golden	Malinowski	Sarbames
Gomez	Maloney,	Scanlon
Gonzalez (OH)	Carolyn B.	Schakowsky
Gonzalez,	Maloney, Sean	Schiff
Vicente	Manning	Schneider
Gottheimer	Matsui	Schrader
Green, Al (TX)	McBath	Schrier
Grijalva	McColum	Scott (VA)
Harder (CA)	McEachin	Scott, David
Hayes	McGovern	Sewell
Higgins (NY)	McKinley	Sherman
Himes	McNerney	Sherrill
Horsford	Meeks	Sires
Houlihan	Meng	Slotkin
Hoyer	Mfume	Smith (WA)
Huffman	Moore (WI)	Soto
Jackson Lee	Morelle	Spanberger
Jacobs (CA)	Moulton	Speier
Jayapal	Mrvan	Stansbury
Jeffries	Murphy (FL)	Stanton
Johnson (GA)	Nadler	Stevens
Johnson (TX)	Napolitano	Strickland
Jones	Neal	Suzoiz
Kahele	Neguse	Swalwell
Kaptur	Newman	Takano
Katko	Norcross	Thompson (CA)
Keating	Ocasio-Cortez	Thompson (MS)
Kelly (IL)	Omar	Titus
Khanna	Pallone	Tlaib
Kildee	Panetta	Tonko
Kilmer	Pappas	Torres (CA)
Kim (NJ)	Pascrell	Torres (NY)
Kind	Payne	Trahan
Kinziger	Peltola	Trone
Kirkpatrick	Perlmutter	Peters
Krishnamoorthi	Peters	Phillips
Kuster	Phillips	Pingree
Lamb	Pingree	Pocan
Langevin	Pocan	Porter
Larsen (WA)	Porter	Pressley
Larson (CT)	Pressley	Price (NC)
Lawrence	Price (NC)	Quigley
Lawson (FL)	Quigley	Raskin
Lee (CA)	Raskin	Rice (NY)
Lee (NV)	Rice (NY)	Ross
Leger Fernandez	Ross	Roybal-Allard
Levin (CA)	Roybal-Allard	Ruiz
Levin (MI)	Ruiz	Ruppel
Lieu	Ruppel	Rush
Lofgren	Rush	

NOT VOTING—2

Budd O'Halleran

□ 1416

Mses. SPEIER, MCCOLLUM, Mr. THOMPSON of Mississippi, Ms. SHERRILL, Mr. COURTNEY, Mrs. CHERFILUS-MCCORMICK, Mr. CASTRO of Texas, Ms. CLARK of Massachusetts, Mr. DAVID SCOTT of Georgia, Mses. TLAIB, STEVENS, Messrs. VICENTE GONZALEZ of Texas, YARMUTH, NADLER, ESPAILLAT, LARSON of Connecticut, LAWSON of Florida, EVANS, SEAN PATRICK MALONEY of New York, AGUILAR, BROWN of Maryland, KAHELE, Mrs. LAWRENCE, Ms. WILD, and Mr. HIMES changed their vote from "yea" to "nay."

So the amendment was rejected.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Conway	Lawson (FL)
Barragán (Beyer)	(Valadao)	(Evans)
Bass (Correa)	DeSaulnier	McCaul (Van
Brooks	(Beyer)	Duyne)
(Fleischmann)	Dingell (Kuster)	McEachin
Bush (Bowman)	Fallon (Nehls)	(Beyer)
Carter (GA)	Johnson (TX)	Moore (WI)
(Mace)	(Jeffries)	(Beyer)
Cawthorn	Jones (Beyer)	Newman (Beyer)
(Boebert)	Khanna (Jeffries)	Norman
Cleaver (Davids	Kilmer (Jeffries)	(Duncan)
(KS))	Kirkpatrick	Palazzo
	(Pallone)	(Fleischmann)



Pingree (Kuster) Sánchez (Ruiz) Stansbury  
 Rice (NY) Schiff (Deutch) (Pallone)  
 (Deutch) Scott (VA) Swalwell  
 Rush (Bowman) (Beyer) (Correa)  
 Ryan (OH) Scott, Austin (Correa) (Cammack) Wexton (Beyer)

The SPEAKER pro tempore (Ms. JACKSON LEE). The previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HICE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 225, nays 204, not voting 3, as follows:

[Roll No. 432]

YEAS—225

Adams	Doyle, Michael	Lowenthal
Aguilar	F.	Luria
Allred	Escobar	Lynch
Auchincloss	Eshoo	Malinowski
Axne	Españillat	Maloney,
Bacon	Evans	Carolyn B.
Barragán	Fitzpatrick	Maloney, Sean
Bass	Fletcher	Manning
Beatty	Foster	Matsui
Bera	Frankel, Lois	McBath
Beyer	Gallego	McCollum
Bishop (GA)	Garamendi	McEachin
Blumenauer	Garcia (IL)	McGovern
Blunt Rochester	Garcia (TX)	McKinley
Bonomici	Golden	McNerney
Bourdeaux	Gomez	Meeks
Bowman	Gonzalez (OH)	Meng
Boyle, Brendan	Gonzalez,	Mfume
F.	Vicente	Moore (WI)
Brown (MD)	Gottheimer	Morelle
Brown (OH)	Green, Al (TX)	Moulton
Brownley	Grijalva	Mrvan
Bush	Harder (CA)	Murphy (FL)
Bustos	Hayes	Nadler
Butterfield	Higgins (NY)	Napolitano
Carbajal	Himes	Neal
Cárdenas	Horsford	Neguse
Carson	Houlihan	Newman
Carter (LA)	Hoyer	Norcross
Cartwright	Huffman	Ocasio-Cortez
Case	Jackson Lee	Omar
Casten	Jacobs (CA)	Pallone
Castor (FL)	Jayapal	Panetta
Castro (TX)	Jeffries	Pappas
Cherfilus-	Johnson (GA)	Pascrell
McCormick	Johnson (TX)	Payne
Chu	Jones	Peltola
Cicilline	Kahele	Perlmutter
Clark (MA)	Kaptur	Peters
Clarke (NY)	Katko	Phillips
Cleaver	Keating	Pingree
Clyburn	Kelly (IL)	Pocan
Cohen	Khanna	Porter
Connolly	Kildee	Pressley
Cooper	Kilmer	Price (NC)
Correa	Kim (NJ)	Quigley
Costa	Kind	Raskin
Courtney	Kinzinger	Rice (NY)
Craig	Kirkpatrick	Ross
Crow	Krishnamoorthi	Roybal-Allard
Cuellar	Kuster	Ruiz
Davids (KS)	Lamb	Ruppersberger
Davis, Danny K.	Langevin	Rush
Dean	Larsen (WA)	Ryan (NY)
DeFazio	Larson (CT)	Ryan (OH)
DeGette	Lawrence	Sánchez
DeLauro	Lawson (FL)	Sarbanes
DelBene	Lee (CA)	Scanlon
Demings	Lee (NV)	Schakowsky
DeSaulnier	Leger Fernandez	Schiff
Deutch	Levin (CA)	Schneider
Dingell	Levin (MI)	Schradler
Doggett	Lieu	Schrier
	Lofgren	Scott (VA)

Scott, David  
 Sewell  
 Sherman  
 Sherrill  
 Sires  
 Slotkin  
 Smith (WA)  
 Soto  
 Spanberger  
 Speier  
 Stansbury  
 Stanton  
 Stevens  
 Strickland

Aderholt  
 Allen  
 Amodei  
 Armstrong  
 Arrington  
 Babin  
 Baird  
 Balderson  
 Banks  
 Barr  
 Bentz  
 Bergman  
 Bice (OK)  
 Biggs  
 Bilirakis  
 Bishop (NC)  
 Boebert  
 Bost  
 Brady  
 Brooks  
 Buchanan  
 Buck  
 Bucshon  
 Burchett  
 Burgess  
 Calvert  
 Cammack  
 Carey  
 Carl  
 Carter (GA)  
 Carter (TX)  
 Cawthorn  
 Chabot  
 Cline  
 Cloud  
 Clyde  
 Cole  
 Comer  
 Conway  
 Crawford  
 Crenshaw  
 Curtis  
 Davidson  
 Davis, Rodney  
 DesJarlais  
 Diaz-Balart  
 Donalds  
 Duncan  
 Dunn  
 Eilzy  
 Emmer  
 Estes  
 Fallon  
 Feenstra  
 Ferguson  
 Finstad  
 Fischbach  
 Fitzgerald  
 Fleischmann  
 Flood  
 Flores  
 Foxx  
 Franklin, C.  
 Scott  
 Fulcher  
 Gaetz  
 Gallagher  
 Garbarino  
 Garcia (CA)

Budd

□ 1428

Ms. BUSH and Mr. RUSH changed their vote from “nay” to “yea.”

So the bill was passed. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Veasey  
 Velázquez  
 Wasserman  
 Schultz  
 Waters  
 Watson Coleman  
 Welch  
 Wexton  
 Wild  
 Williams (GA)  
 Wilson (FL)  
 Yarmuth

NAYS—204

Gibbs  
 Gimenez  
 Gohmert  
 Gonzales, Tony  
 Good (VA)  
 Gooden (TX)  
 Gosar  
 Granger  
 Graves (LA)  
 Graves (MO)  
 Green (TN)  
 Greene (GA)  
 Griffith  
 Grothman  
 Guest  
 Guthrie  
 Harris  
 Harshbarger  
 Bost  
 Hartzler  
 Hern  
 Herrell  
 Herrera Beutler  
 Hice (GA)  
 Higgins (LA)  
 Hill  
 Hinson  
 Hollingsworth  
 Hudson  
 Huizenga  
 Issa  
 Jackson  
 Jacobs (NY)  
 Johnson (LA)  
 Johnson (OH)  
 Johnson (SD)  
 Jordan  
 Joyce (OH)  
 Joyce (PA)  
 Keller  
 Kelly (MS)  
 Kelly (PA)  
 Kim (CA)  
 Kustoff  
 LaHood  
 LaMalfa  
 Lamborn  
 Latta  
 LaTurner  
 Lesko  
 Letlow  
 Long  
 Loudermilk  
 Lucas  
 Luetkemeyer  
 Mace  
 Malliotakis  
 Mann  
 Massie  
 Mast  
 McCarthy  
 McCaul  
 McClain  
 McClintock  
 McHenry  
 Meijer  
 Meuser  
 Miller (IL)  
 Miller (WV)  
 Miller-Meeks

NOT VOTING—3

Cheney

O'Halleran

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Fallon (Nehls)	Palazzo
Barragán (Beyer)	Johnson (TX)	(Fleischmann)
Bass (Correa)	(Jeffries)	Pingree (Kuster)
Brooks	Jones (Beyer)	Rice (NY)
(Fleischmann)	Khanna (Jeffries)	(Deutch)
Bush (Bowman)	Kilmer (Jeffries)	Rush (Bowman)
Carter (GA)	Kirkpatrick	Ryan (OH)
(Mace)	(Pallone)	(Correa)
Cawthorn	Lawson (FL)	Sánchez (Ruiz)
(Boebert)	(Evans)	Schiff (Deutch)
Cleaver (Davids	McCaul (Van	Scott (VA)
(KS)	Duynne)	(Beyer)
Conway	McEachin	Scott, Austin
(Valadao)	(Beyer)	(Cammack)
Cuellar (Garcia	Moore (WI)	Stansbury
(TX)	(Beyer)	(Pallone)
DeSaulnier	Newman (Beyer)	Swalwell
(Beyer)	Norman	(Correa)
Dingell (Kuster)	(Duncan)	Wexton (Beyer)

CELEBRATING THE CONGRESSIONAL WOMEN'S SOFTBALL TEAM VICTORY

(Ms. WASSERMAN SCHULTZ asked and was given permission to address the House for 1 minute.)

Ms. WASSERMAN SCHULTZ. Madam Speaker, it is my great pleasure to announce to our colleagues in the United States House of Representatives that the Congressional Women's Softball Team last night snapped a 7-year dry spell and beat the press team, the Bad News Babes, 6–5. I am surprised that they are not here to participate in this exuberance.

It has been 7 long years in the wilderness, and we are so proud to stand before you and tell you a couple of important things. One is that our greatest source of pride is that this team is bipartisan.

Madam Speaker, the greatest source of pride for us as a team is that this team is bipartisan. Ever since our inception in 2009, the Congressional Women's Softball Team has played across the aisle, in both Houses, and really tried to set an example every day of how we can come together, leave our differences off the field, and make sure that we can come together for a common purpose, and that is fighting breast cancer and making sure that we can raise awareness about breast cancer in young women; and, also, to make sure that we can demonstrate that coming together can help build relationships and foster collaboration once we leave the field and the game is over.

Most importantly, I am so proud to tell you that our charity, the Young Survival Coalition, which is a young women's breast cancer organization that helps young women deal with the unique challenges that we face when diagnosed with breast cancer, we have raised, in the last 14 years, \$2.6 million for the Young Survival Coalition and, last night, raised a record, more than \$530,000 for YSC.

Very briefly, because I know we are all in a hurry, without the leadership and dedication of our board of directors, led by Atalie Ebersole, who is our intrepid committee chair, year in year and out, she just does an amazing job with the whole organizing committee, and also—I am annoying. I am going to

embarrass you—Natalie Buchanan Joyce, please join us. Coach Nat, you have got to come up here. Tori Barnes, Coach Natalie, Coach ED, they are—and Jim Kiley—they are the glue that help make sure that we know what we are doing and that we can come together as a team every single year. So thank you.

And then lastly, I acknowledge both ED PERLMUTTER and CHERI BUSTOS. We occasionally have retirements amongst our colleagues. This year, we are losing two of our really dear colleagues who have been with us since the beginning of their time in Congress, and we appreciate their efforts so much.

And really, lastly, before I turn it over to Congresswoman BICE, for those of you that have not met me or have not heard my story, I won't make it lengthy, but I was diagnosed with breast cancer almost 15 years ago, when I was 41 years old.

One day I was the picture of health. The next day, after doing a self-exam in the shower, I found a lump and, a few days later, realized it was breast cancer; and that I had the genetic mutation, BRCA2, which made me five times more likely of getting breast cancer.

I didn't know I was at that kind of risk as an Ashkenazi Jewish woman. And if I didn't know, as involved as I had been in the fight against breast cancer, then I realized, my gosh, how many women don't know.

So thank you to these incredible women who help us raise awareness about our Capitol Hill family. Think about all the young woman that work in this process; and that we can make sure, pay attention to their breast health; know what is normal for them so they know when something feels different. And when you catch breast cancer early, you are so much more likely to survive it.

So thank you to my colleagues. Go Congress. We beat the press. We are beating cancer.

Madam Speaker, I yield to the gentlewoman from Oklahoma (Mrs. BICE).

Mrs. BICE of Oklahoma. Madam Speaker, last night I had the honor of being one of the co-captains for the Congressional Women's Softball Game which, for the first time since 2015, we beat the press.

As was mentioned, this game is vital in raising awareness for the Young Survival Coalition, and for women who face the challenges of breast cancer.

I again thank Natalie, Tori, Jim, and Atalie, and everyone else on the organizing committee, as well as the sponsors that made the game possible.

But lastly, I especially thank Coach PERLMUTTER. This team—where is ED? There you are. This team would not have gotten the win without you, and you, my friend, will be missed.

It is always a good day when the Members of Congress get a victory over the press. And if they say they won, it is fake news.

Ms. WASSERMAN SCHULTZ. Madam Speaker, go Congress. Beat the press again next year.

## ENSURING A FAIR AND ACCURATE CENSUS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 1339 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 8326.

Will the gentleman from the Mariana Islands (Mr. SABLAN) kindly take the chair.

□ 1440

### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 8326) to amend title 13, United States Code, to improve the operations of the Bureau of the Census, and for other purposes, with Mr. SABLAN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Wednesday, September 14, 2022, a request for a recorded vote on amendment No. 2 printed in part E of House Report 117-464 offered by the gentleman from Georgia (Mr. HICE) had been postponed.

### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part E of House Report 117-464 on which further proceedings were postponed, in the following order:

Amendments en bloc by Mr. DANNY K. DAVIS of Illinois;

Amendment No. 2 by Mr. HICE of Georgia.

The Chair will reduce to 5 minutes the minimum time for any electronic vote in this series.

### AMENDMENTS EN BLOC OFFERED BY MR. DANNY K. DAVIS OF ILLINOIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on amendments en bloc printed in part E of House Report 117-464 offered by the gentleman from Illinois (Mr. DANNY K. DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 211, not voting 4, as follows:

[Roll No. 433]

AYES—223

Adams	Bass	Blunt Rochester
Aguilar	Beatty	Bonamici
Allred	Bera	Bourdeaux
Auchincloss	Beyer	Bowman
Axne	Bishop (GA)	Boyle, Brendan
Barragan	Blumenauer	F.

Brown (MD)	Huffman	Perlmutter
Brown (OH)	Jackson Lee	Peters
Brownley	Jacobs (CA)	Phillips
Bush	Jayapal	Pingree
Bustos	Jeffries	Plaskett
Butterfield	Johnson (GA)	Pocan
Carbajal	Johnson (TX)	Porter
Cárdenas	Jones	Pressley
Carson	Kabele	Price (NC)
Carter (LA)	Kaptur	Quigley
Cartwright	Keating	Raskin
Case	Kelly (IL)	Rice (NY)
Casten	Khanna	Ross
Castor (FL)	Kildee	Roybal-Allard
Castro (TX)	Kilmer	Ruiz
Cherfilus-McCormick	Kim (NJ)	Ruppersberger
Chu	Kind	Rush
Cicilline	Kirkpatrick	Ryan (NY)
Clark (MA)	Krishnamoorthi	Ryan (OH)
Clarke (NY)	Kuster	Sablan
Cleaver	Lamb	Sánchez
Clyburn	Langevin	Sarbanes
Cohen	Larsen (WA)	Scanlon
Connolly	Larson (CT)	Schakowsky
Cooper	Lawrence	Schiff
Correa	Lawson (FL)	Schneider
Costa	Lee (CA)	Schrader
Courtney	Lee (NV)	Schrier
Craig	Leger Fernandez	Scott (VA)
Crow	Levin (CA)	Scott, David
Cuellar	Levin (MI)	Sewell
Davids (KS)	Lieu	Sherman
Davis, Danny K.	Lofgren	Sherrill
Dean	Lowenthal	Sires
DeFazio	Luria	Slotkin
DeGette	Lynch	Smith (WA)
DeLauro	Malinowski	Soto
DelBene	Maloney,	Spanberger
Demings	Carolyn B.	Speier
DeSaulnier	Maloney, Sean	Stansbury
Deutch	Manning	Stanton
Dingell	Matsui	Stevens
Doggett	McBath	Strickland
Doyle, Michael F.	McCollum	Suozi
Escobar	McEachin	Swaiwell
Eshoo	McGovern	Takano
Espallat	McNerney	Thompson (CA)
Evans	Meeks	Thompson (MS)
Fletcher	Meng	Titus
Foster	Mfume	Tlaib
Frankel, Lois	Moore (WI)	Tonko
Gallego	Morelle	Torres (CA)
Garamendi	Moulton	Torres (NY)
Garcia (IL)	Mirman	Trahan
Garcia (TX)	Murphy (FL)	Trone
Golden	Nadler	Underwood
Gomez	Napolitano	Vargas
Gonzalez,	Neal	Veasey
Vicente	Neguse	Velázquez
Gottheimer	Newman	Wasserman
Green, Al (TX)	Norcross	Schultz
Grijalva	Norton	Waters
Harder (CA)	O'Halleran	Watson Coleman
Hayes	Ocasio-Cortez	Welch
Higgins (NY)	Omar	Weston
Himes	Pallone	Wild
Horsford	Panetta	Williams (GA)
Houlihan	Pappas	Wilson (FL)
Hoyer	Pascrell	Yarmuth
	Payne	
	Peltola	

### NOES—211

Aderholt	Buck	Davis, Rodney
Allen	Bucshon	DesJarlais
Amodei	Burchett	Diaz-Balart
Armstrong	Burgess	Donalds
Arrington	Calvert	Duncan
Babin	Cammack	Dunn
Bacon	Carey	Elzey
Baird	Carl	Emmer
Balderson	Carter (GA)	Estes
Banks	Carter (TX)	Fallon
Barr	Cawthorn	Feenstra
Bentz	Chabot	Ferguson
Bergman	Cline	Finstad
Bice (OK)	Cloud	Fischbach
Biggs	Clyde	Fitzgerald
Bilirakis	Cole	Fitzpatrick
Bishop (NC)	Comer	Fleischmann
Boebert	Conway	Flood
Bost	Crawford	Flores
Brady	Crenshaw	Foxx
Brooks	Curtis	Franklin, C.
Buchanan	Davidson	Scott



Fulcher Kelly (PA)  
 Gaetz Kim (CA)  
 Gallagher Kinzinger  
 Garbarino Kustoff  
 Garcia (CA) LaHood  
 Gibbs LaMalfa  
 Gimenez Lamborn  
 Gohmert Latta  
 Gonzales, Tony LaTurner  
 Gonzalez (OH) Lesko  
 González-Colón Letlow  
 (PR) Long  
 Good (VA) Loudermilk  
 Gooden (TX) Lucas  
 Gosar Luetkemeyer  
 Granger Mace  
 Graves (LA) Malliotakis  
 Graves (MO) Mann  
 Green (TN) Massie  
 Greene (GA) Mast  
 Griffith McCarthy  
 Grothman McCaul  
 Guest McClain  
 Guthrie McClintock  
 Harris McHenry  
 Harshbarger McKinley  
 Hartzler Meijer  
 Hern Meuser  
 Herrell Miller (IL)  
 Herrera Beutler Miller (WV)  
 Hice (GA) Miller-Meeks  
 Higgins (LA) Moolenaar  
 Hill Mooney  
 Hinson Moore (AL)  
 Hollingsworth Moore (UT)  
 Hudson Mullin  
 Huizenga Murphy (NC)  
 Issa Nehls  
 Jackson Newhouse  
 Jacobs (NY) Norman  
 Johnson (LA) Obernolte  
 Johnson (OH) Owens  
 Johnson (SD) Palazzo  
 Jordan Palmer  
 Joyce (OH) Pence  
 Joyce (PA) Perry  
 Katko Pfluger  
 Keller Posey  
 Kelly (MS) Reschenthaler

NOT VOTING—4

Budd Radewagen  
 Cheney San Nicolas

□ 1451

Mr. VICENTE GONZALEZ of Texas changed his vote from “no” to “aye.” So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Johnson (TX)	Pingree (Kuster)
Barragán (Beyer)	(Jeffries)	Rice (NY)
Bass (Correa)	Jones (Beyer)	(Deutch)
Brooks (Fleischmann)	Khanna (Jeffries)	Rush (Bowman)
Kilmer (Jeffries)	Ryan (OH)	(Correa)
Bush (Bowman)	Kirkpatrick (Pallone)	Sánchez
Carter (GA) (Mace)	Lawson (FL)	(Pallone)
Cawthorn (Boebert)	(Evans)	Schiff (Deutch)
Cleaver (Davids (KS))	McCaul (Van Duyne)	Scott (VA) (Beyer)
Conway (Valadao)	McEachin	Scott, Austin
Cuellar (Garcia (TX))	(Beyer)	(Cammack)
DeSaulnier (Beyer)	Norman (Duncan)	Stansbury (Pallone)
Dingell (Kuster)	Palazzo (Fleischmann)	Swallow (Correa)
Fallon (Nehls)		Wasserman
		Schultz (Soto)
		Wexton (Beyer)

AMENDMENT NO. 2 OFFERED BY MR. HICE OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. HICE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 210, noes 222, not voting 6, as follows:

[Roll No. 434]

AYES—210

Aderholt	Gibbs	Miller (IL)
Allen	Gimenez	Miller (WV)
Amodei	Gohmert	Miller-Meeks
Armstrong	Gonzales, Tony	Moolenaar
Arrington	Gonzalez (OH)	Mooney
Babin	González-Colón (PR)	Moore (AL)
Bacon	Good (VA)	Moore (UT)
Baird	Gooden (TX)	Mullin
Balderson	Gosar	Murphy (NC)
Banks	Granger	Nehls
Barr	Graves (LA)	Newhouse
Bentz	Graves (MO)	Norman
Bergman	Green (TN)	Obernolte
Bice (OK)	Greene (GA)	Owens
Biggs	Griffith	Palazzo
Bilirakis	Grothman	Palmer
Bishop (NC)	Guest	Pence
Boebert	Guthrie	Perry
Bost	Harris	Pfluger
Brady	Harshbarger	Posey
Brooks	Hartzler	Reschenthaler
Buchanan	Hern	Rice (SC)
Buck	Herrell	Rodgers (WA)
Bucshon	Herrera Beutler	Rogers (AL)
Burchett	Hice (GA)	Rogers (KY)
Burgess	Higgins (LA)	Rose
Calvert	Hill	Rosendale
Cammack	Hinson	Rouzer
Carey	Hollingsworth	Roy
Carl	Hudson	Rutherford
Carter (GA)	Huizenga	Salazar
Carter (TX)	Issa	Scalise
Cawthorn	Jackson	Schweikert
Chabot	Jacobs (NY)	Scott, Austin
Cline	Johnson (LA)	Sempolinski
Cloud	Johnson (OH)	Sessions
Clyde	Johnson (SD)	Simpson
Cole	Jordan	Slotkin
Comer	Joyce (OH)	Smith (MO)
Conway	Joyce (PA)	Smith (NE)
Crawford	Katko	Smith (NJ)
Crenshaw	Keller	Smucker
Curtis	Kelly (MS)	Spartz
Davidson	Kelly (PA)	Staubert
Davis, Rodney	Kim (CA)	Steel
DesJarlais	Kustoff	Stefanik
Diaz-Balart	LaHood	Steil
Donalds	LaMalfa	Steube
Duncan	Lamborn	Stewart
Dunn	Latta	Taylor
Ellzey	LaTurner	Tenney
Emmer	Lesko	Thompson (PA)
Estes	Letlow	Tiffany
Fallon	Long	Timmons
Feenstra	Loudermilk	Turner
Ferguson	Lucas	Upton
Finstad	Luetkemeyer	Valadao
Fischbach	Mace	Van Drew
Fitzgerald	Malliotakis	Wagner
Fitzpatrick	Mann	Walberg
Fleischmann	Massie	Waltz
Flood	Mast	Weber (TX)
Flores	McCarthy	Webster (FL)
Fox	McCaul	Wenstrup
Franklin, C.	McClain	Westerman
Scott	McClintock	Williams (TX)
Fulcher	McHenry	Wilson (SC)
Gaetz	McKinley	Wittman
Gallagher	Meijer	Womack
Garbarino	Meuser	Zeldin
Garcia (CA)		

NOES—222

Adams	Bera	Boyle, Brendan
Aguilar	Beyer	F.
Allred	Bishop (GA)	Brown (MD)
Auchincloss	Blumenauer	Brown (OH)
Axne	Blunt Rochester	Brownley
Barragán	Bonamici	Bush
Bass	Bourdeaux	Bustos
Beatty	Bowman	Butterfield

Carbajal	Jayapal	Perlmutter
Cárdenas	Jeffries	Peters
Carson	Johnson (GA)	Phillips
Carter (LA)	Johnson (TX)	Pingree
Cartwright	Jones	Plaskett
Case	Kahele	Pocan
Casten	Kaptur	Porter
Castor (FL)	Keating	Pressley
Castro (TX)	Kelly (IL)	Price (NC)
Cherfilus-McCormick	Khanna	Quigley
Chu	Kildee	Raskin
Ciulline	Kilmer	Rice (NY)
Clark (MA)	Kim (NJ)	Ross
Clarke (NY)	Kind	Roybal-Allard
Cleaver	Kirkpatrick	Ruiz
Clyburn	Krishnamoorthi	Ruppersberger
Cohen	Kuster	Rush
Connolly	Lamb	Ryan (NY)
Cooper	Langevin	Ryan (OH)
Correa	Larsen (WA)	Sablan
Costa	Larson (CT)	Sánchez
Courtney	Lawrence	Sarbanes
Craig	Lawson (FL)	Scanlon
Crow	Lee (CA)	Schakowsky
Cuellar	Lee (NV)	Schiff
Davids (KS)	Leger Fernandez	Schneider
Davis, Danny K.	Levin (CA)	Schrader
Dean	Levin (MI)	Schrier
DeFazio	Lieu	Scott (VA)
DeGette	Lofgren	Scott, David
DeLauro	Lowenthal	Sewell
DelBene	Luria	Sherman
Demings	Lynch	Sherrill
DeSaulnier	Malinowski	Sires
Pence	Maloney,	Smith (WA)
Perry	Carolyn B.	Soto
Pfluger	Maloney, Sean	Spanberger
Posey	Manning	Speier
Reschenthaler	Matsui	Stansbury
Rice (SC)	McBath	Stanton
Rodgers (WA)	McCollum	Stevens
Rogers (AL)	McEachin	Strickland
Rogers (KY)	McGovern	Suozi
Rose	McNerney	Swalwell
Rosendale	Meeks	Takano
Rouzer	Meng	Thompson (CA)
Roy	Mfume	Thompson (MS)
Rutherford	Moore (WI)	Titus
Salazar	Morelle	Tlaib
Scalise	Moulton	Tonko
Schweikert	Mrvan	Torres (CA)
Scott, Austin	Murphy (FL)	Torres (NY)
Sempolinski	Nadler	Trahan
Sessions	Napolitano	Trone
Simpson	Vicente	Underwood
Slotkin	Neguse	Vargas
Smith (MO)	Newman	Veasey
Smith (NE)	Norcross	Velázquez
Smith (NJ)	Harder (CA)	Wasserman
Smucker	Hayes	O'Halleran
Spartz	Ocasio-Cortez	Waters
Staubert	Omar	Watson Coleman
Steel	Kinzing	Welch
Stefanik	Radewagen	Wexton
Steil		Wild
Steube		Williams (GA)
Stewart		Wilson (FL)
Taylor		Yarmuth
Tenney		

NOT VOTING—6

Budd Kinzinger San Nicolas  
 Cheney Radewagen Van Duyne

□ 1502

Ms. WATERS and Mr. O'HALLERAN changed their vote from “aye” to “no.” Mr. FULCHER changed his vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Conway	Kirkpatrick
Barragán (Beyer)	(Valadao)	(Pallone)
Bass (Correa)	Cuellar (Garcia (TX))	Lawson (FL)
Brooks (Fleischmann)	(Evans)	(Evans)
Bush (Bowman)	DeSaulnier (Beyer)	McCaul (Van Duyne)
Carter (GA) (Mace)	Dingell (Kuster)	McEachin (Beyer)
Cawthorn (Boebert)	Fallon (Nehls)	Moore (WI) (Beyer)
Cleaver (Davids (KS))	Johnson (TX) (Jeffries)	Newman (Beyer)
	Jones (Beyer)	Norman
	Khanna (Jeffries)	(Duncan)
	Kilmer (Jeffries)	

Palazzo (Fleischmann)  
Pingree (Kuster)  
Rice (NY) (Deutch)  
Rush (Bowman)  
Ryan (OH) (Correa)

Sánchez (Pallone)  
Schiff (Deutch)  
Scott (VA) (Beyer)  
Scott, Austin (Cammack)  
Swallow (Correa)  
Wasserman  
Schultz (Soto)  
Wexton (Beyer)

Stansbury (Pallone)  
Swallow (Correa)  
Wasserman  
Schultz (Soto)  
Wexton (Beyer)

Jeffries  
Johnson (GA)  
Johnson (TX)  
Jones  
Kahele  
Kaptur  
Keating  
Kelly (IL)  
Khanna  
Kildee  
Kilmer  
Kim (NJ)  
Kind  
Kirkpatrick  
Krishnamoorthi  
Kuster  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Leger Fernandez  
Levin (CA)  
Levin (MI)  
Lieu  
Lofgren  
Lowenthal  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Manning  
Matsui  
McBath  
McCullum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Burchett  
Burgess  
Fitzpatrick  
Fleischmann  
Flood  
Flores  
Fox  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guest  
Guthrie  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Elizy  
Emmer

Mfume  
Moore (WI)  
Morelle  
Moulton  
Mrvan  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Neguse  
Newman  
Norcross  
O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell  
Payne  
Peltola  
Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Ross  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (NY)  
Ryan (OH)  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider

## NAYS—208

Estes  
Fallon  
Feenstra  
Ferguson  
Finstad  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Flood  
Flores  
Fox  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guest  
Guthrie  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Elizy  
Emmer

Pence  
Perry  
Pfluger  
Posey  
Reschenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Scalise  
Schweikert  
Scott, Austin

Budd  
Cheney

Sempolinski  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Stauber  
Steel  
Stefanik  
Stell  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons

## NOT VOTING—4

Kinzinger  
Spartz

□ 1514

So the bill was passed.  
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Johnson (TX) (Jeffries)	Pingree (Kuster)
Barragan (Beyer)	Jeffries (Deutch)	Rice (NY)
Bass (Correa)	Jones (Beyer)	(Deutch)
Brooks (Fleischmann)	Khanna (Jeffries)	Rush (Bowman)
(Fleischmann)	Kilmer (Jeffries)	Ryan (OH)
Bush (Bowman)	Kirkpatrick (Pallone)	(Correa)
Carter (GA) (Mace)	Lawson (FL) (Evans)	Sánchez
Cawthorn (Boebert)	McCaul (Van Dуйne)	(Pallone)
Cleaver (Davids (KS))	McEachin (Beyer)	Schiff (Deutch)
Conway (Valadao)	Moore (WI) (Beyer)	Scott (VA) (Beyer)
Cuellar (Garcia (TX))	Newman (Beyer)	Scott, Austin (Cammack)
DeSaulnier (Beyer)	Norman (Duncan)	Stansbury (Pallone)
Dingell (Kuster)	Palazzo (Fleischmann)	Swallow (Correa)
Fallon (Nehls)		Wasserman (Schultz (Soto) Wexton (Beyer)

## WHISTLEBLOWER PROTECTION IMPROVEMENT ACT OF 2021

The SPEAKER pro tempore (Ms. JACKSON LEE). Pursuant to House Resolution 1339 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2988.

Will the gentlewoman from the Virgin Islands (Ms. PLASKETT) kindly take the chair.

□ 1517

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2988) to amend title 5, United States Code, to modify and enhance protections for Federal Government whistleblowers, and for other purposes, with Ms. PLASKETT (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, September 14, 2022, a request for a recorded vote on amendments en bloc printed in part C of House Report 117-464 offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) had been postponed.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BUTTERFIELD) having assumed the chair, Mr. SABLAN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 8326) to amend title 13, United States Code, to improve the operations of the Bureau of the Census, and for other purposes, and, pursuant to House Resolution 1339, he reported the bill back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 1339, the question on adoption of the further amendments will be put en gros.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 220, nays 208, not voting 4, as follows:

[Roll No. 435]

## YEAS—220

Adams	Castor (FL)	Doyle, Michael
Aguilar	Castro (TX)	F.
Allred	Cherfilus-	Escobar
Auchincloss	McCormick	Eshoo
Axne	Chu	Espallat
Barragan	Cicilline	Evans
Bass	Clark (MA)	Fletcher
Beatty	Clarke (NY)	Foster
Bera	Cleaver	Frankel, Lois
Beyer	Clyburn	Gallego
Bishop (GA)	Cohen	Garamendi
Blumenauer	Connolly	Garcia (IL)
Blunt Rochester	Cooper	Garcia (TX)
Bonamici	Correa	Golden
Bourdeaux	Costa	Gomez
Bowman	Courtney	Gonzalez,
Boyle, Brendan	Craig	Vicente
F.	Crow	Gottheimer
Brown (MD)	Cuellar	Green, Al (TX)
Brown (OH)	Davids (KS)	Grijalva
Brownley	Davis, Danny K.	Harder (CA)
Bush	Dean	Hayes
Bustos	DeFazio	Higgins (NY)
Butterfield	DeGette	Himes
Carbajal	DeLauro	Horsford
Cardenas	DelBene	Houlihan
Carson	Demings	Hoyer
Carter (LA)	DeSaulnier	Huffman
Cartwright	Deutch	Jackson Lee
Case	Dingell	Jacobs (CA)
Casten	Doggett	Jayapal

AMENDMENTS EN BLOC OFFERED BY MRS. CAROLYN B. MALONEY OF NEW YORK

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the request for a recorded vote on amendments en bloc printed in part C of House Report 117-464 offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been requested.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 206, not voting 8, as follows:

[Roll No. 436]

AYES—224

Adams	Escobar	Maloney,
Aguilar	Eshoo	Carolyn B.
Allred	Espallat	Maloney, Sean
Auchincloss	Evans	Manning
Axne	Fitzpatrick	Matsui
Barragán	Fletcher	McBath
Bass	Foster	McCollum
Beatty	Frankel, Lois	McEachin
Bera	Gallego	McGovern
Beyer	Garamendi	McNerney
Bishop (GA)	Garcia (IL)	Meeks
Blumenauer	Garcia (TX)	Meng
Blunt Rochester	Golden	Mfume
Bonamici	Gomez	Moore (WI)
Bourdeaux	Gonzalez,	Morelle
Bowman	Vicente	Moulton
Boyle, Brendan	Gottheimer	Mrvan
F.	Green, Al (TX)	Murphy (FL)
Brown (MD)	Grijalva	Nadler
Brown (OH)	Harder (CA)	Napolitano
Brownley	Hayes	Neal
Bush	Higgins (NY)	Neguse
Bustos	Himes	Newman
Butterfield	Horsford	Norcross
Carbajal	Houlihan	O'Halleran
Cárdenas	Hoyer	Ocasio-Cortez
Carson	Huffman	Omar
Carter (LA)	Jackson Lee	Pallone
Cartwright	Jacobs (CA)	Panetta
Case	Jayapal	Pappas
Casten	Jeffries	Pascrell
Castor (FL)	Johnson (GA)	Payne
Castro (TX)	Johnson (TX)	Peltola
Cherfilus-	Jones	Perlmutter
McCormick	Kahele	Peters
Chu	Kaptur	Phillips
Ciilline	Keating	Pingree
Clark (MA)	Kelly (IL)	Plaskett
Clarke (NY)	Khanna	Pocan
Cleaver	Kildee	Porter
Clyburn	Kilmer	Pressley
Cohen	Kim (NJ)	Price (NC)
Connolly	Kind	Quigley
Cooper	Kirkpatrick	Raskin
Correa	Krishnamoorthi	Rice (NY)
Costa	Kuster	Ross
Courtney	Lamb	Roybal-Allard
Craig	Langevin	Ruiz
Crow	Larsen (WA)	Ruppersberger
Cuellar	Larson (CT)	Rush
Davids (KS)	Lawrence	Ryan (NY)
Davis, Danny K.	Lawson (FL)	Ryan (OH)
Dean	Lee (CA)	Sablan
DeFazio	Lee (NV)	San Nicolas
DeGette	Lee (NV)	Sánchez
DeLauro	Leger Fernandez	Sarbanes
DelBene	Levin (CA)	Scanlon
Demings	Levin (MI)	Schakowsky
DeSaulnier	Lieu	Schiff
Deutch	Lofgren	Schneider
Dingell	Lowenthal	Schrader
Doggett	Luria	Schrier
Doyle, Michael	Lynch	Scott (VA)
F.	Malinowski	Scott, David

Sewell	Suozi	Vargas
Sherman	Swalwell	Veasey
Sherrill	Takano	Velázquez
Sires	Thompson (CA)	Wasserman
Slotkin	Thompson (MS)	Schultz
Smith (WA)	Titus	Waters
Soto	Tlaib	Watson Coleman
Spanberger	Tonko	Welch
Speier	Torres (CA)	Wexton
Stansbury	Torres (NY)	Wild
Stanton	Trahan	Williams (GA)
Stevens	Trone	Wilson (FL)
Strickland	Underwood	Yarmuth

NOES—206

Aderholt	Gohmert	Miller (WV)
Allen	Gonzales, Tony	Miller-Meeks
Amodei	Gonzalez (OH)	Moolenaar
Armstrong	González-Colón	Mooney
Arrington	(PR)	Moore (AL)
Babin	Good (VA)	Moore (UT)
Bacon	Gooden (TX)	Mullin
Baird	Gosar	Murphy (NC)
Balderson	Granger	Nehls
Banks	Graves (LA)	Newhouse
Barr	Graves (MO)	Norman
Bentz	Green (TN)	Norman
Bergman	Greene (GA)	Obermole
Bice (OK)	Griffith	Owens
Biggs	Grothman	Palazzo
Bilirakis	Guest	Palmer
Bishop (NC)	Guthrie	Pence
Bost	Harris	Perry
Brady	Harshbarger	Pfleger
Brooks	Hartzler	Posey
Buchanan	Hern	Reschenthaler
Buck	Herrell	Rice (SC)
Bucshon	Herrera Beutler	Rodgers (WA)
Burchett	Hice (GA)	Rodgers (AL)
Burgess	Higgins (LA)	Rogers (KY)
Calvert	Hill	Rose
Cammack	Hinson	Rosendale
Carey	Hollingsworth	Rouzer
Carli	Hudson	Roy
Carter (GA)	Huizenga	Rutherford
Carter (TX)	Issa	Salazar
Cawthorn	Jackson	Scalise
Chabot	Jacobs (NY)	Schweikert
Cline	Johnson (LA)	Scott, Austin
Cloud	Johnson (OH)	Sempolinski
Clyde	Johnson (SD)	Sessions
Cole	Jordan	Simpson
Comer	Joyce (OH)	Smith (MO)
Conway	Joyce (PA)	Smith (NE)
Crawford	Katko	Smith (NJ)
Crenshaw	Keller	Smucker
Curtis	Kelly (MS)	Stauber
Davidson	Kelly (PA)	Steel
Davis, Rodney	Kim (CA)	Stefanik
DesJarlais	Kustoff	Stell
Diaz-Balart	LaHood	Steube
Donalds	LaMalfa	Stewart
Duncan	Lamborn	Taylor
Dunn	Latta	Tenney
Elizy	LaTurner	Thompson (PA)
Emmer	Lesko	Tiffany
Estes	Letlow	Timmons
Fallon	Long	Turner
Feenstra	Loudermilk	Upton
Ferguson	Lucas	Valadao
Finstad	Luetkemeyer	Van Drew
Fischbach	Mace	Van Dyne
Fitzgerald	Malliotakis	Wagner
Flood	Mann	Walberg
Fleischmann	Massie	Waltz
Flood	Mast	Weber (TX)
Flores	McCarthy	Webster (FL)
Fox	McCaul	Wenstrup
Franklin, C.	McClain	Westerman
Scott	McClintock	Williams (TX)
Gaetz	McHenry	Wilson (SC)
Gallagher	McKinley	Wittman
Garbarino	Meijer	Womack
Garcia (CA)	Meuser	Zeldin
Gibbs	Miller (IL)	
Gimenez		

NOT VOTING—8

Boebert	Fulcher	Radewagen
Budd	Kinzinger	Spartz
Cheney	Norton	

□ 1525

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. NORTON. Madam Chair, I missed one committee of the whole vote due to committee activity. Had I been present, I would have voted "YEA" on rollcall No. 436.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Johnson (TX)	Rice (NY)
Barragán (Beyer)	(Jeffries)	(Deutch)
Bass (Correa)	Jones (Beyer)	Rush (Bowman)
Brooks	Khanna (Jeffries)	Ryan (OH)
(Fleischmann)	Kilmer (Jeffries)	(Correa)
Bush (Bowman)	Kirkpatrick	San Nicolas
Carter (GA)	(Pallone)	(Jeffries)
(Mace)	Lawson (FL)	Sánchez
Cawthorn	(Evans)	(Pallone)
(Boebert)	McCaul (Van	Schiff (Deutch)
Cleaver (Davids	Duynne)	Scott (VA)
(KS))	McEachin	(Beyer)
Conway	(Beyer)	Scott, Austin
(Valadao)	Moore (WI)	(Cammack)
Cuellar (Garcia	(Beyer)	Stansbury
(TX))	Newman (Beyer)	(Pallone)
DeSaulnier	Norman	Swalwell
(Beyer)	(Duncan)	(Correa)
Dingell (Kuster)	Palazzo	Wasserman
Fallon (Nehls)	(Fleischmann)	Schultz (Soto)
	Pingree (Kuster)	Wexton (Beyer)

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. JACKSON LEE) having assumed the chair, Ms. PLASKETT, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2988) to amend title 5, United States Code, to modify and enhance protections for Federal Government whistleblowers, and for other purposes, and, pursuant to House Resolution 1339, she reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Pursuant to House Resolution 1339, the question on adoption of the further amendments will be put en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BIGGS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 203, not voting 8, as follows:

[Roll No. 437]

YEAS—221

Adams	Beyer	Brown (MD)
Aguilar	Bishop (GA)	Brown (OH)
Allred	Blumenauer	Brownley
Auchincloss	Blunt Rochester	Bush
Axne	Bonamici	Bustos
Barragán	Bourdeaux	Butterfield
Bass	Bowman	Carbajal
Beatty	Boyle, Brendan	Cárdenas
Bera	F.	Carson

Carter (LA) Jeffries  
 Cartwright Johnson (GA)  
 Case Johnson (TX)  
 Casten Jones  
 Castor (FL) Kahele  
 Castro (TX) Kaptur  
 Cherfilus-McCormick Keating  
 Kelly (IL)  
 Chu Khanna  
 Cicilline Kildee  
 Clark (MA) Kilmer  
 Clarke (NY) Kim (NJ)  
 Cleaver Kind  
 Clyburn Kirkpatrick  
 Cohen Krishnamoorthi  
 Connolly Kuster  
 Cooper Lamb  
 Correa Langevin  
 Costa Larsen (WA)  
 Courtney Larson (CT)  
 Craig Lawrence  
 Crow Lawson (FL)  
 Cuellar Lee (CA)  
 Davids (KS) Lee (NV)  
 Davis, Danny K. Leger Fernandez  
 Dean Levin (CA)  
 DeFazio Levin (MI)  
 DeGette Lieu  
 DeLauro Lofgren  
 DelBene Lowenthal  
 Demings Luria  
 DeSaulnier Lynch  
 Deutch Mace  
 Dingell Malinowski  
 Doggett Maloney  
 Doyle, Michael F. Carolyn B. Maloney, Sean  
 Manning  
 Escobar Matsui  
 Eshoo McBath  
 Espallat McCollum  
 Evans McEachin  
 Fitzpatrick McGovern  
 Fletcher McNeerney  
 Foster Meeks  
 Frankel, Lois Meng  
 Gallego Mfume  
 Garamendi Moore (WI)  
 Garcia (IL) Morelle  
 Garcia (TX) Moulton  
 Golden Mirvan  
 Gomez Murphy (FL)  
 Gonzalez, Vicente Nadler  
 Gottheimer Napolitano  
 Green, Al (TX) Neal  
 Grijalva Neguse  
 Harder (CA) Newman  
 Hayes Norcross  
 Higgins (NY) O'Halleran  
 Himes Ocasio-Cortez  
 Horsford Omar  
 Houlahan Pallone  
 Hoyer Panetta  
 Huffman Pappas  
 Jackson Lee Payne  
 Jacobs (CA) Peltola  
 Jayapal Perlmutter

## NAYS—203

Aderholt Carter (GA)  
 Allen Carter (TX)  
 Amodei Cawthorn  
 Armstrong Chabot  
 Arrington Cline  
 Babin Cloud  
 Bacon Clyde  
 Baird Cole  
 Balderson Comer  
 Banks Conway  
 Barr Crawford  
 Bentz Crenshaw  
 Bergman Curtis  
 Bice (OK) Davidson  
 Biggs Davis, Rodney  
 Billirakis DesJarlais  
 Bishop (NC) Diaz-Balart  
 Boebert Donalds  
 Bost Duncan  
 Brady Dunn  
 Brooks Ellzey  
 Buchanan Emmer  
 Buck Estes  
 Bucshon Fallon  
 Burchett Feenstra  
 Burgess Ferguson  
 Calvert Finstad  
 Cammack Fischbach  
 Carey Fitzgerald  
 Carl Fleischmann

Peters Herrell  
 Phillips Herrera Beutler  
 Pingree Hice (GA)  
 Pocan Higgins (LA)  
 Porter Hill  
 Pressley Hinson  
 Price (NC) Hollingsworth  
 Quigley Hudson  
 Raskin Huizenga  
 Rice (NY) Issa  
 Ross Jackson  
 Roybal-Allard Jacobs (NY)  
 Ruiz Johnson (LA)  
 Ruppertsberger Johnson (OH)  
 Rush Johnson (SD)  
 Ryan (NY) Jordan  
 Ryan (OH) Joyce (OH)  
 Sanchez Joyco (PA)  
 Sarbanes Katko  
 Scanlon Newhouse  
 Schakowsky Norman  
 Schiff Obernolte  
 Schneider Kelly (MS)  
 Schrader Kelly (PA)  
 Schrier Kim (CA)  
 LaHood Kustoff  
 LaMalfa Pence  
 Lamborn Perry  
 Latta Pfluger  
 LaTurner Posey  
 Lesko Reschenthaler  
 Letlow Rice (SC)  
 Long Rogers (AL)  
 Loudermilk Rogers (KY)  
 Lucas Rose  
 Luetkemeyer Rosendale  
 Malliotakis Rouzer  
 Mann Roy  
 Massie Rutherford  
 Salazar

Budd Kinzinger  
 Cheney Murphy (NC)  
 Fulcher Pascrell

## NOT VOTING—8

□ 1539

Ms. HERRERA BEUTLER changed her vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Baird (Bucshon)	Johnson (TX)	Pingree (Kuster)
Barragan (Beyer)	(Jeffries)	Rice (NY)
Bass (Correa)	Jones (Beyer)	(Deutch)
Brooks	Khanna (Jeffries)	Rush (Bowman)
(Fleischmann)	Kilmer (Jeffries)	Ryan (OH)
Bush (Bowman)	Kirkpatrick	(Correa)
Carter (GA)	(Pallone)	Sánchez
(Mace)	Lawson (FL)	(Pallone)
Cawthorn	(Evans)	Schiff (Deutch)
(Boebert)	McCaul (Van	Scott (VA)
Cleaver (Davids	Duynes)	(Beyer)
(KS))	McEachin	Scott, Austin
Conway	(Beyer)	(Cammack)
(Valadao)	Moore (WI)	Stansbury
Cuellar (Garcia	(Beyer)	(Pallone)
(TX))	Newman (Beyer)	Swalwell
DeSaulnier	Norman	(Correa)
(Beyer)	(Duncan)	Wasserman
Dingell (Kuster)	Palazzo	Schultz (Soto)
Fallon (Nehls)	(Fleischmann)	Wexton (Beyer)

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 8824

Mr. GOTTHEIMER. Mr. Speaker, I ask that Representative FITZPATRICK be removed as cosponsor from H.R. 8824.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

The SPEAKER pro tempore (Mr. CARTER of Louisiana).

There was no objection.

□ 1545

## LEGISLATIVE PROGRAM

(Mr. SCALISE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCALISE. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for next week.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HOYER), who is my friend and the majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Louisiana for yielding.

Mr. Speaker, on Monday, the House will meet at 12 p.m. for morning hour and 2 p.m. for legislative business, and votes will be postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and 12 p.m. for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business.

Next week, Mr. Speaker, the House will consider S. 1098, the Joint Consolidation Loan Separation Act, bipartisan legislation sponsored by Representative DAVID PRICE and Senator MARK WARNER to provide relief to borrowers who need to separate their joint consolidation student loans. This legislation would greatly benefit the individual borrowers who are most in need of relief, including victims of abuse.

The House may also consider a continuing resolution. As all of us know, on September 30, at midnight, the government's ability to fund and operate goes out of authorization; therefore, it is necessary for us to take action before September 30, and we may do that next week.

The House may also consider legislation to reform the Electoral Count Act from Representatives ZOE LOFGREN and LIZ CHENEY.

The House will consider bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow.

As is usual, as we come very close to ending and then have a substantial period of time, October and the first and second week in November for the election, it is common that we may have other pieces of legislation, Mr. Speaker, available and necessary to pass. We will notify Members as soon as we have that information.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SCALISE. As it relates to the continuing resolution that I know the gentleman said may come up, we haven't had any details that have been shown to us on what that might look like in terms of other items in addition to some kind of short-term or even what the duration of a short term would be.

If there are any dates that the majority has already started thinking about that would be included in a continuing

resolution, any extraneous items—there is some other funding that has been thrown about. There has been talk about Senator MANCHIN, that there may be some agreement that Senator MANCHIN would have some kind of permitting reform. I am not sure if that would be a part of a continuing resolution or a stand-alone bill.

If the gentleman could provide any clarification on any of those items that we haven't been privy to in conversations, I yield to my friend.

Mr. HOYER. Obviously, that is a good question and a good thing to have.

The appropriators are working through the administration's list of anomalies, which I know there are three or four items dealing with health and also dealing with Ukraine and a couple of other matters. I don't have that list in front of me, but the answer to my friend's question is that they are trying to get that together.

I think they are pretty close. I will talk to Chair DELAURO. I presume she is in conversation with and discussions with the ranking member, as well, but I am sure that that is the case.

There is also, I believe, money also being asked for for disaster relief that may well be in the CR.

The gentleman referred to the discussions that occurred in the Senate between Senator MANCHIN and Majority Leader SCHUMER. Obviously, we are going to see what the Senate does. I don't know what the Senate is going to do. It is one of the reasons there has been a discussion about the Senate moving first on that and discussions with the Senator about when they were going to move. I think that is under discussion.

Mr. SCALISE. Obviously, we will be staying in touch on that. Hopefully, Ms. LOFGREN will have some conversations with Ms. GRANGER about details because we haven't seen those yet. We surely would like to be more involved in those discussions.

Mr. HOYER. If I might add, I want to make the gentleman aware—and I know he is—but I want to make the Members aware that we will need to be here for such time as it takes us to pass the continuing resolution so that government will continue to operate. It is essential for the economy, essential for our national security, and essential for the employees, but it is also essential for all those whom they serve on a daily basis.

I have told my Members in some discussions about what we are going to do the last week in September. I have told my Members, and we also would make clear to all of our Members, including the Members on my friend's side of the aisle, that they ought to be making sure that the last 3 weekdays of November and that Saturday they ought to keep clear so that if, in fact, we need to work during those periods of times—and my expectation is we are going to have to—that they not be canceling events that they scheduled. So, being

on notice, I think, will be fair to them and fair to anybody that we are scheduling with.

Mr. SCALISE. As we are more in the first half of September, obviously, this would all be at the very end of September. Hopefully, we wouldn't wait until the midnight hour. We are all aware of the deadline.

Hopefully, we can get something brought, ideally agreed upon by both sides, which we are nowhere near right now, but at least to have more direct conversations well in advance of the deadline, so we are not here watching the clock strike midnight wondering.

Mr. HOYER. I could not agree with the gentleman more. I think I am probably just as frustrated.

I know the members of the Appropriations Committee are as frustrated as anybody in this institution. As someone who served on the Appropriations Committee for 23 years, we ought to be passing bills in a timely fashion. We ought to be passing them one at a time. We ought not to have these gigantic omnibuses that nobody knows about.

Both sides have had to prepare two omnibuses at the end of the year to fund government because we haven't passed individual appropriation bills in a timely fashion either through the House or the Senate or through the House and the Senate to the President. So, I agree with the gentleman entirely.

I agree also that we ought to give everybody as much notice as we possibly can. I will tell the gentleman, frankly, I was hopeful that we would have passed the CR this week. For reasons that are, I think, obvious to everybody, we haven't done that. But I am hopeful that we can do it sooner rather than later and don't have some September 30 crisis that we seem to always create.

I thank the gentleman for yielding. Mr. SCALISE. Hopefully, we can start seeing actual language next week so we can either get to a place where we are in agreement or try to resolve those areas of disagreement.

As the gentleman was talking about the calendar and other items that may be coming up, I noticed there were no conversations about any of the legislation that we have been talking about bringing to the floor to address inflation.

We just saw Tuesday, as the President was holding a party at the White House to celebrate inflation, we saw, yet again, more devastating news on the inflation front, to the point where the markets tanked during that party at the White House.

We have a package of bills that would help bring down inflation, bring down energy costs, and help those families who are struggling as we get ready to face another cold winter. There are expectations right now by all the experts that energy costs will go up again because we have limited supply here in the country.

As we identify those bills and yet not see any of them being listed for debate

on the House floor, can we try to get some kind of direction on whether this majority will work with us to bring bills to the floor to address these real problems that are hurting families all across the country?

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

I, obviously, anticipated that question. I thought about it, and I want to say to the Members my thoughts that I, frankly, talk about all over the country.

We passed a number of bills. Inflation is hurting our people. Inflation was not caused by President Biden or this Congress. Inflation was caused by the pandemic.

Inflation hurt businesses severely and hurt employees severely. In a bipartisan way, we voted as that pandemic started. As we saw the broad impacts of that, we, in a bipartisan fashion, stepped in to help. It made a very big difference.

I start that way because the representation of some is that somehow we, by passing legislation, have caused this inflation. The OECD nations, the economically developed countries of the world, have all had inflation. As a matter of fact, the average OECD nation has a 10.2 percent inflation rate. As the gentleman knows, ours is 8.3 percent.

Mexico didn't have any of the bills that we passed and had an 8.7 inflation rate. The Netherlands that didn't have an American Rescue Plan has a 13.6 percent rate of inflation. Sweden, a small and very successful country, didn't have an American Rescue Plan and has an inflation rate of 9.8 percent; Austria, another strong economic country, 9.3 percent; Denmark, the country of my father's birth, 8.9 percent.

And you say: So what? The "so what" is that we have seen a global inflation. I haven't mentioned some of the other countries in Asia who have inflation rates, as well. I simply say that so both parties and all Members understand the consequences and pain of inflation at the pump.

The gentleman in some of the discussions we have had has pointed out that prices have gone up. I have not heard him say that the President has taken certain action, and it has come down about 35-plus percent over the last 6, 7 weeks from \$5.02 as an average down to somewhere around \$3.60.

Is that low enough? It is not. It has been much higher. It was higher in 2008 under George Bush. But it needs to come down further. We will continue to work on that.

We passed a number of pieces of legislation. I mentioned the American Rescue Plan took 48 percent of America's children out of poverty who were in poverty; not 48 percent of America's children, but 48 percent of America's children who were in poverty were taken out by the American Rescue Plan.

None of us are wearing masks on this floor or around the country when we gather together and get in rooms close to one another. Why? Because we got 250 million shots in arms.

We also have people struggling for a variety of economic reasons primarily brought upon them by the pandemic, so we put money in their pockets.

We have one of the fastest growing economies. We have one of the lowest unemployment rates in the world. We have a country that is doing well.

The gentleman mentions the stock market declining. It did. Why did it decline? Because we had the pandemic. Inflation resulted from that, and the Federal Reserve—as was true under Ronald Reagan when unemployment went to 10.5, 6, 7, 8 percent because Paul Volcker was slowing down the economy to defeat inflation.

Inflation is harmful, particularly to people who are elderly and on fixed incomes. So, I want the gentleman to know that we empathize with that, and, therefore, we are distressed.

When we passed a bill, the Inflation Reduction Act, not a single Republican voted for it.

□ 1600

And there is absolutely no denial on the reality that is going to bring Americans' costs down. Not only that, it kept 13 million people who were going to fall off insurance on the Affordable Care Act—which I know the gentleman's party does not support—but 13 million Americans who had healthcare insurance as a result of the American Rescue Plan, it was going to stop on December 31, and we continued that.

We put on legislation that would bring down prescription drug costs and allow companies to sell drugs to Medicare in a negotiated way. We negotiate, as the gentleman knows, and I don't know whether the gentleman thinks that policy ought to be stopped, but we negotiated for prices with veterans' healthcare. Now we are going to do it with Medicare. We wanted to do it for everybody, but the Senate Republicans would not agree to that.

We believe that the infrastructure bill is going to really help bring down inflation, create jobs, and expand our economy. We believe the CHIPS and Science bill is going to do the same. Only 13 on the Republican side voted for the infrastructure bill, which was, I think, a bill that would have helped inflation by making supplies better. The energy portion of the Inflation Reduction Act is going to bring down the cost of energy. It is going to create competition on energy, and fight climate change. I lament the fact that not a single Republican voted for the Inflation Reduction Act.

Even if you reject the fact that it is going to reduce inflation—as I think you probably do, I don't want to anticipate what you do, but that is my guess. There are literally scores of economists who believe it is going to bring down inflation.

As importantly, the committee who looks closely at this—scores of economists say it is going to bring it down. The Committee for a Responsible Federal Budget say they believe it is going to bring down inflation. I don't want to project that it is going to bring it down a half a point, a point, 2 points, 3 points, 4 points—I hope it does. I think it was certainly worth a try.

None of your colleagues either in this House or in the Senate—down the aisle—gave it a chance. We passed it anyway under a process, obviously, that allows just Democrats in the Senate to pass something under a process called reconciliation.

I want to tell the gentleman that I have apprised the committee chairmen of the bills that you have talked to me about. I have asked them to look at them. Frankly, I cannot tell you I have gotten a response from each one of them, but we are giving them attention.

Obviously, we want to know what our committees think about not only your legislation, our legislation—our legislation, that is, bipartisan legislation. We lament the fact, I will tell you, very frankly, Mr. Speaker—we lament the fact that our Republican colleagues in all four of the bills I have just mentioned, which are designed to grow the economy—the CHIPS bill, the bipartisan infrastructure—19 Senators voted for the infrastructure bill and helped put it together with President Biden and Senate Democrats. Lamentably, only 13 of your colleagues chose to vote for it. I am glad they did, but it was over the advice and counsel of their leadership. That bill clearly was embraced by the American people and incorporated policies, essentially, that President Trump said in 2016 he was going to recommend and have the Congress adopt. It didn't happen in 2017. It didn't happen in 2018. It didn't happen in 2019, and it didn't happen in 2020.

I say to my friend, we think all four of those bills are going to have a very positive impact on our economy, on growing our economy, ensuring supplies of basic goods, and bringing down inflation.

Mr. Speaker, I thank the gentleman for yielding.

Mr. SCALISE. Mr. Speaker, there are a lot of different bills the gentleman mentioned. Each one of them, by the way, when you rack them up, adds up to trillions of dollars in new spending. If trillions in Washington spending were going to solve the problem, then we would have no inflation.

Obviously, it has gone the opposite direction, and it is going the opposite direction because of the trillions of dollars in new spending if you go down the line. Obviously, the gentleman went through all of those things, and I would like to respond to a number of them because it just doesn't mesh with the realities of where our economy is today.

If you look at the numbers—and we can talk about other countries—other

countries have passed bad policies that have wrecked their economies. You can see Europe right now finally having a renewed debate on energy policy because they passed some really foolish energy policies that are destroying their energy economies and making them more dependent on Russia, for example, to get their oil and to get their natural gas. They are finally waking up.

A lot of them shut their nuclear plants down, which is safe, sound nuclear energy. They wrecked their economies. They are starting to reverse that. I am glad they are finally waking up and reversing course.

It seems like right here in Washington the failed policies that President Biden has put in place, they want to double down on. When you look at the results of it, that is why we get where we are which is double digit increases in food costs that our families are facing. Electricity costs over 15 percent higher just over the last year, and it is about to get worse because the bill that the President was celebrating at the White House had another increase in taxes on natural gas, which will raise those costs even higher.

Mr. Speaker, I will yield to the gentleman in a moment.

Mr. HOYER. Mr. Speaker, I can't see the chart. Could you tell me what it says so I know what the gentleman is talking about?

Mr. SCALISE. Mr. Speaker, electricity rates are 15.8 percent higher than last year.

Mr. HOYER. Here?

Mr. SCALISE. In America. This is all in America. Families that we represent are facing the burden of all of these policies that started in Washington that are ultimately ending up taking money out of their pockets.

When you go to the grocery store—if you can afford to get there—if you find the food on the shelves, it is 13½ percent higher. We have seen the list, whether it is eggs, dairy products, bacon, some of them are 30 percent higher individually, but it adds up to about 13½ percent more that you are paying at the grocery store.

Mortgage rates. If somebody is trying to become a first-time home buyer, which is part of the American dream, today it is 110 percent higher to get a mortgage than it was a year ago. Most economists, including many Democrat economists, point to the trillions in spending in Washington as the reason for that. Families have figured this out and said: Stop the madness.

Yet, again, at the White House in the most tone-deaf thing I have seen in a while, the President is having a party celebrating a \$730 billion increase in taxes and spending at the exact same time that the market is tanking because of the inflation created by all this spending.

To finish it up, transportation costs are 11.3 percent higher. That is what is happening in America.

Again, Europe did a lot of these same bad policies. They figured it out, and



they are starting to reverse course. They just got rid of their Prime Minister in England because of what they did to wreck their energy economy.

We brought bills—as I shared with the gentleman over months—we have brought a number of bills forward that would solve these problems, and not one of them has been scheduled for a vote on the House floor. We want to address this problem. We don't just sit back and go: Well, it is happening in other countries, so let it stay racking up in America. It doesn't need to.

These are all unforced errors that are the result of failed policies, and instead of stopping the failed policies and working with Republicans to turn it around and lower these costs, it seems like there is a desire to just double down and talk about trillions more to spend.

If spending was solving the problems, then we would have none of these problems. The problems have gotten worse with each multi-trillion or multi-hundred-billion-dollar package of legislation that has come out of this body.

At some point, I would hope that the other side would look and recognize and say, okay, forget about Europe and Asia. They need to look in the mirror and say, why did they create some of their problems?

We can do something about these problems. We brought those ideas forward, and every single time we have been told no, which must mean that this is okay. Because this is not okay to us, and there is a way to reverse it.

If just spending more money and having parties at the White House to celebrate that spending while Rome is burning is where we are going to be, I think there is going to be a day of reckoning on that. I don't think the country is comfortable where we are. And when the idea is to just keep spending more money and act like—maybe it is another \$5 trillion—what is the number that is going to finally get us out of this mess? If it was trillions, we would be there already.

Maybe, just maybe, we need to look at going the other way. Stop paying people not to work, for example, when everybody is looking for workers. Unfortunately, the IRS is looking for 87,000 more people. And as CBO just confirmed, a lot of that is going to be going after hardworking families, families making under \$400,000 a year, even though we were promised on this floor that wouldn't happen.

We brought an amendment to ensure that President Biden's promise would be upheld. We brought an amendment that would say and ensure no American making under \$400,000 would see their taxes go up with these 87,000 new IRS agents. The majority rejected that amendment. Literally, the day of the vote, the Congressional Budget Office came out and confirmed that it is over \$20 billion in new taxes.

That bill is going to cost families making less than \$400,000. Those families are already struggling. They would

love to save up and buy a new house. They can't even afford to get to the grocery store to pay 13½ percent more. If they try to go get a mortgage today, they are going to be paying more than double for that mortgage than they were a year ago.

At some point we have got to stop these failed policies that are causing these problems. Go look at what some of these other countries are doing to finally reverse course because they are, and they need to, but so do we. I would hope that we would bring some of those bills to the House floor because we could start reversing these horrible trends now.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

First, let me say, the gentleman dismisses what other countries are doing or he says they are doing bad things and therefore they have inflation.

Every country has inflation. Why? Because the pandemic shut down the world. It shut down the markets. It shut down the production of supplies. That is why. People had to stay home and they weren't out producing and making things.

We kept a lot of people employed. We spent trillions of dollars doing it, which were bipartisan bills signed by Donald Trump. Trillions. As soon as Donald Trump left, all of a sudden the other party—his party, the Trump party, decided it is over. It wasn't over for the American people.

Kids were not in schools. People hadn't been given shots in arms yet. People were really hurting. Those 48 percent of the children in poverty were still in poverty, but it was over. No more bipartisanship. It is another President, so we are going to blame him.

That is politics over people. What we did is people over politics because we knew people were hurting. We passed legislation to give them help. Every Republican, Mr. Speaker, voted no.

We voted to help them get shots in arms. Every Republican voted no.

We voted to get their kids back in school to make their schools safe and healthy. Every Republican voted no because they wanted to bleat about inflation.

The reason they don't like these figures is because these are the economically successful nations of the world, many of whom have inflation higher than we.

The gentleman is absolutely right. We need to get inflation down. There are 126 economists that say that the Inflation Reduction Act will reduce inflation, reduce healthcare costs, and reduce energy costs.

Now, the gentleman and I have had this discussion about his energy bills, which they think will be the salvation. They always think: Drill more, life will be better. I get it. Louisiana is a State that wants to drill. I get that. We use that product. It is an important prod-

uct, and we are going to continue to use it. That is why I have no criticism of that.

In the last bill that we passed, which is really going to fight the climate challenge that we face—there were four 1,000-year floods in four different communities in America within 30 days of one another.

□ 1615

The West is on fire, literally and figuratively. Climate challenge is real. Every Republican voted "no" to invest in meeting that challenge head-on; every Republican, House and Senate, Mr. Speaker.

I can't read the chart, but 13 percent inflation is too high. I go to the grocery store almost every weekend. I live alone. I don't buy a lot of food at any one time because I am traveling a lot and here a lot; don't want it to go bad.

So I get it on the prices. I get it on gasoline prices. They are tough. That is why we passed a food and fuel bill. The gentleman from Louisiana voted "no." The leader of the Republican Party, Mr. MCCARTHY, in the House, voted "no", and the overwhelming majority of Republicans voted "no."

They wanted to make sure that we had competition. That is the free market system. That is what brings prices down. If you have a monopoly, you can charge anything you want if people need the product.

Now, I won't go through the statistics because the statistics are we are producing more energy today than we produced 2 years ago. I read those statistics. I am not going to bore the gentleman, Mr. Speaker, with them again.

They don't bore me because it shows that—when the argument is the reason we have inflation is because we are not producing energy, the reason we don't have as much energy is because companies made a rational decision. What was that rational decision?

In March and April of 2020, people started staying in their homes. They stopped buying gas and other products, petroleum products, and, as a result, corporations made a reasonable judgment. We are not going to produce more capacity.

So, when we got out of the inflation, we are still not doing that. But we are doing more than we did some years ago, as those statistics that I read to the gentleman three or four times, so I won't read them again.

But the industry, as I have also told the gentleman, owns 9,000 unused permits to drill onshore; 37 million acres offshore; which can be permitted, ready to go.

So when you simply ignore and pretend that somehow Joe Biden, the President of the United States, is responsible for worldwide inflation, and dismiss the pandemic—I don't think I have heard one time, Mr. Speaker, the Republican whip mention the pandemic as a cause of the inflation. It is all about energy.

I beg to differ with the gentleman, Mr. Speaker. I think, honestly, the American people need to know that.

Yes, the stock market had a rough tumble. Why did it have a rough tumble? Because the Federal Reserve, the chairman of which was appointed by President Trump, responsibly, along with his board of governors, responded to try to get this inflation under control and bring it down.

I don't know whether the gentleman supports that action or not. Ronald Reagan supported that action; although he did not appoint the chairman of the Federal Reserve that did it.

So, Mr. Speaker, we are going to continue to fight for the people and put them above our politics, or even our own personal economic interests, by passing the American Rescue Plan; by passing the bipartisan infrastructure bill; by making sure that America can be seen as a country that makes it in America; chips, investing in science for the future, for the people and, yes, the Inflation Reduction Act, which the gentleman and his party has misrepresented over and over and over again with something they know is not the truth.

They project 80,000 new people going after average Americans. They know that is not true, Mr. Speaker.

After years of trying to defund the people who collect the revenues from our people so everybody pays their fair share, and those of us—and I say of us—who are doing well, pay our fair share, and the people who make billions, who pay less of a percentage, in many respects, as Warren Buffett said, than those who work for them.

Yes, we want taxes fairly enforced, Mr. Speaker. We don't want anybody paying an unfair share because somebody is not paying at all.

The IRS will, after those 10 years of accretion of employees, have as many employees as it had back in the 1990s; trying to make sure it can, in fact, enforce a fair system that provides the revenues that the Federal Government needs to protect, preserve our people's welfare, economy, and national security.

Mr. SCALISE. Mr. Speaker, first, to clarify, it wasn't me who said that the IRS agents, this new army of 87,000 IRS agents, would be going after people to collect \$20 billion more in taxes who were making less than \$400,000.

It was the Congressional Budget Office who put in their report the day of the vote that that is exactly what would happen, is that those IRS agents would, in fact, be going after people making less than \$400,000, to the tune of \$20 billion in new taxes.

We brought an amendment to stop that from happening, to say they can't go after those people making less than \$400,000, which is what the President promised. The Congressional Budget Office report was right there, saying \$20 billion is what they would pay in new taxes. The majority rejected the amendment. So clearly, the intention was to have those IRS agents go after them.

Again, those weren't my numbers. That was the Congressional Budget Of-

fice. If there is a dispute the gentleman has, take it up with them. But they were the ones who came out with that report the day of the vote. Maybe that was why the bill was rushed through. But we pointed that out, and no one disputed that the Congressional Budget Office put those numbers out there.

But the President still kept saying, don't worry. They are not going to go after them, not a dime. But CBO said \$20 billion in new taxes those low- and middle-income families will pay. We tried to stop it. The majority rejected it.

Now, to go to the oil and gas comments the gentleman made about President Biden, you would think, listening to your comments, that Joe Biden was John D. Rockefeller, and he is drilling everywhere. Well, let's first—

Mr. HOYER. I don't think I made that comment.

Mr. SCALISE. And I won't say the gentleman did, but as the gentleman talked about all this production and drilling that is going on and all this oil that is coming out, it was Joe Biden who said, as a candidate, "no more drilling on Federal lands. No more drilling, including offshore. No ability for the oil industry to continue to drill, period."

Then he carried out policies to back that up and stop drilling.

We have pointed out many times, major companies in America that want to increase production, as the gentleman did say, that they are not increasing production. They tried, and they have been rejected on the permits they would need.

You can't just go drill a new hole tomorrow. Every well ultimately depletes. We all know that. That has been going on since man invented the ability to drill for oil in the world. So as oil depletes, you need to get new permits to go into these areas. The Biden administration, over and over again, rejected those new permits.

So there are leases out there. Again, a lease might be like you have a car. You have got a car in your driveway. Well, if you don't have an engine in the car, the car is not functional.

If you have a lease, the lease doesn't do you any good if you can't get the permits to build pipelines. We have talked about the pipeline problems as this administration, over and over again, has blocked new pipelines.

How do you move the oil? How do you get the permit to go and explore for more?

So what the President did—again, if we were just maxed out on drilling here, why did the President get on Air Force One and fly 5,700 miles to Saudi Arabia to beg them to produce more oil? They said no because they don't have the ability over there.

The President called Vladimir Putin and asked him to drill for more oil. Putin said no.

You don't need to ask those countries to produce more oil because we

have it here, but there is documented evidence, over and over, where this administration has said no to permits, no to the ability for us to produce more of our own energy.

So what happens? The price goes up. They are talking about, during this winter, the inability for people to have home heating oil. So they are importing it from countries like Russia because they are not allowing more production here, where companies are trying to produce more and being turned down by this administration.

The Secretary—I think it was the Secretary of Energy—when asked, what is your plan to produce more in America, she started laughing. It is not a laughing matter, but that has been the attitude of this administration.

To finish up on the point where the gentleman started talking about all these bills that we voted against, starting with the \$1.9 trillion spending bill that this administration came right out of the box with. As the economy was starting to turn around, and people were starting to bring workers back, trying to get workers back, a \$1.9 trillion package of bills came forward to pay people, in part, not to work, to stay at home; made it harder for people to get workers back.

But what it also did—and this is something we brought up during the debate—checks were being sent to people.

Well, we pointed out that checks were going to end up going to people in prisons, and we were told that wasn't going to happen. Just like with the 87,000 IRS agents, when CBO debunked that. Don't worry; nobody in prison is going to get checks. Turned out later, the Boston bomber got a check.

Who knows how many billions of dollars went to prisoners to be paid—taxpayers are already paying for them to be housed, to be fed, to get healthcare. But then they also got checks, actual checks in stimulus money. We had an amendment to stop that from happening.

But ultimately, yes, we voted against those things because we wanted to see our economy back open.

When there was this idea that everybody had to stay home, that wasn't the case when we started last year. In fact, many States started to open again. There were some States that stayed shut down.

By the way, you can see a massive movement around the country, where New York State alone lost about a million people who moved to States like Florida because they didn't want to be shut down anymore when there was a State that was open, following safety protocols, protecting their people, but allowing people to live in freedom again and live their lives.

So people moved out of States, the shut down States like California and New York and moved to States that were open. You can see the numbers, and they are dramatic numbers.

So not every State handled it the same. But the States that opened were

having a lot more success in protecting their people at the same time, but the States that stayed closed had devastating consequences.

Not to mention what we saw with children being shut out of school, the learning that wasn't happening. Those are devastating numbers we are seeing today because this administration changed the science—and that is documented—changed the science over at CDC to cater to the unions who wanted to keep schools shut down. So millions of kids didn't learn at the levels they should have, and those numbers are still showing up today, that those kids were left behind; lost a year or 2 years they will never get back because other kids were in school learning, when the unions wanted to work with the Biden administration to keep schools shut down.

So those are the things that we tried to address. None of those bills were allowed to come to the floor. But that is where we are.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

First of all, to your last statement, the unions. What were the unions trying to do? They were trying to keep teachers healthy. They were trying to keep kids healthy. Because we were telling people, don't congregate. Don't get all together.

They were trying to keep kids out of school whose HVAC systems, heating, ventilating systems were not up to date and couldn't transfer the air in a clean, healthy way.

So we gave them billions of dollars. Yes, we spent a lot of money to make our people safe, to get people back to work, to get kids back in school, and it worked. They are back in school.

None of us are wearing a mask. We congregate now. We all get together. Hardly anybody, if anybody, some people who have particular vulnerabilities are wearing masks. God bless them. It worked, and the Republicans voted "no."

□ 1630

Now, I want to go to this energy issue because they are Johnny-one-note. Inflation is caused by administration policy on inflation, gas prices, and energy production. But the fact of the matter is he ignores that inflation is happening in a lot of places.

Mr. Speaker, in Denmark, they are pretty energy independent with renewable energies and not relying on supply chains per se. Their inflation is higher than ours because it was a global phenomenon. Their economies were assaulted. Ours came back faster and better.

Why? Because we invested in our people.

Now, let me go to a simple fact. According to the U.S. Energy Information Administration, average production—that means over 4 years for Trump—for Donald Trump was 10,968,000 barrels per

day; for Joe Biden it was 11,185,000 barrels a day. That is more, not less, than the average under Donald Trump. But it serves their political interest, Mr. Speaker, to somehow project to the American people that Biden has shut down the energy industry which is why you are paying more.

I explained that the energy companies did, in fact, cut production. It was a rational business judgment. People were driving less and buying less petroleum.

There is still concern. Most of them are seeing that there is going to be an alternative energy that is going to be required if we are going to make sure that this globe does not burn up with the people with it.

He also says—I don't have the report in front of me, so I am going to wing it—that no one earning under \$400,000 per year got a tax increase as a result of the bill the gentleman alludes to.

If CBO says—and I will read the report—that \$20 billion is going to be received from that category, it will be because somebody, whether they are making \$100,000, \$200,000, \$300,000, or \$400,000, is not paying their fair share pursuant to laws that we adopt—not because we put new taxes on them but because they are not paying the taxes that are due.

I don't have the CBO report in front of me, so I am opining because it certainly wasn't because we have new enforcement officers, unless those enforcement officers find that the people to which the gentleman refers are not paying their fair share.

By the way, it will also apply to the people who are making billions and not paying any taxes, much less their fair share.

Let me repeat that energy figure again because I think he will probably go back to energy because that is what we do almost every colloquy. More energy is being produced under Joe Biden than was produced under Donald Trump.

Mr. SCALISE. Mr. Speaker, if Joe Biden wants to keep producing more energy, we are giving him opportunities, but he says no. He said "no" many times, and he campaigned on that. We will continue to push to bring those bills to the floor.

We are going to continue to push to bring bills to the floor to solve a lot of these problems that we have identified, and we have bills to address them. If the majority doesn't want to bring them up, I understand. That is the prerogative of the majority, but we are going to still keep talking about them.

We are going to still keep pushing every opportunity we can to bring down inflation, to lower energy costs, and to address so many of these other problems that people are still facing today.

If that single mom who is working as a waitress two shifts is going to be audited by some new IRS agent who is tasked, under the terms that we saw, with going out and generating that

money, if the result of that is that she has to pay more money, it doesn't mean she is cheating on her taxes. If all of a sudden an auditor is coming after you, who knows what kind of pressure they are putting?

But it is 87,000 more IRS agents tasked with going and generating not \$20 billion. The \$20 billion is just for the people making under \$400,000. It is over \$250 billion that some of the numbers show that they have to generate, meaning they are going to have to go out and find that from taxpayers.

That doesn't mean every one of those people they audit is a tax cheat. It just means that person is going to now face an audit who otherwise is working two or three shifts to meet the demands of these higher costs that they are facing because of inflation.

We are going to continue fighting for those hardworking families and fighting to lower the burden on this government, take some of that heat off so they can spend more time at home with their family, not working two or three shifts or worrying about the next audit they are going to face from a new IRS agent who is told to go generate more money. Hopefully, we can address that. We will continue to push for that.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding. I think we are probably pretty close to closing.

I would say this, Mr. Speaker. I think the American people are in the process of making a judgment. On our side, we see things as pretty positive in terms of the response to the policies that we have been adopting without any significant help from our Republican colleagues, but they will have a chance to vote and decide.

We have passed legislation, as we said we would do, for the people—not for the sake of politics but for the sake of children, families, the young and old, and, yes, even the rich and poor.

I want to comment because I urge my Republican friends to be precise in their conversations with the American public. There are not 80,000 revenue auditors or agents included in this bill that we talked about on bringing inflation down and which economists say will bring inflation down.

Our Republican friends say they want to do that, but they vote against bills that will bring down demonstrably, and without possibility of denial, costs for people, health costs for people, prescription drug costs for people, insulin, which costs about—it is single figures, and we capped it at \$35. That is about 400 percent profit, but they are now paying \$300 or \$400 or \$500.

Now, luckily, because we could pass it with Democrats, seniors won't be paying that. They will be capped at \$35. But millions of other Americans, because the Republicans would not support it in the United States Senate—we passed it here—will not get the benefit of that cap. They will be paying far above justifiable prices for insulin.

We are producing energy. The argument is specious that somehow this inflation is caused by our cutting back on energy supply when I just read a figure, subject to dispute. Maybe next week I will hear, no, that figure is wrong. Maybe. We are producing more energy than Trump did—not Trump himself, but the country—during Trump's Presidency.

I urge, Mr. Speaker, my Republican friends to tell the American people the truth. Yes, there are some more agents because there are people not paying their fair share. If you have an audit, and they say you are not paying your fair share, and you pay more, isn't that what we expect when we pass tax bills, that people will pay pursuant to what the law says, whether they make \$100,000 or \$100 million or \$100 billion? I don't guess anybody makes \$100 billion in a year.

We ought to be honest with the American people. Give them the facts, and then they will make a decision, but tell them the truth.

Mr. SCALISE. Mr. Speaker, we will continue to be honest with the American people. It was the administration that used the 87,000 number. If that number should be lower, I would love to hear what that number would be.

Mr. HOYER. Will the gentleman yield?

Mr. SCALISE. I yield to the gentleman from Maryland. If the gentleman has a number, please tell me because that is what we heard from the administration.

Mr. HOYER. Mr. Speaker, there are 80,000-plus additional, which will get back to the 20 years ago level of employment in the IRS. The IRS has been reduced in personnel in all categories, not just enforcement agents, but in all categories, which will undermine their ability to serve the public and collect taxes so that we all pay our fair share and so people who don't have accountants and who don't have ways and means to avoid taxes are treated fairly themselves.

Everybody ought to be treated fairly. If we don't think they are being treated fairly because of the law then we ought to change the law, but we ought to tell the American people the truth.

There are not that many enforcement agents. They are in so many different categories in the IRS to make sure that the IRS can successfully do its job and answer people's questions about what, when, where, and why they have to do things pursuant to law. That is what I meant, not that the 80,000 people are enforcement agents. They are not. They are not. It is a far lower number than that.

But we know that there is over \$100 billion—I think it is a much larger figure than that—in taxes that are owed under the law that are not being paid, which means that the tax rates need to be higher on others than they ought to be.

That is what this bill gets at. In other words, this bill, the inflation re-

duction bill, is more than reducing inflation. I am sorry that my Republican friends made a determination it was not a bill they could support to help bring down inflation, but that was the judgment they made.

I think they want to bring down inflation. We want to bring down inflation, but when we present a bill to the floor which does it, we would hope we would get support on a bipartisan basis.

Mr. SCALISE. We will continue to tell the truth about these policies. Clearly, there is a disagreement on many of them, but that is why we have this debate. I look forward to continuing it with the gentleman.

Mr. Speaker, I yield back the balance of my time.

#### HONORING RETIRED NEW JERSEY STATE SENATOR RONALD L. RICE

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to honor New Jersey State Senator Ronald L. Rice after his retirement on August 31 of this year.

Senator Rice served the people of New Jersey's 28th District for 36 years. He was the longest serving Black legislator in our State's history.

Senator Rice was first elected to the Newark City Council in 1981. Then, he was elected to the State Senate in 1986 and won reelection 11 times before he retired.

His service extended beyond politics. Senator Rice was a sergeant in the Marine Corps and a decorated Vietnam veteran. He spent 8 years as a police detective in the city of Newark and 4 years as its deputy mayor.

He was known for his strong support and advocacy for social justice and civil rights. Recently, Newark renamed a street in his neighborhood in his honor for his commitment and service to the city of Newark.

Mr. Speaker, I congratulate State Senator Ronald L. Rice on his tremendous career as a public servant. His work for Newark and the people of New Jersey will be missed. But I am sure this will not be the last we hear from our hero and our fighter, Senator Ronald L. Rice.

□ 1645

#### RECOGNIZING ALAN DEWART

(Mr. JACOBS of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JACOBS of New York. Mr. Speaker, I rise to recognize and celebrate the 80th birthday of Alan Dewart, a business and civic leader in our community.

Alan has been an entrepreneur and real estate developer for his entire professional life. Alan's impact on the re-

vitalization of the city of Buffalo is unparalleled.

During the dark economic times of the 1980s when the city was experiencing a mass exodus of people, businesses, and hope, Alan was a pioneer who reinvested and revitalized a section of downtown Buffalo, taking vacant and derelict buildings in Buffalo's theater district and transforming it into a vibrant city center consisting of apartments, restaurants, and music/entertainment venues, infusing life and vibrancy back into a historically significant section of our city.

Alan's pioneering work sowed the seeds of future developers and future projects to bring downtown Buffalo back to life.

I interned for Alan Dewart as a college student and through him developed a passion for urban revitalization. He is a friend and a mentor, and I thank him for all he has done for me and all he has done for our city.

#### WE MUST ENSHRINE THE FREEDOMS ROE V. WADE PROTECTED

(Mr. MALINOWSKI asked and was given permission to address the House for 1 minute.)

Mr. MALINOWSKI. Mr. Speaker, when the Supreme Court overturned Roe v. Wade, Republicans swore up and down that all they wanted was for the States to decide.

But this week, in this Congress, they introduced a national criminal ban on abortion, saying this is what we stand for, this is what we will do if our party takes the House and Senate.

Their bill is designed for one purpose and will have one effect: to shred protections women still enjoy in States like New Jersey, where we codified Roe v. Wade this year.

Let me tell you where the overwhelming majority of folks in New Jersey stand. We know abortion is a painful and personal issue for many families. That is precisely why we want and trust women to decide, not the government. The issue is complicated. Who decides is not.

That is why I will do everything in my power to prevent Congress from imposing on New Jersey laws that treat women and doctors as criminals and why we must enshrine the freedoms Roe v. Wade protected in the law of our land once and for all.

#### REMEMBERING DIDAR SINGH BAINS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, I rise tonight to acknowledge the loss of a pillar of our community in northern California, Didar Singh Bains of Yuba City.

He lived a full life to the age of 84 and passed away peacefully at his home, surrounded by his family, on Tuesday, September 13.

He was born in 1938 in Nangal Khurd, Hoshiarpur District of Punjab, India, to a farming family. As a young man, he immigrated in 1958 to Sutter County, settling in Yuba City, because of the potential he saw in the land, soil, weather, and its likeness to Punjab, India.

Indeed, it worked out very well. Through his hard work and determination, he became the largest independent peach grower in the world, earning him the title of “the Peach King.”

He was a deeply religious man, a leader in the Yuba-Sutter area, philanthropist, and active member of the Sikh Temple of Yuba City.

He played a critical role in founding Sikh institutions and festivals in the Yuba City area, as well as around the world.

In 1980, he started the Yuba Nagar Kirtan, called the Yuba Sikh Parade, which has now become an annual event and a staple to the area where people travel from all over the State, even all over North America, tens of thousands, to take part. I have had a chance to take part myself. It is indeed incredible.

When Sikhs faced hate crimes after the September 11 terrorist attacks due to misunderstanding, it was Didar who led a delegation of Sikhs to meet the U.S. President, George W. Bush, at the time.

He was a pillar of our community. His loss will be felt by Yuba City and indeed internationally.

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#### HONORING MS. WHEELCHAIR AMERICA ALI INGERSOLL

(Ms. ROSS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROSS. Mr. Speaker, I rise today to highlight Raleigh's own Ali Ingersoll, who won the title of Ms. Wheelchair America last month.

Ms. Wheelchair America is not your typical beauty pageant. Contestants are evaluated on their community advocacy and achievements, and the winner carries the responsibility of being a champion for the 61 million Americans living with disabilities.

Ali Ingersoll has embodied that mission since an incident left her paralyzed 12 years ago. She has dedicated much of her adult life to advocating for affordable healthcare for individuals with disabilities.

As Ali personally experienced in 2020, insurance companies often deny coverage of important equipment to help these Americans lead fulfilling lives. Now, Ali is fighting for full coverage of medically necessary equipment.

I am honored to represent Ms. Wheelchair America and look forward to everything she will accomplish in the future.

#### HONORING EDITH K. KENAO KANAKA'OLE

(Mr. KAHELE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KAHELE. Mr. Speaker, I rise today to recognize September as Hawaiian History Month in my home State of Hawaii. It is a time of celebration, recognition, and reflection.

Throughout this month, we honor individuals who have made a significant impact on the lives of Native Hawaiians everywhere.

Today, we recognize Edith Ke'kuhikuhiipu'uoneonaali'iokohala Kenao Kanaka'ole, a revered Native Hawaiian dancer, chanter, teacher, kuma hula and founder of Halau o Kekuhi.

Edith was one of only five women in the country honored this year in the 2023 American Women Quarters Program.

“Grant us knowledge.” “E ho mai ka'ike,” is inscribed on the commemorative coin for Edith Kanaka'ole. It is a reminder of her lasting legacy and a guiding principle for Hawaiians. That is, to look to those who came before us so that we may find success in the present and prosperity in our future.

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#### DERAILING THE FREIGHT INDUSTRY STRIKE

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, I first want to indicate my appreciation to President Biden and Secretary Walsh, for, yes, diving in and stopping a union worker/freight industry collision and understanding the importance of providing benefits to our hard workers.

Yesterday, at the Teamsters, I indicated how important it is that workers have benefits, and the ability to go to the doctor. That is the fight that we must continue. I am glad it has been derailed, but we need to continue to fight to get a permanent solution for our workers.

I rise today as well, Mr. Speaker, to introduce and acknowledge the SHIELD Act, to shield doctors and nurses and other reproductive healthcare providers from harassment, litigation, and draconian laws. I ask my colleagues to join me in supporting this legislation that would protect pregnant people and the medical personnel who provide reproductive healthcare services to them and will prevent interference, restriction, and retaliation against doctors, nurses, nurse midwives, nurse practitioners, physician assistants, and others who evaluate, diagnose, advise, treat, or provide other services in order to protect them, to give healthcare, and to stop women from standing outside the door of doctors' offices and not getting

care. I ask my colleagues to support the SHIELD Act.

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#### ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, these are the times that try men's souls.

We have heard so much in recent days about the raid by the FBI in Mar-a-Lago. I have continued to hear from FBI agents and former FBI agents. Republicans on the Judiciary Committee have, as my friend JIM JORDAN has pointed out, received, I think, 14 complaints from people within the FBI about very serious problems. I have had several that I have received personally that were not included in those 14. I understand Senator GRASSLEY has also gotten some.

There is a systemic problem at the FBI. Christopher Wray was appointed to clean up the FBI. As I told President Trump later on: You have asked me about a few of your appointments; I wish you would have asked me about that one, because I could have told you a great deal, going back to the days of Mueller as director of the FBI. Director Christopher Wray learned some of those techniques.

Director Mueller, even going back as far as Boston, tried to keep two people who were innocent of the murder of which they were convicted—they were set up by FBI agents—and Director Mueller continued, even after it was clear they were innocent, to try to keep them from being released from prison.

Then along came Comey. He has had serious issues with truthfulness and yet does a great job of trying to play the victim.

I had one FBI agent, who had been around a long time, say: You remember back to the 1980s, 1990s, at the FBI? We were completely professional. If someone had a nonviolent background, we were just about doing our job. We would notify the—especially if we knew the person had a lawyer, we would notify the lawyer that your client needs to appear, is being indicted or has been indicted, needs to appear at this or that jail at a certain time. And, of course, if the person didn't arrive, they knew they would be picked up. But they were given a chance to voluntarily surrender. Normally, that went very well, quite professionally.

But what we have seen arise with the Department of Justice and the FBI is absolutely disgusting. I mean, I was a law-and-order felony judge. I have sentenced people for felonies, everything from probation to the death penalty. I know what it is to wrestle over the issue, presentence reports, evidence at sentencing, and what appropriate sentences are.

□ 1700

We expected local, State, and Federal law enforcement that came before me to be professional, and they better not lie or there would be consequences and there were.

But this FBI, this DOJ is so far out of control, and Christopher Wray took his appointment as Director—at a time we needed the FBI cleaned up—as a directive to sweep everything he could under the rug.

FBI agents have told me, from different places in the country that I have talked to, you know: What Director Christopher Wray keeps telling us constantly is nothing about being honest. Be truthful about everything you say and do. But his big line, they tell me, is “protect the FBI brand.”

And they make clear, they say he makes clear, and they follow up by their actions making it clear, that if there is somebody in the FBI doing something wrong, you better not report it to anyone but your supervisor.

I am not going to get into some of these because I haven't had an opportunity to properly go through them to exclude identifying information, but those that complained to their supervisors that I have seen the complaints, they are retaliated against.

So it becomes very clear to honest, honorable law enforcement people working at the FBI, at least many of them, that when Christopher Wray says, “protect the FBI brand,” he means don't you dare report anybody anywhere except to your supervisor, and that way we can get rid of you, we can make your life miserable, we can get you out of the FBI, so it is only people who won't complain about lies, dishonesty, corruption, because the message seems pretty clear: We want people that will help us convict the people we want convicted, whether they are guilty or not.

I am not going to get into all of the complaints that have been provided to me, the information; but I want to concentrate on one issue since Mar-a-Lago, the raid there by the FBI, again, they jumped the gun. Never, ever before has a former President had their residence raided. And it is very clear that with Director Christopher Wray and Attorney General Merrick Garland, here is the deal: If it is a supporter of President Trump, let's go after them, make their lives a living hell. Let's send the message out far and wide, you better back off supporting that guy, that former President Donald Trump or we will come after you. We will come after your friends.

Instead of doing what was done with people working with Secretary of State Hillary Clinton, who were given immunity agreements that would even include stuff like, we just want to see your laptop, and here is the deal we will make with you. Instead of getting a search warrant, grabbing the laptop of Hillary Clinton's assistants, they made a deal. We just want to look at your laptop, and here is our deal: We

will not use anything we find in the laptop against Secretary Clinton, against you, against anybody. We just need to see what is there. That is all we are going to do. We are not going to copy it or anything, and we promise we won't prosecute you.

I have never, ever seen a deal like that. Who would make that kind of deal except corrupt people in the Department of Justice and the FBI?

Because what you do if you are law enforcement, you get the warrant, you seize the laptop, and if there is evidence of crime on there, as you believe there is, then that can be used to prosecute the people instead of giving them an immunity agreement that you will not come after them at all.

There were incredible deals made to protect Secretary Clinton and the people who worked for her and to make sure they had no reason to testify against their boss. Because typically law enforcement all over the country, all over the world, knows if you are going to make a case against somebody at the top, whether it is the mob, whether it is the State Department, wherever, you make a case against the people below, and you say: Okay. Here are 20 violations; you are looking at 5 years, you are looking at 100 years. But we will make a deal, we will only pursue this charge that carries a 2-year sentence if you will help us on the people above you. And you work your way up the food chain.

That is the way great prosecutions have occurred against mob organizations, and it works the same way with any organization, except that the DOJ and the FBI chose to treat conservatives, chose to treat all of Donald Trump's friends, people that might have information against him, they were all treated very differently because there are two types of justice. Justice is no longer wearing a blindfold in Washington, D.C.

From some of the complaints I have seen, I used to think the problem was here at the national headquarters, but apparently it is not just the field office or the headquarters here because there has been so much corruption, it spread all over the country.

So there is all the indignation from the FBI and the DOJ about documents that were held in Mar-a-Lago. Now, I haven't talked to anybody with President Trump's team, with President Trump. It has been months. And the last time I talked to him, he was just calling, surprised that I was running for Attorney General in Texas, and it was a very short conversation. So we hadn't talked about any of this. But I understand his frustration because I have seen the way evidence was created to pursue two impeachments of Donald Trump.

I have seen the evidence, at least some of it, of the way the FBI and the DOJ falsely convicted Senator Ted Stevens immediately before his election. I think they tried him 2 weeks before his election, and he lost just by very little.

Then he was exonerated when one FBI agent who believed in truth signed an affidavit establishing that there was exonerating evidence, exculpatory evidence that they did not provide to Senator Stevens and that they forced a witness to say what he had made clear was not true, and they convicted him.

That seems to be a pattern. These kinds of things appear to be going on in different places. Oh, yeah, they are convicting some guilty people, but it makes it very difficult to know which is which when you have an organization that plays fast and loose with the rules and plays fast and loose with the truth.

So you have got people who have made complaints, and just like the FBI agent who had a conscience and reported the fraud in the prosecution of Ted Stevens by the Department of Justice and the FBI, he was run out of the FBI, and the one that was engaged in the fraud, according to the FBI, was reassigned and then promoted.

How do you have a national law enforcement entity that keeps integrity when integrity is no longer the key word? Oh, yeah, I have heard Comey and others talk about integrity, that the FBI, the “I” stands for integrity. Not anymore.

No. It is all about preserving the brand, which means you can't allow any information about corruption within the FBI to get outside, or we will use our ability to be corrupt to come after you for filing or making a complaint or reporting dishonesty.

Every American has a constitutional right to communicate with his or her, or whatever your pronoun is, your Member of Congress. It is a right.

And not only that, it is a constitutional right that those communications can be privileged and protected, which is why when William Jefferson, Congressman William Jefferson, who did have \$90,000 of cold, hard cash in his freezer—and I read the affidavit that was used to get a warrant to search his congressional office—and there were people that were on TV saying, gee, there are people like GOHMERT that are saying they had no right to raid that office.

Well, those individuals are just ignorant of the Constitution. But the D.C. Circuit Court of Appeals was not. And they made clear, look, even though the Department of Justice in that case—and I had no problem with him being convicted. It appeared to me from the affidavit, holy cow, if this is accurate, they didn't need to raid his office. In fact, by raiding the office and violating the privilege, they put their case that was rock solid in jeopardy.

I remember being an assistant district attorney, right out of law school, ready to go pursue justice, and let's get the bad guys. And it always helps to have somebody that has been around a while, say wait a minute, think about this. What you are proposing to do to get evidence, it may violate the Constitution. It may not. But you have got



a rock solid case here. Why risk it being thrown out trying to make some point and get some little piece of evidence you don't need? You have got enough to convict. So don't create a possible error pursuing evidence you don't need. Just get the conviction. Don't get into the murky areas that may reverse your case. You will get the conviction, and you will keep the conviction. It won't be reversed on appeal.

But they put that case at risk because all those years before—and I did happen to be in the room. It was the conference room of the Speaker. His legal team, House counsel, White House counsel came over, DOJ counsel came over, and there was a lot of fury because of what the FBI under Mueller did, raiding that office, because in the past if someone had a warrant, like to search a congressional office, well, the DOJ knew, FBI knew there is privileged material in there. In fact, I am sure I am not the only one who has had FBI agents provide information about wrongdoing within the FBI.

□ 1715

Well, when the Founders set up these three branches of government, as Justice Scalia once explained to some friends from my old town, the reason we have more freedom than any country ever in history—at least we used to have it—was because the Founders did not trust government. So they made it hard for any one of the three branches to abuse people and abuse their power. And the only way the Department of Justice—that was created and financed by Congress—the only way to keep them accountable—or the intel community—is to make sure Congress does proper oversight. And you can't do proper oversight unless you are allowed to have people come to you privately and say, Here is the problem, and know that they are not going to have reprisals.

That is why we have the whistleblower laws that many are apparently using now. So the way it was done beforehand is you come to House counsel. We have a warrant. House counsel, who is familiar with the privilege of Congress to keep certain things private and other things not, would then go through everything that was specified, because you have to have in the warrant, you have to state with particularity the place to be searched, the things to be seized.

They would go through those, and they would put aside anything that was privileged and then give the things that were not privileged that matched what was in the warrant, give that to DOJ. But Mueller wanted to send a message to everybody in Congress, Democrats and Republicans. I don't care about your constitutional rights or privileges. We are going to go heavy-handed, and I am going to send a message to every single Member of Congress: You don't mess with me, or I will come search your office. And I will send a message to every FBI agent:

You better not complain to Members of Congress because I can go raid their office, and I can find out who you are, and I can destroy your lives as well.

That was a message very clear. And the D.C. Circuit Court of Appeals said, Wait a minute. So the DOJ says, okay, we will take the stuff from the Congress Members' office, and we will have some people that won't be involved in the prosecution that work in our office. They will go through it and anything that is not privileged, they will go ahead and give that to the prosecutors.

And the Circuit Court is going: You can't do that in the same office. Come on. That has to be somebody different that makes sure that it is secure.

And we saw the FBI, all these years later from that, basically doing the same thing with Mar-a-Lago. You have Presidential executive privilege. You have attorney-client privilege. Apparently, that doesn't mean much anymore at the DOJ, but it still means something to those of us that care about the Constitution.

And yet, they set up their own department to go through—we will decide what you can claim as privilege and what—no, you don't get that right.

So what do they do? They hurry through it. So they have already been through everything before the Court could appoint a special master. And from what we saw in Ted Stevens' case and other cases, you can't be sure stuff won't disappear.

Look at what we just found out. All these years later, going back 6 years, that the FBI has covered up for 6 years that they employed the Russian. The FBI was colluding with Russia. The DNC, the Hillary Clinton campaign, they were all colluding with Russia to try to destroy Donald Trump. That is why the FBI hired Danchenko. That is why the DNC and the Clinton campaign hired Christopher Steele.

And what we are hearing on the news the last day or two is that at the time they went before a judge and swore an oath to keep getting the warrant to spy on the Trump campaign and on President Trump, they knew their basis was a lie. They committed fraud upon the FISA court.

And apparently, there are people in the DOJ that don't understand the F in FISA—that F word that is the first word in FISA is not what they apparently think it is. It stands for foreign. And they committed a fraud upon the Court and got a warrant for the first time in the history of the country.

They helped their political campaign by spying on a political opponent. Even the DOD, the Department of Defense got involved. They hired the professor. And, in fact, we had someone who was a whistleblower. He went and said, Look, there are hundreds of thousands of dollars being paid to this professor in London, and we got nothing in return for it. This is a problem.

So what happened? They fired him because he found where the DOD was helping go after, at that time, can-

didate Trump. They fired him. He is still trying to get his job back. He hasn't gotten justice yet.

But how can people in America have any confidence in the Department of Justice when they think—when there are so many people, apparently, who think it is okay to go commit a fraud on the court even at the highest level of the DOJ and the FBI. It is not okay.

Yes, every organization is composed of people who are human and make mistakes, but for goodness sakes, when you have top people who flaunt the law and think they are above the law, and that if they want to go after somebody, then they are Almighty God, and their judgment is tantamount. And if you ever report them, they are coming after you because they are God-like in their own minds.

Look, the FISA court is being abused so badly, we know now—and I've mentioned before—but that Verizon order that was leaked, I couldn't believe it. A judge signed that. Had the judge not read the Fourth Amendment? You have to describe particularly the place to be searched and what's to be seized.

And what the government, the FBI, the DOJ said is, you know what? FISA court, we need every bit of information this cell phone company has on everybody. American, foreign—we don't care. We need every bit of information they have on every single customer.

And the judge looked at it and went, Oh, okay. They need every bit of information that Verizon has on every single customer. Sure, I will sign that. Where is the particularity? Where is the evidence that any of these people have committed a crime—or “probably” committed a crime? You have got to have probable cause. Where was that?

And where is the indication that there was evidence in what was being seized to prosecute those people for committing—there wasn't any. No, they just wanted everything on everybody, and they used the FISA court to get it.

When I saw that, I am going, oh, my gosh. I mean, I have signed so many warrants over the years as a judge—I have turned many down. Wait, you don't have probable cause in here. You can't just plead conclusions. You have to assert specific facts in your affidavit that supports the application for a warrant so that, as the judge, I can find there is probable cause a crime was committed and probable cause to believe there is evidence that I am going to specify they can be found at this specific location. Being abused like crazy.

So here is a letter from—and this is from the attorney, Kurt Siuzdak. It is my understanding he is a former FBI agent. He sets out to Director Wray:

Under 28 CFR Part 27, you are advised that an anonymous employee of the Federal Bureau of Investigation is making a protected disclosure to the United States Congress and House of Representatives.

The anonymous employee is reporting to you and Congress that executives in the Federal Bureau of Investigation have been violating FBI security protocols that have been implemented to ensure the security of classified information. Since you have been Director of the FBI, many Senior Executive Service (SES) officials have been wearing their cell phones into SCIFs.

That is the secure compartmentalized facilities. It is like a room that they can ensure is totally free. It can't be bugged. It has not been bugged. There is nobody with any electronic devices that could be hacked so that people can listen.

I asked one of our intelligence people one time about a show that I saw, a movie, where a cell phone company required everybody at meetings to take their battery out of the phone: Does that keep a phone from being compromised during a meeting? He said, no, because even if you take the battery out—which I don't know how you do that with an Apple phone—but even if you take the battery out, there is another residual power so that your information is there when you put it back in, that we could still get in and we can listen to you. We can access the camera. We can watch.

That certainly didn't make me feel very secure about things as long as there are phones around. And he said other countries are really good at hacking. There are some that are great at it.

So if somebody has a phone in a meeting, we can listen, we can watch. So that is why you have a SCIF. And we have a couple of SCIFs here on Capitol Hill. You can't go in there—you can't even get near being in the SCIF with a cell phone. No Member of Congress is allowed. They are very strict. No Member is allowed to have a cell phone, a smartwatch—those kind of things.

The letter goes on and points out that:

These violations have occurred at the SCIFs (special compartmentalized information facilities) in field offices and at a facility known as LX.

The anonymous employee worked at LX and several field offices. The anonymous employee had visibility of counterterrorism, counterintelligence, and field office executives. Although all FBI personnel are prohibited from bringing electronic devices into SCIFs, FBI Senior Executive Service personnel openly and notoriously wore phones into SCIFs in ways that have made it apparent they were demonstrating their power and authority to subordinates.

These executives would walk into and out of the SCIFs multiple times wearing their cell phones on their belts and never stop to secure the cell phone prior to entering the SCIFs. When the phone rang, some executives would exit the SCIF and answer the phone, but others would start talking on the phone prior to exiting the SCIFs.

Depending on a particular cell phone's settings, apps, and vulnerabilities, eavesdropping using a cell phone's microphones may be considered a trivial cyber hacking exploit for advanced persistent threat or hostile nation-state actors. Some executives wore multiple holders which would indicate they were also wearing their personal cell phones in the SCIFs.

As a result, FBI executives have willfully compromised the security of FBI SCIFs since your time you became Director and potentially many years prior.

Additionally, the anonymous individual is reporting that FBI executives who are involved in preparing daily briefing materials for you or participating in FBI headquarters daily briefings have brought classified materials to their homes to ensure that they are prepared to answer questions for the next day's briefings.

□ 1730

Why, that is worse than what they are accusing President Trump of.

Although certain executives may have courier cards that allow them to transport classified materials, the classified materials in question were certainly not properly packaged, and the courier cards do not allow FBI executives to store classified material in their homes.

The anonymous employee advised that although the FBI is investigating individuals not currently employed by the FBI for mishandling of classified materials, the anonymous employees cannot recall a single FBI Senior Executive Service official who was even reprimanded for these violations unless it involved incidents in which the classified material was found in public. In contrast, DOJ has prosecuted non-SES FBI employees for mishandling classified information.

One reason for the failure to hold FBI executives accountable is that field office security officers generally report to the special agents in charge or assistant special agents in charge in the office. FBI special agents and employees do not stop these notorious security violations because reporting the misconduct of these executives would certainly result in retaliation and would be professional suicide.

Please note the DOJ OARM has determined that anonymous reports of serious misconduct can be protected disclosures. Although the Department of Justice Office of Attorney Recruitment Management has in section 5, subsection C of its procedures for FBI whistleblower reprisal claims brought pursuant to 28 C.F.R. of part 27 stated that it is not bound by any "case law of the U.S. Merit Systems Protection Board, the U.S. Court of Appeals for the Federal Circuit, and any other Federal court of appeals deciding a whistleblower appeal from the MSPB."

They have made clear they are above the courts and above Congress. They are above everything. They will do what they please.

Wow. And they are in charge of justice.

You should also be aware that one of your Office of General Counsel attorneys advised me that she would not accept 28 C.F.R. part 27 disclosures because it wasn't part of her current caseload. Under that standard, OGC has completely insulated you from receiving protected disclosures from outside attorneys and thwarted Federal whistleblower laws and regulations.

Well, that is apparently because he is head of the FBI, and as head of the FBI, he is above the courts, and he is above Congress. He can do what he pleases.

We saw that Merrick Garland, our Attorney General, issued an order to the FBI that they are not to contact any Member of Congress. So much for the Constitution and your constitutional rights. I am the Attorney General, he is saying, and I can override

the Constitution, the Supreme Court, court of appeals, and the President. I am God when it comes to you, is the message. We Americans have a serious problem with a Director and an AG who are acting like that.

Because after that came out about saying there were phones especially in the Director's and Deputy Director's SCIF, the Director sent out their media person to say it is a lie, that there have not been any cell phones allowed in or around the SCIF. Then that triggered a number of complaints and people coming forward to set out that the Deputy Director's denial was a lie.

Mr. Speaker, may I ask how much time is remaining.

The SPEAKER pro tempore. The gentleman has 21 minutes remaining.

Mr. GOHMERT. I needed to know the time because I have to play by the rules. I can't act like I am the Attorney General or FBI Director and just ignore the rules and law.

So here is this letter again:

Pursuant to 28 C.F.R. part 27 and the FBI's Dodson rule, you are advised that an anonymous individual from the FBI is making a protected disclosure.

It goes on. This individual was an executive who recently worked at FBI headquarters. The person had work-related reasons for being in the Director's and Deputy Director's office areas on the 7th floor of the Hoover Building.

While working in the 7th floor SCIF areas, the individual observed numerous security violations involving the presence of personal electronic devices such as cell phones, smartwatches, and wireless sports bands. The individual recently read that the FBI publicly denied the security violations at FBI SCIFs and specific violations by Deputy Director Abbate.

The individual is reporting this issue because the FBI's denial casts doubt upon the credibility of the FBI employees who made the initial disclosure related to Mr. Abbate. This individual advised that the SCIFed areas where Director Wray and Deputy Director Abbate currently worked had multiple people wearing or displaying electronics that are prohibited in the SCIF.

In fact, the FBI has explicitly limited the smart bands and watches in non-SCIF areas because the devices pose such a serious security threat.

There is a little more. But then there is another to Mr. Abbate:

Last week, the Federal Bureau of Investigation issued a "categorical denial" about your failure to follow proper SCIF protocols to protect national security.

Keep in mind, Mr. Speaker, these are the people who are condemning former President Donald Trump because they weren't sure the padlock they said they had to add on top of the locks he had already was good enough.

Frankly, if I were President Trump and I had seen and heard about wrongdoing at the top of the FBI, and I had seen the gestapo tactics they have used to go after nonviolent people who used to have their lawyer get a call saying

that he needs to report at a certain time in a certain place and they would do it, he had seen on the news how they would leak information whether it is CNN or some other liberal media so that people could be there when they knock down the door or drug people out of bed in their underwear and took them outside—the FBI didn't used to do that. Now, the gestapo used to do that. That is what they would do because they were about intimidation, threats, and torture if necessary.

But when somebody is nonviolent, no criminal history, and they are obviously not a threat, you are going to bring a full SWAT team so you can drag them out of bed?

One family reported that her 18-year-old daughter was grabbed by the hair and drug upstairs to show where something was.

For heaven's sake, what happened to the professionalism at the FBI and the Department of Justice?

Anyway, this letter says:

You also seem to have decided that "good of the Bureau" equates to the good of Paul Abbate. It does not. The FBI lied to the American people to protect you, which is shameful.

By issuing an absolute denial of your misconduct, you also implicitly claimed that the two individuals who reported the misconduct made false statements. This assertion is also false. Thinking back, you are certainly aware that many of your subordinates saw you wearing the phone in the SCIF. Now, your subordinates are coming forward, and their reports are far more damning to you and Mr. Wray.

You, Mr. Wray, and the employees on the 7th floor violated national security because you were all too lazy to secure the devices.

He put our most precious and most confidential secrets at risk because of his arrogance.

When SSA Schoffstall—he is a special agent in charge out West—emailed you requesting that you rescind the reprisals by Salt Lake City's SAC Dennis Rice—special agent in charge. Wray's and your replies to Schoffstall were "deleted, not read."

They didn't want to know about reprisals for doing his job and protecting the brand.

This supervisor refused to allow his subordinates to be pressured to lie, and you refused to help him.

That was what he did wrong. His subordinates were being pressured to sign a lie under oath that they knew was a lie, and they wouldn't sign, which would be a crime to swear under oath to something you know is not true. They were being demanded to sign a lie under oath. They wouldn't do it. When their Special Agent in Charge Schoffstall defended them and said: No, you can't make my agents sign a statement that they are telling you is a lie. Sure, we understand you want those things in there because you need them to have probable cause, but we are telling you they are not true.

So, the supervisor was punished for protecting the honesty and integrity of his field agents.

What do Director Wray and Deputy Director Abbate do about it? We don't

want to hear about it. We would delete it, and we didn't read it because we don't want to know about the pressure on agents in the field to lie on affidavits.

Who is going to investigate that? Oh, the DOJ. The DOJ has a little group of lawyers. They will look into it.

What a ridiculous system. They need oversight, and this Congress sure isn't going to have oversight because they want them to keep coming up with stuff to go after Donald Trump.

The letter goes on:

This supervisor refused to allow his subordinates to be pressured to lie, and you refused to help. If you want to understand how that feels, just ask the media representative who issued the denials about your personal violations in the SCIF.

Because somebody told that media rep to go out and lie and deny everything.

The employees of the FBI joined because they believe in its core values. They are held to the standard that every employee must be truthful and accountable. You have failed on both counts. You have mistaken your employees' loyalty to the FBI as some misguided loyalty to you.

In the last week, many of your agents and employees have advised me that I will be "killed" or, as one of your employees said, the FBI would issue me a one-way travel voucher off the 4th floor of a hotel balcony. How pathetic it is that your employees have so little faith that you can do the right thing that they would believe dissent against you is a life-threatening proposition.

Before you issue any claim to mock the statement, be assured that the employees who suffered death threats from within the FBI in 2020 have filed protected disclosures with the U.S. Congress. They begged you for help, but you and Mr. Wray ignored their pleas. Their SAC refused to notify the insider threat unit of the issue. Instead, the SAC opened a threat investigation at the field office level, but refused to assign an investigator to conduct the investigation.

Your employees have abandoned you because you abandoned them. There is nothing more that you can do for the FBI, you have demonstrated your lack of honesty and accountability. Please find a job that does not require either of those traits.

□ 1755

Another letter that came after the denial, according to these people is that is an outright lie from the top floor of the FBI.

The individuals have advised that they were associated with an FBI unit called Defensive Electronic Countermeasure Group, which is responsible for conducting electronic countermeasure sweeps in various FBI facilities. This individual or individuals was/were involved in a sweep of the Director's office and Deputy Director's office, including the conference areas inside the Hoover Building's 7th floor SCIFs.

It is their job to check for the security of these places.

During the sweep, dozens of electronic signals, including WiFi and Bluetooth signals, were emanating from within the "SCIFed" area. FBI cell phones, personal cell phones, and high-technology smartwatches were present in the FBI SCIFs.

According to the people who officially surveyed the SCIFs.

There were phones on desks. It did not even appear that the director's office employees were trying to hide the devices. The devices in the SCIF were the type that had cameras included within them.

Meaning, they can be hacked, and if people know what they are doing, they can take pictures, they can see what is going on through the phone that was left in the secured location. So much for protecting things. At least that wasn't the situation at Mar-a-Lago.

The SCIFs on the 7th floor of the FBI Hoover Building in Washington, D.C., are, for all intents and purposes, compromised. This includes the whole Director's and Deputy Director's areas.

They are the ones that are going to protect us from situations like a former President having documents.

These areas are where the most significant threats and most important top secret information in the United States are discussed. You and your executives have created one of the critical security threats to the United States. Because Director Wray and you work in this office area, there is no doubt that you both are aware of the violations. Please do not accuse your employees of lying because you cannot admit the truth.

It appears that you, the executives, and the staff of the 7th floor of the FBI building have formed a conspiracy to violate security practices to protect national security simply because you are not disciplined enough to properly store your electronic devices.

As time concludes, let me finish part of a disclosure regarding the Defensive Electronic Group that surveys these security SCIFs. This person said:

I was responsible for Technical Surveillance Countermeasures worldwide. Recently, I participated in an exam of the J. Edgar Hoover Building, specifically the conference room for the Deputy Director of the FBI. During the exam I observed dozens of strong Bluetooth signals.

That is in the SCIF that is protected from Bluetooth signals or any WiFi.

As I began looking for possible sources, I observed cell phones on desks and in use inside the SCIF. I had just begun looking for them when the chief security officer responsible for that area shut me down.

He was doing his job. He/she—whatever the pronouns are—was doing the job they were hired to do. Yet, they were shut down for doing it so that the Director or the Deputy Director's area could remain completely unsecured because they didn't want him to be reported.

He specifically directed me not to pursue it or take any action. As you know, cell phones are not permitted inside a SCIF. Based on the readings I observed, I believe every employee there was violating the cell phone policy.

That is at the top of the FBI. The DOJ doesn't appear to be concerned about security. If they were, they wouldn't have hired a Putin-lackey to provide false information so they could get a fraudulent warrant—six of them—to pursue and spy on the Trump campaign.

Mr. Speaker, I yield back the balance of my time.

## DEVASTATION IN PAKISTAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2021, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the majority leader.

Ms. JACKSON LEE. Mr. Speaker, this is a devastating time for the people of Pakistan.

Mr. Speaker, I rise to share this with my colleagues and to ensure that their story is in the public eye because it is a story that addresses devastation like you have never seen before. I guess the story that is so devastating is the 600,000 women who are on the verge of giving birth in conditions that are so devastating.

The week of September 2, members of the Congressional Pakistan Caucus made their way as quickly as they could to the rain-torn, flood-torn region of Pakistan. We arrived on Sunday morning and immediately were able to secure a transport into the flooded areas.

As the government indicated, this is not overflowing rivers, this is sheer rain that generated into flooding. In the Sindh region, Balochistan, the southwestern region—sheer rain turned into floods that were unspeakable.

The water was unspeakable, it was of biblical proportion. The size and the width and the depth was unspeakable. It was a monstrosity. We took an aerial survey. You could not see land. It was only water as far as the eye could see.

In fact, tragically and unfortunately, we could imagine that whole communities were covered with water, that bodies are yet unbound. Even though the death toll is upwards of 1200 to 1300, with one-third or more of those being children. Can you imagine seeing the video of the currents rushing and tearing children away from desperate parents' hands or families being caught in the current and children being pulled away by the rushing waters?

We saw, as was displayed by the government, whole buildings and hotels coming down to the ground. There were 200 bridges destroyed and water going through those bridges. We could, of course, see that it was irreparable harm. Even as we were surveying we saw a bridge that was breached, which divided people that were on that one little line of bridge as their safety net because they were surrounded by water, and then they were separated because the bridge broke in half because the water was so powerful.

In the midst of that, we got a report that military forces had to flood towns of 250,000 people. They had to flood towns so that a city of 1.1 million people could survive. We landed in the city of Dadu, and there are now 400,000 homeless people in Dadu. Overwhelmed. There are 600,000-plus homeless people in Pakistan.

I know that America is a Nation that has always extended its generous arm. If there is ever a moment—as we have

done around the world in earthquakes—Pakistan's earthquake of 2005 and floods of 2010—as we have done around the world when the nations around the world have fallen upon disastrous times.

As a Member of Congress, I went into that horrific tsunami that impacted Thailand, Sri Lanka, and Indonesia, you could not recognize those nations. The tsunami had come and taken out all of the coastal land. People were drawn into the sea, and you never saw them again. Houses were destroyed. The United States joined with the United Nations and was there to help.

The United States has helped when there have been issues of national health crisis, we have been there. We became the leading guardians of fighting HIV/AIDS, particularly on the continent of Africa.

I do want to applaud the Biden administration on being the first donor of the United Nation's call for help for Pakistan, \$30 million. Just as we were leaving—after we had petitioned the Federal Government—they came with an extra \$20 million.

More importantly, as I left to go to Pakistan, writing President Biden about the issue of shelter and tents, the United States military dropped or delivered 300,000 tents on Wednesday or Thursday of last week to be delivered to homeless and helpless persons.

The Pakistani-American community have been outstanding, working with consul generals across America and the Ambassador. They are now raising funds, upwards of millions of dollars. But it is not enough.

First, Pakistan probably has \$10 billion in damages and destruction, but that number has been characterized as low because the water has not been able to drain because there is no drainage. That means that that water not being able to drain that damage will be caused and go on and on and on. I am afraid of dengue fever, waterborne diseases, hepatitis, malaria, with no medications.

While we were there we met a family that had just been plucked out of the waters. Their dad had a kidney transplant, who had not yet received his medicine—everything lost. We were able to press upon the military's generosity and good heart to get him his medicine and get it to where he is—out in an area where I saw no medical facilities.

I want the RECORD to know that even though this country is many miles away, we are connected by its democratic beginnings. This is the 75th anniversary of its independence. It has by and large had peaceful transfers of government, a frequent government, but a democratic government. The founding father, Dr. Jinnah, established this country—as India was established by Gandhi in its independence—that it should have as its form of government democracy.

I am fearful of the loss of life and children and disease will set this country back for many, many, many years.

Let me share with you this story.

The hospital has nothing. Pakistani floods put pregnant women in danger. Just 2 days ago this article from the Guardian came out. A third of the country is under water, and a U.N. fund says almost 650,000 women in affected areas need maternity services. That should give you an amazing level of fear—650,000.

□ 1800

I visit hospitals because I am an advocate for hospitals, particularly in rural areas. And they tell me, well, we have delivered 3,000 births in a month, and I applaud that. That is a high number here in the United States.

But I want to say this again. The U.N. says almost 650,000 women in affected areas need maternity services to have healthy babies.

Crying, vomiting, and 8 months pregnant—I know that wives and Members of Congress, women Members of Congress, women across America, can understand the fragility of a woman during her pregnancy. The young woman walked in labor pains for an hour in search of an ambulance. She wasn't driven. She wasn't on a bicycle. She wasn't on a cart. She wasn't on any form of scooter, any form of transportation.

When Naseeba, 23, eventually found one, she had to beg the driver to take her. Pakistan floods had left the roads damaged and gridlocked, making what is usually a 2-hour journey to the provincial capital of Quetta a punishing 12-hour drive; 2 hours to 12 hours.

She left her flood-ravaged home in Nasirabad district in Balochistan province in the morning and reached Quetta at night.

During this time, I didn't know what has happening around me; struggling to speak. When I finally reached the hospital, the doctors said I would not survive if they didn't operate immediately. Complications with labor, including severe high blood pressure, meant doctors had to rush to deliver the baby.

I would venture to say that this was a circumstance of life and death.

Complications with the labor continued. And Naseeba said she gave birth to a baby boy 2 days ago, but the doctors told her that the baby requires to be incubated, but there were no incubators available, so we had to take her baby to my mother's place, she said. I haven't seen my baby yet.

We can only hope that that baby survived, and that the help at home might have helped that baby breathe.

Naseeba is one of the thousands of pregnant women, according to the United Nations Population Fund, who will bear the brunt of the worst floods in Pakistan and are in desperate need of maternal health services.

And so I will be asking USAID and the head of that agency, who I am very gratified, was visiting Pakistan as we were visiting—as we were leaving, USAID was coming on the ground. As

we were there, we received a briefing from USAID, and the very schools that USAID, our humanitarian arm of the State Department, built in that region, became the shelters for people. But that means the children are not in school.

More than a dozen women who were interviewed in this story, were pregnant, or had already given birth in the worst flood-affected provinces of Balochistan and Sindh, women who said they have been abandoned without healthcare, food, and clean drinking water to meet their nutritional needs.

We should be very clear. A third of Pakistan is under water, with 1,400 dead, most children, and 33 million people affected, as the country has been ravaged by monsoon-triggered floods, coming at a totally unique time. In our briefings, they said, we have dealt with monsoons. These are like we have never seen.

The impact on climate change should not be lost. This is clear evidence of how stark it is. UNFPA said 73,000 women were expected to give birth this month—that is this month of September—who need skilled birth attendants, newborn care, and support. It estimates, as I said, that 650,000 pregnant women in flood-affected areas require maternal health.

Again, people living in plastic tents or camps on roadsides, near flood waters, and the homes of millions of people have been swept away.

It is well-known that the health facilities across Pakistan are affected; 432 are fully damaged; 1,228 are partially damaged.

Another woman, Rubina, who is 8 months pregnant, in this Guardian story, and currently lives in a tent on a roadside, said she had pregnancy-related complications that included body aches and anemia. She said medications prescribed by doctors were not available, and she could not afford to buy them from a private hospital. They did whatever they could for her, her husband and brother.

They have lost their source of earnings and cannot provide us with anything else; and the government hospital has nothing.

This is the story of thousands. This is not a story that is going to end. It is a story that is going to continue.

Another woman had delivered on her way as she was walking to the hospital, and the infant was brought into the hospital via ambulance, but the woman couldn't come because of the high level of water.

Many women could not even come to the hospital, and midwives had to be called.

We are doing all that we can.

And this is a call out to our American humanitarian agencies, as I indicated. Healthcare is the most crucial, along with food, and it is clearly an urgent emergency condition.

One young woman left her home after it was submerged in flood water in the Sindh province. And as I said, many

people are living in schools built by the United States. This young woman gave birth to a baby girl named Shamma, which means light. We get food sometimes, but not at other times. I am unable to feed my infant because I am so weak. And so, baby formula is needed because women are not able to breastfeed.

Roshan, another displaced woman who had given birth a month ago: Everyone is falling sick here. I feel faint. I have constant headaches. Our children do not have clothes. There is only one piece of cloth for my newborn that I wash every day to use again.

And UNFPA has warned that many women and girls are at increased risk of gender-based violence as almost one million houses were damaged in the catastrophic floods. I am convinced that that is another crisis.

As Samina, who took refuge, along with thousands of other pregnant women, in Larkana said, there can be no greater pain than having to leave your home. I cannot tell you how difficult it was to leave. I am expecting a baby soon, but in a state of homelessness.

The government is working very hard to try and reach these persons but, in the midst, they face a financial crisis which they are working very hard to try to cure with work with the World Bank and, of course, with the International Monetary Fund. But it is not going to be enough.

And so, our visit, we are grateful, highlighted the crisis which is being faced. It was a visit covered with a desire to be as quick on humanitarian aid as we could, and to bring the story forward as to what is transpiring.

In addition, we wanted to make sure that those who could not get back to their province and are here in the United States could secure a temporary protected status because of the devastation of their country. We hope, joined with Congresswoman YVETTE CLARKE, that our request will be given reasonable consideration.

As I indicated, as I started, we are dealing with an extreme climate change, horrible exhibition of the devastation that could come about. It is extreme. The reasons for the flooding are linked to climate change and the resulting extreme weather.

It is important to note that Pakistan produces only about 1 percent of the pollution, the carbon footprint linked to global warming; while we, in the United States, produce 11 percent; China, 27 percent; India produces 6.6 percent, and the EU, 6.4 percent.

But researchers say the catastrophe probably started with unprecedented heat waves because, in April and May, temperatures reached above 104 degrees in Pakistan for sustained periods in many places in the region.

In fact, when we were briefed by the head of the climate agency, they said that temperatures went up as high as 127 degrees Fahrenheit. Those are killing temperatures. On one sweltering

day in May, the city, Jacobabad, topped 123.8 degrees. This is not normal. This area is not accustomed to heat like this. And recorded as the hottest place on Earth was in Pakistan.

The intense heat also melted glaciers in the northern mountainous regions. And now many would wonder, glaciers? Yes.

One of the other places in the world where glaciers are the mountains in Pakistan. And so when those glaciers, those northern mountainous regions, increasing the amount of water flowing into tributaries that eventually made their way into the Indus River, compounded by the rain—the Indus is Pakistan's largest river and runs the country's length, from north to south, feeding towns, cities, and large swatches of agricultural land along the way.

But let me add something else because Pakistan is an agricultural country, and the largest percentage of work in Pakistan is agriculture. The region where the flooding took place was where they grew one of their most bountiful products, and that is wheat.

The farmers managed to gather their wheat and to store them in their homes, preparing for the market, or preparing for next year. But the floods came and wiped away their homes and their food source and the moneys that they would get from selling. But even more devastating, this may go on for years because they lost their seeds.

So imagine that: Mighty waters flowing down from the glaciers, melting because of this unusual heat, this out-of-the-world heat; then rivers overflow, but then add to the monsoon or monsoons, and then, of course, the flooding that has taken away millions of homes, impacted 33 million people, and taken away their food.

We, as Americans, have faced our levels of disaster. Our heart goes out to the people in Eastern Illinois; St. Louis, Missouri; Eastern Kentucky; Central Mississippi; Dallas, Texas; Death Valley, California; and this does not include the thousand-year flood events that impacted, in recent years, New York and New Jersey.

We should be well-aware of the impact of climate change. And I am very gratified that I have seen my constituents in the energy industry face up to this and realize that the carbon footprint must come down, down, down. I want to continue to work with them as they recognize that it will be a disaster if we do not work, both nationally and internationally, on stopping the carbon footprint and addressing the question internationally and nationally of the question of climate change.

The rains in Pakistan have resulted in unimaginable changes in the landscape. Reports are backed up by new images taken by NASA's MODIS. Satellite sensors show the result of heavy rain and an overflowing Indus River that has formed a 62-mile lake in the Sindh province where there was farmland. In this region, the monsoon rainfall has been 500 percent over average.

Let me try to lay this out for you. I indicated the Indus River is the natural river. But the leaders of government explained, it was not the Indus River that overflowed its banks and caused the damage miles away from its banks; though there are many Pakistanis who live on the bank because it is the source of their food, source of their income, source of their livelihood.

But what the NASA's MODIS showed us is that an unnatural lake was created by the huge monsoons, the glaciers melting, and created an unnatural lake that formed a 62-mile lake in the Sindh province where there was farmland, so where there had not been any water before.

□ 1815

They also told us that the area that we were in, the Sindh province, did not receive a lot of rain, which speaks to the reason why they had no drainage. They did not have a lot of rain.

The issues of the day caused the Indus River to be an ocean. You could see no start and stop. Then, it caused a man-made lake to occur that would, in fact, be there enough of a time to, in fact, continue to be devastating.

Let me give you some facts that have not been gone over. This began in mid-June 2022, at the beginning of the monsoon season, which, as I said, there have been monsoons, but these were a monstrosity, unbelievable proportions.

Heavy rains began flooding areas of Pakistan. Estimates range from double to several times the normal monsoon rain. They were just sitting and waiting. Is it going to end? Is it going to end? Mr. Speaker, 6.4 million estimated people requiring humanitarian assistance—again, 33 million people affected: 44 percent Sindh province, 28 percent Balochistan, 13 percent in Khyber, 50 percent in Punjab.

As of September 13, just shortly after we came and left, 1,396 people have been killed, and, of course, 12,278 people have been injured as a result of the flooding. We don't know if people will die of their injuries.

More than 900,000 livestock have been killed, and there are people today, right as we stand here, who are refusing to leave because they have their livestock, and there is no place for them to go.

Mr. Speaker, 3.1 million people have been displaced. I have already indicated that there are hundreds of thousands that are homeless—650,000 people, women needing maternal services, on the verge of giving birth, but 70,000 are giving birth this month. This is, without question, a challenge that far surpasses the capacity of the Pakistan Government, although willing, to be able to do this on their own.

The climate minister told a public radio interview that an area the size of Colorado is now submerged, that 66 districts, equivalent to a county, are underwater. According to satellite imagery, the flooding has created, as I indicated already, this huge lake.

Pakistan is equipped with water pumps to respond to monsoons and helicopters for rescue purposes, but there is no place to send the resources.

Again, I do want to note that the Pakistani Government has been working with the resources they have—147 camps for populations displaced by the floods. Cash assistance was being organized to give to the families.

The Pakistani Government has allocated \$173 million to aid flood-affected people. On August 30, the United Nations and the Government of Pakistan launched a joint flood response plan, and the United States, as I said, was the first to give the funding from all other countries.

They gathered \$160 million for food security assistance, agriculture, livestock, shelter, nonfood items, non-nutrition programs, primary health services, water and sanitation, and shelter for displaced persons. It is not enough, and there are people that cannot be reached.

Money is also coming from the various elected officials, like the Prime Minister, the Central Emergency Response Fund, the World Bank, the Asian Development Bank, the European Commission's department for European Civil Protection, and UNICEF. Governments from around the world have made an effort to help, but I believe it is going to be important for the United States to raise its voice again.

As I said, the United States has always been there, and I am very glad to say that 1.4 million pounds of USAID relief commodities were airlifted to Pakistan by CENTCOM, \$4 million in dedicated aid from the U.S. Bureau for Humanitarian Assistance.

As I indicated, 300,000 tents—30 million had already been given on the very day, August 30, that the United Nations asked for. CENTCOM has operated nine flights transporting USAID items, including approximately 30,000 kitchen sets, 10,000 plastic tarps, 1,400 rolls of plastic sheeting from USAID's warehouse.

Again, 300,000 tents after the Pakistan Caucus had engaged and worked with the administration that I am very glad to say came forward. Then an additional \$20 million in humanitarian assistance in response to the flooding was announced on September 9.

I do thank, again, USAID Administrator Samantha Power, who announced this effort, and we hope that this will continue.

As noted in The Washington Post, the "U.S. ramps up aid for Pakistan floods with military airlift."

Mr. Speaker, I include in the RECORD the Washington Post article of September 9, 2022, and the article from the Guardian dealing with the plight of a pregnant woman.

[FROM THE WASHINGTON POST, SEPT. 9, 2022]

U.S. RAMPS UP AID FOR PAKISTAN FLOODS WITH MILITARY AIRLIFT

DADU, PAKISTAN.—The United States is ramping up support for Pakistan and beginning a days-long military airlift into the

country as it struggles to battle devastating floods that are expected to take years to recover from.

The military began airlifting supplies into Pakistan this week as part of the additional \$20 million the Biden administration is providing for humanitarian aid here, Samantha Power, the head of the U.S. Agency for International Development, announced on Friday.

The announcement comes as it is increasingly clear that Pakistan is incapable of providing even the most basic relief to the more than 33 million people affected by the crisis. The majority of those who have fled their homes are living in makeshift shelters, and many report they are not receiving food, clean drinking water or medical attention.

The airlift will establish a "beachhead" inside Pakistan's flood zone, Power said during a visit to affected areas Thursday. She said the plan is to begin staging operations closer to those in need so humanitarian supplies can be distributed more efficiently.

"It may go beyond this, but for now we are looking at shelter supplies to accommodate 300,000 people," she said. She admitted the number is a small fraction of those affected, but hoped other countries would follow suit and move operations inside Sindh province, one of the worst hit areas.

The airlift is expected to last just over a week with two to three U.S. C-17s—massive cargo planes—landing daily in Sukkur, a town in Sindh province nearly encircled by floodwaters. The planes will bring tens of thousands of pounds of tents, field rations and kitchen sets into the country.

While a number of countries have pledged millions of dollars in humanitarian aid money to Pakistan, aid groups on the ground are struggling to source the materials they need and reach the worst-affected parts of the country.

Floodwaters moving south are cutting off key roads and highways, turning towns into islands and blocking the delivery of aid.

Power said she hopes the assistance will also help reset perceptions of the United States in Pakistan.

"I think during the war in Afghanistan, there was an impression among some Pakistanis that the U.S. saw Pakistan only through the prism of Afghanistan," she said. "Hopefully this is a chance through this cooperation [with the Pakistani government] to strengthen the relationship between the two countries."

U.S.-Pakistan relations have gone through periods of intense strain, despite decades-long humanitarian and military ties that predate the U.S. presence in Afghanistan. The enmity that many Pakistanis feel toward the United States was clearly visible earlier this year when former Pakistani leader Imran Khan began to strengthen his base of support by claiming his ouster was part of a U.S.-backed conspiracy.

Although anti-Americanism remains a popular rallying cry in Pakistan, the government led by Prime Minister Shehbaz Sharif, who replaced Khan, has moved to improve relations with the United States.

The U.S. military's top commander, Army Gen. Michael Erik Kurilla, visited Pakistan in August and acknowledged the country's "commendable efforts in fight against terrorism" and its "efforts [to promote] regional peace and stability," according to a Pakistani military statement.

The visit came shortly after the killing of Ayman al-Zawahiri, the leader of al-Qaeda, in a U.S. drone attack on his Kabul residence. The Taliban condemned the attack and accused Pakistan of allowing the United States to use its airspace to fly drones over Afghanistan. Pakistani authorities refuted the Taliban's allegations.

"The partnership that we continue to deepen builds on years of cooperation between



our two peoples and between our two countries," Power said at a news conference in Islamabad Friday.

During Power's visit to the heart of Pakistan's flood zone, she asked local officials and families affected by the floods to estimate the disaster's long-term economic effects, in particular those linked to the loss of crops, livestock and infrastructure.

It is clear that recovery from these historic floods will require a concerted effort by the donor community and international financial institutions for the coming years," Power said. The support announced Friday, she continued, "is another mark of our longstanding commitment to the Pakistani people."

[From the Guardian, Sept. 13, 2022]

**'THE HOSPITAL HAS NOTHING': PAKISTAN'S FLOODS PUT PREGNANT WOMEN IN DANGER**

A third of the country is under water and a UN fund says almost 650,000 women in affected areas need maternity services.

Crying, vomiting and eight months pregnant, the young woman walked in labour pains for an hour in search of an ambulance.

When Naseeba Ameerullah, 23, eventually found one, she had to beg the driver to take her. Pakistan's floods had left the roads damaged and gridlocked, making what is usually a two-hour journey to the provincial capital of Quetta a punishing, 12-hour drive.

She left her flood-ravaged home in the Naseerabad district in Balochistan province in the morning and reached Quetta at night.

"During this time, I didn't know what was happening around me," said Ameerullah, struggling to speak. "When I finally reached the hospital, the doctors said I would not survive if they didn't operate immediately."

Complications with the labour, including severe high blood pressure, meant doctors had to rush to deliver the baby.

"I gave birth to a baby boy two days ago but the doctors told us that the baby requires to be incubated but there were no incubators available so we had to take my baby to my mother's place. I haven't seen my baby yet," she said.

Ameerullah is one of the thousands of pregnant women, according to the United Nations Population Fund (UNFPA), who will bear the brunt of the worst floods in Pakistan and are in desperate need of maternal health services.

The Guardian interviewed more than a dozen women who were either pregnant or had already given birth in the worst flood-affected provinces of Balochistan and Sindh; women who said they have been abandoned without healthcare, food and clean drinking water to meet their nutritional needs.

A third of Pakistan is under water, with at least 1,400 dead and more than 33 million people affected, as the country has been ravaged by monsoon-triggered floods washing away bridges, roads, livestock and people.

UNFPA said 73,000 women were expected to give birth this month who would need skilled birth attendants, newborn care, and support. It estimates that almost 650,000 pregnant women in flood-affected areas require maternal health services to ensure a safe pregnancy and childbirth.

The floods have brought other health dangers as well, such as a rise in diseases that affect young children.

On a drive from Larkana to Dadu districts in Sindh province to Jaffarabad and Naseerabad districts in Balochistan, people could be seen living in plastic tents or camps on roadsides near the flood waters because the homes of millions of people had been swept away.

Across Pakistan, more than 1,460 health facilities are affected, of which 432 are fully

damaged and 1,028 are partially damaged and access to health facilities, healthcare workers, and essential medicines and medical supplies is limited, according to the World Health Organization.

Rubina, a woman who is eight months pregnant and currently lives in a tent on a roadside in Jaffarabad, said she had pregnancy-related complications that included body aches and anaemia.

She said medications prescribed by doctors were not available and she could not afford to buy them from a private hospital.

"My husband and brother did whatever was possible in their capacity. They have lost their source of earnings and cannot provide us with anything else and the government hospital in Jaffarabad has nothing," said Rubina.

Dr Sultan Ahmed Lehri, the medical superintendent of Bolan medical complex hospital in Quetta, said there had always been nutritional deficiencies in pregnant women in many districts in Balochistan, and the existing situation would get worse because of the floods.

"If steps are not taken by the government this can turn into a huge crisis. The government needs to work on this issue on a war footing and reach out to women and the broader population," said Lehri.

He added: "We are witnessing heavy mental toll and trauma of the floods on women as well. We need to treat that as well."

Haseena, another pregnant woman who lives in a tent close to Rubina, said she required blood because she was anaemic and that there were many others like her.

"We don't get any medicine here and food so how can we expect to get blood transfusions? We drink water from the rivers where animals are dead," she said.

And while thousands of men and women live in tents on the roadside, there are no toilets.

"This a tragedy which we can't even talk about," Haseena said.

Dr Imran Baloch, a medical superintendent in Jaffarabad, said a lot of women gave birth in cars and on roads, and some on the way to the hospital because the roads were broken, making the journey much longer. There were also cases of premature deliveries.

"A woman had delivered on the way as she was walking to the hospital and the infant was brought to the hospital via ambulance but the woman couldn't come because of the high level of water. Many women could not even come to the hospital and midwives had to be called. We are doing what we can."

An official in Balochistan, requesting anonymity, said: "We have seen a shortage of medicines in many flood-affected regions, but I fear it may get worse if not tackled soon and it will affect women, children and the entire population."

The situation is almost the same in Sindh as in Balochistan. Durnaz Soz Ali, 22, left her house after it was submerged in floodwater in Qambar Shahdadkot in Sindh province.

Ali, who now lives in Larkana in a school with hundreds of displaced people, said: "I was nine months pregnant and even in my pregnant state, I carried some of the belongings and walked for hours."

Ali gave birth to a baby girl and named her Shamma, which means light. "We get food sometimes but not at other times. I am unable to feed my infant because I am weak."

Roshan, another displaced woman from Qambar Shahdadkot who had given birth a month ago in Larkana, said: "Everyone is falling sick here. I feel faint and have constant headaches. Our children do not have clothes. There is only one piece of cloth for my newborn that I wash every day to use again."

UNFPA has warned that many women and girls are at increased risk of gender-based vi-

olence as almost 1 million houses were damaged in the catastrophic floods.

Samina, in Sindh province, who took refuge along with thousands of other pregnant women in Larkana, said: "There can be no greater pain than having to leave your home. I can not tell you how difficult it was to leave. I am expecting a baby soon but in a state of homelessness."

Ms. JACKSON LEE. Let me show you what people are facing and how people are struggling, and this is, as someone would say, with your own eyes.

These little, small pieces here, those are human beings. This was their refuge. This is water. This is water as far as the eye can see. They were making a life, barely, on a bridge. That was the only dry land.

I can see they were on both sides, but they were able to get notice to run on this side so that they could be together, but they are stranded as this water breaks the bridge. It breaks the bridge. Water as far as the eye can see.

This is what we saw. These are not little bushes in a lake. These are the tops of trees, the green that you see. Most of the land is covered. Some people are stranded on these little patches of land. It looks like a beautiful, blue ocean, no land, and the fear of what is under this massive ocean.

As I said earlier, there are pumps in normal times because there is no normal draining, but there is absolutely no ability to deal with something as massive as this. It is speculated that it will not come down for another 6 months—stagnant water, disease, raging across Pakistan.

This is just to let us look at a little bit of dry land in Dadu, working with the military, giving out food items to an elderly woman without food resources and a little child looking up, babies in hands who are obviously in need of resources.

It was an emotional time for the Pakistan Caucus and the Members who were there showing our love and affection because we want people to see the leadership that has worked to establish dry land and to try and work without resources for their community.

The face of this little one tells it all. There are no schools. There is not much food, and there is not much housing. You could not have a dry eye in watching the conditions of our fellow human beings.

We gave out food, but we gave out little lollipops to the children. I will tell you, they were clamoring for that more than anything else. But that is what I think is our biggest concern, between mothers having provisions for giving birth and feeding these little ones.

I asked one little boy, does he want to go to school. There are no schools in that region. The schools that, as I said, were built by USAID were, in fact, used to ensure that there is shelter. We need more tents. We need more healthcare. It was interesting. The heat was extensive and intensive while we were there.

In my conversations, it was so good to be able to maybe not speak with language that we both understood but

with the gesture of welcoming and appreciating their plight as we were giving out food gifts to people who had nothing.

It is a moment in history that I did not want our colleagues to miss, and it is a recognition that we have work to do. I wanted our colleagues to help me and to help us find a way to be constructive, so I used a number of \$10 billion.

We have gone way beyond that, as I indicated. The economic impact of the floods is now estimated to be at least \$30 billion as of September 13, 2022—just the difference from when we went at the beginning of September of \$10 billion and even as we were in meetings, all the government officials were surmising that it had to be more. You can't displace 33 million and it is only \$10 billion. An estimated 2 billion of crops and livestock could be lost due to flooding.

□ 1830

Remember what I said. The region is a lifeline for Pakistan and for their product that they might be able to provide to other destinations. They lost 30 percent of their rice crop and 70 percent of their cotton crop, the country's third largest export, making up 11.8 percent of the country's total export. That is income; that is opportunity. Ten percent of the sugarcane, lost. Estimates show that 800 million in textile exports would be lost, 3.6 million acres of crops have been affected, according to Pakistan authorities, and 735,000 livestock have perished. These are numbers coming from Pakistan.

Food is still needed. This is going to be a long, long journey. It is difficult to see this, but let me try and bring this to the attention of my colleagues.

The red area says 4 million children are under 5 years old, and this red that you can see shows that these are severely impacted areas. This takes up a very large part of the country. Seven hundred thousand people 65 and older are impacted. Five hundred thousand women are currently pregnant. Those numbers have gone up, I know.

Mr. Speaker, I also include in the RECORD the Pakistan Floods Report from September 2022.

[From SKT Welfare, Sept. 2022]

#### PAKISTAN FLOODS REPORT

According to the government of Pakistan, a third of the country—equivalent to an area the size of the UK—is under water, in what the UN Secretary General Antonio Guterres has called a "climate catastrophe". Whole villages have been cut off, with rescuers struggling to reach them. At least 1,300 people have been killed and 12,703 injured.

The people of Pakistan are in dire need of food, clean water, makeshift shelter and non-food items such as hygiene kits. SKT Welfare is on the ground, trying its best to reach those affected by the floods.

More than half a million more houses in Pakistan were reported damaged or destroyed in the past week, with the National Disaster Management Authority (NDMA) reporting more than 1.17 million damaged houses and nearly 566,000 destroyed houses as of 8 September. By nearly all available

metrics, Sindh has been most affected by the heavy rains and flooding that have swept the country this monsoon season—particularly notable given that Sindh and Balochistan are historically drought prone areas. Nearly 88 per cent of all damaged or destroyed houses—over 1.52 million houses—are in Sindh, and the province has also recorded the highest number of human casualties: 577 people killed and 8,321 people injured, out of a total of nearly 1,400 deaths and more than 12,700 injuries, including at least 496 children killed and nearly 4,000 children injured across Pakistan. Gender-based violence (GBV) as well as child protection and other protection concerns have reportedly more than doubled since the pre-monsoon period, according to the Protection Sector.

Ms. JACKSON LEE. Mr. Speaker, let me draw upon these final efforts and words so that you can know that now, after we have come back, the clarion call of crisis is out.

"U.N. chief calls for massive help as Pakistan puts flood losses at \$30 billion."

The U.N. Secretary General called for massive help as he visited the country last Friday. RECORD monsoon rains and glacier melt created this catastrophe. He is now calling on the international community, and we do need it. The country is enormously dependent on our help. It has been, in many instances, helpful during the Afghan evacuation of recent time, and most people are unaware of the military lives lost of the Pakistani military in fighting terrorism.

The very fact that this dam has been seen by NASA, this lake, shows that this damage is going to be far reaching. Pakistan must reach out to the International Monetary Fund, the World Bank, to be able to address this tragedy.

My friends, this is not normal. If I can leave you with anything here, it is that we are, in fact, our brothers' and sisters' keeper and that as we see the clear evidence of a climate catastrophe, a mountain of horror, unspeakable devastation, it brings your mind back to the floods of the Biblical times.

As we stand here today, children are not rescued, and 33 million people are in the eye of the disaster. Again, we are waiting, tragically, for the potential of massive disease that will shut Pakistan down.

I cannot conclude without acknowledging my great appreciation to the Pakistani-American community diaspora, some of whom traveled to Pakistan. The doctors, businesspersons, and people preparing now to take huge amounts of goods or dollars to be able to help.

But as I speak about that, let me tell you what UNICEF has said. With 1.1 million houses washed away and vital infrastructure destroyed, such as schools, UNICEF's representative in Pakistan, Mr. Fadil, explained that 18,000 schools have been destroyed and thousands of schools are now fully shuttered. That means children who have lost education for 2 years are also losing learning opportunities.

These are the things that cannot be fixed immediately, nor can they be fixed with only emergency help.

That is why I ask for the following: One, a major focus and research on dissecting the climate catastrophe that occurred that would generate the kinds of monsoons that caused 33 million people to be displaced. The State of Texas is about 29 million. That would mean the wiping out of an entire State, 33 million displaced. There are towns that are not as large as 650,000. Equal that to the women that are pregnant without medical care.

We can all imagine and know what 1,300 dead are and more possibly being found. And we can also understand when the Army Chief of Staff reminds us in his story of the mother who came holding the infant that was hungry and said: "Here, I cannot feed my baby."

The government is fearful of a food security crisis. I have already said to you that cotton is gone, wheat is gone, income is gone, and therefore what is next.

This is what we need. International funding that will be complemented by Pakistani funding from the Pakistani diaspora. I believe we need a massive infusion of tents, the quality of which the United States has begun to bring and drop into Karachi. More need to come. I also believe that food goods are going to have to be airlifted into hard-to-reach areas and into the camps that have been established.

Then, of course, I am begging for the international medical community, the World Health Organization, to airlift medical facilities into the region. They have got to set them up on levels of dry land, with the ability to treat water-borne diseases and the separate abilities to help deliver babies and take care of the elderly.

My friends, I have tried to provide a reason for us to come together. Pakistan is still in danger. Flooding may take up to 6 months, and we were even told that there may be more rains coming.

We know what happened to the people of Kentucky. We watched the devastation of their story. We don't take lightly what can happen in difficult times. We realize that people have suffered all over the world.

With my own eyes and those of my colleagues, I documented that Pakistan is suffering. Oh, it is a country far away, but I know the capacity and the heart of the American people. I know the effectiveness of the United States military and the effectiveness of our own humanitarian aid and the State Department, USAID, and I know the compassion of President Biden and the administration. Let us work together with the United States Congress.

I thank the chair of the Committee on Foreign Affairs and the chair of the Committee on Homeland Security for their contributing efforts, and, of course, the Committee on Foreign Affairs as we look at collaborative ways to be of help.

I thank my colleagues, the bipartisan Pakistan Caucus and the Members of the Senate who likewise have been advocates for the region. This is South-east Asia, a very important region. Pakistan has to be able to be stood up. The death toll cannot increase, and the agony of the people just cannot continue.

Join me in my efforts to provide more resources, healthcare, food, housing, tents, and the care of yet-born babies and the restoration of the land. That is being a good neighbor, a good Samaritan. As a Nation, the United States has always been a problem-solver.

I thank my colleagues for listening, and I thank the Pakistani diaspora for their heart. Yes, we went because our hearts were torn with grief.

With everything we gave to the people, we also wanted to give them hope that America was there to be a friend. As I spoke and my words were interpreted, I said: We are here from the United States Congress, but we are Americans. When the word "America" was said, the people applauded and smiled. Maybe the only words that they grasped was: America was here to help.

Again, I thank my colleagues for listening, and I know and feel that we will gather together and provide the comfort and resources needed by the people of Pakistan.

Mr. Speaker, on September 6, 2022, I returned from a congressional fact finding mission to the areas most impacted by the devastating floods in Pakistan.

I have seen the devastation and human suffering firsthand, and I want to clarify that Congress must act and be proactive in matters related to climate change, including both in the United States and abroad.

The Jackson Lee CODEL conducted a survey of the impacted area by air and visited flood aid stations and victims.

The support provided by the United States will be essential to the recovery effort, which will likely take many years. An important form of assistance to Pakistan today is the awarding of Temporary Protected Status to Pakistanis in the United States, which is a temporary immigration status provided to nationals of specifically designated countries that are confronting an ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions.

This is why I lead a letter to the Secretary of Homeland Security requesting Temporary Protected Status (TPS) for Pakistanis in the United States, allowing them to remain while the nation and the region recover from this tragedy.

Congress created Temporary Protected Status (TPS) in the Immigration Act of 1990. It is a temporary immigration status provided to nationals of specifically designated countries that are confronting an ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions.

The events in Pakistan are the very definition of why TPS was created. As the world finds its footing to learn to adapt to the rapid and extreme changes in climate, we must not look abroad and say that would not happen in

the United States—we should never forget Hurricanes Katrina, Ike, Harvey, or Maria.

The reasons for the flooding are linked to climate change and the resulting extreme weather. It is important to note that Pakistan produces only about one percent of the pollution linked to global warming, while the United States produces 11 percent, China 27 percent, India produces 6.6 percent, and the EU 6.4 percent of total emissions.

Researchers say the catastrophe probably started with unprecedented heatwaves. In April and May, temperatures reached above 104 degrees for sustained periods in many places in the region. On one sweltering day in May, the city of Jacobabad topped 123.8 degrees. This is not normal. This area is not accustomed to heat like this, and the recorded as the hottest place on Earth was in Pakistan.

The intense heat also melted glaciers in the northern mountainous regions, increasing the amount of water flowing into tributaries that eventually make their way into the Indus River. The Indus is Pakistan's largest river and runs the country's length from north to south, feeding towns, cities, and large swathes of agricultural land along the way.

It is not clear exactly how much excess glacial melt has flowed into rivers this year, but scientists visited some high-altitude glaciated regions in July and noticed high flows and muddy water in the Hunza River, which feeds into the Indus.

People across the United States are deeply saddened by the devastating loss of life, livelihoods, and homes throughout Pakistan. In the United States, over the last five weeks, we have experienced five 1,000-year flood events impacting communities in every region of the nation.

Unfortunately, many Americans can relate to the pain and loss the people of Pakistan are experiencing. There have been six 1,000-year occurrences in the United States over five weeks, causing flood events in Eastern Illinois, St. Louis, Missouri, Eastern Kentucky, Central Mississippi, Dallas, Texas, and Death Valley, California, and this does not include the 1,000-year flood events that impacted New York and New Jersey last year.

The United States responded that the Pakistani government's request for assistance was the right thing to do and for the right reasons. Climate change is not a one-nation issue—it is a global threat that will touch every life with pain if we do not remain steadfast to change and adapt to the new normal of extreme weather.

The consistency of extreme weather demonstrates these changes over the last several years should not be seen as temporary. Weather is not just what happens right in front of you; it is also about what is happening hundreds and sometimes thousands of miles away from where we are standing.

The rains in Pakistan have resulted in unimaginable changes in the landscape. Reports backup by new images taken by NASA's MODIS satellite sensor shows the results of heavy rain and an overflowing Indus River that has formed a 62-mile lake in the Sindh Province where there was farmland. In this region, the monsoon rainfall has been five hundred percent above average amounts.

The United States remains steadfast in its support for affected communities throughout Pakistan. In addition to the \$30 million in urgently needed humanitarian assistance an-

nounced today, the United States also provided over \$1.1 million in grants and project support earlier this month to ensure direct service reaches those communities most impacted and to help mitigate and prevent the effects of future floods. The massive loss of crops and displacement of people puts the region at risk of famine if we do not act.

My trip to Pakistan was an opportunity to convey our nation's resolve to stand by the people of Pakistan as they recover from the flooding and to gather knowledge that will inform the Committee on Homeland Security on the factors related to this extreme weather event that is most relevant to the flooding events we are seeing occurring across the nation with greater frequency.

Mr. Speaker, I yield back the balance of my time.

#### ENROLLED BILL SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker on Wednesday, September 14, 2022:

H.R. 5754. An act to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs.

#### SENATE ENROLLED BILLS SIGNED

The Speaker, on Wednesday, September 14, 2022, announced her signature to enrolled bills of the Senate of the following titles:

S. 3103.—An act to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title.

S. 4785.—An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

#### ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 1 of House Resolution 1230, the House stands adjourned until noon on Monday, September 19, 2022, for morning-hour debate and 2 p.m. for legislative business.

Thereupon (at 6 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, September 19, 2022, at noon for morning-hour debate.

#### OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Mary Sattler Peltola  
Patrick Ryan  
Joseph Sempolinski

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-5227. A letter from the President and Chair, Export-Import Bank of the United States, transmitting a statement with regard to a transaction; to the Committee on Financial Services.

EC-5228. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's Transmittal of a Determination to Congress; to the Committee on Foreign Affairs.

EC-5229. A letter from the Senior Bureau Official, Bureau of Legislative Affairs, Department of State, transmitting Department Notification Number: DDTC 22-017; to the Committee on Foreign Affairs.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEVIN of California (for himself and Mr. FITZPATRICK):

H.R. 8832. A bill to amend title XI of the Social Security Act to ensure nursing facilities report information on medical directors of such facilities; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 8833. A bill to amend the Community Reinvestment Act of 1977 to improve the assessment process for financial institutions under that Act, and for other purposes; to the Committee on Financial Services.

By Ms. BONAMICI (for herself, Ms. LOIS FRANKEL of Florida, Ms. NORTON, Mr. LARSON of Connecticut, Mrs. CAROLYN B. MALONEY of New York, Mr. BLUMENAUER, Ms. CHU, Ms. BROWNLEY, Ms. SPEIER, Mrs. TORRES of California, Mr. KHANNA, Ms. DEGETTE, Mr. DEUTCH, and Ms. LEE of California):

H.R. 8834. A bill to amend the Public Health Service Act to provide for a demonstration program to facilitate the clinical adoption of pregnancy intention screening initiatives by health care and social service providers; to the Committee on Energy and Commerce.

By Mr. CLYDE (for himself, Mr. KELLY of Pennsylvania, Mr. NORMAN, Mr. BABIN, Mr. GOOD of Virginia, Mrs. MILLER of Illinois, Mr. VAN DREW, Mr. HICE of Georgia, Mr. BIGGS, Mr. ROY, Mr. BUCK, Mr. KELLER, Mr. ROSENDALE, Mr. PALAZZO, Mr. SMITH of Nebraska, Mr. JOHNSON of South Dakota, Mrs. BOEBERT, Mr. JACKSON, Mr. BANKS, Mr. BACON, Mr. THOMPSON of Pennsylvania, Mr. BILIRAKIS, Mr. DUNCAN, Mr. LAMBORN, Mrs. GREENE of Georgia, Mr. MOORE of Alabama, Mrs. CAMMACK, Mr. CRAWFORD, Mr. MULLIN, Mr. HARRIS, Mr. ARRINGTON, Mr. ROSE, Mr. WEBER of Texas, Mr. CLOUD, Mr. LAMALFA, Mr. ELLZEY, Mr. MCKINLEY, Mrs. LESKO, Mr. MOONEY, Mr. GROTHMAN, Mr. CAWTHORN, Mrs. FISCHBACH, Mr. JORDAN, Mr. MANN, Mr. BOST, Mr. GOMERT, Mr. DAVIDSON, Mr. STEUBE, Mr. WALTZ, Mr. DONALDS, Mr. NEHLS, Mr. POSEY, Mr. GOODEN of Texas, Mr. TIMMONS, Mr. GUEST, Mr. BERGMAN, Mr. WENSTRUP, Mr. C. SCOTT FRANKLIN of Florida, Ms. STEFANIK, Mr. MAST, Mrs. HARTZLER, Mr. WILLIAMS of Texas, Mr. LONG, Mr. PFLUGER, Mr.

BALDERSON, Mr. LATURNER, Mr. CLINE, Mr. GIBBS, Mr. JOHNSON of Louisiana, Mr. STAUBER, Mr. JOHNSON of Ohio, Mr. BISHOP of North Carolina, Mr. ADERHOLT, Mrs. MILLER of West Virginia, Mr. KELLY of Mississippi, Mr. RESCHENTHALER, Mr. WEBSTER of Florida, Mr. AUSTIN SCOTT of Georgia, Mr. SMITH of Missouri, Mr. FEENSTRA, Mr. GAETZ, Mr. ALLEN, Mr. ESTES, Mr. HUIZENGA, Mr. CARTER of Georgia, Mr. MOOLENAAR, Mr. BAIRD, Mr. LOUDERMILK, Mr. MURPHY of North Carolina, Mr. FLEISCHMANN, and Mrs. McCLAIN):

H.R. 8835. A bill to prohibit the use of Federal funds to implement Executive Order relating to reproductive health services; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OWENS:

H.R. 8836. A bill to amend the Commodity Exchange Act to exempt certain small companies that utilize foreign exchange from certain capital and margin requirements in order to enhance opportunities for small businesses to improve trade and export markets, and for other purposes; to the Committee on Agriculture.

By Mr. ALLRED:

H.R. 8837. A bill to amend the Internal Revenue Code of 1986 to allow students to take the saver's credit; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself, Ms. LEE of California, and Mr. KAHELE):

H.R. 8838. A bill to protect health care providers and people seeking reproductive health care services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS (for himself, Mr. DONALDS, Mr. LATURNER, Ms. TENNEY, Mr. WILSON of South Carolina, Mr. BABIN, Mr. NEWHOUSE, Mr. MEUSER, Mr. HIGGINS of Louisiana, Mr. ALLEN, Mrs. GREENE of Georgia, Ms. HERRELL, Mr. ROSENDALE, Mr. ISSA, Mr. GIBBS, Mr. LAMBORN, Mr. NORMAN, Mr. GOODEN of Texas, Mr. MOORE of Alabama, Mr. JACKSON, and Mr. AUSTIN SCOTT of Georgia):

H.R. 8839. A bill to amend the Controlled Substances Act to prohibit manufacturing or distributing candy-flavored controlled substances for minors, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 8840. A bill to amend title XVIII of the Social Security Act to waive cost-sharing for advance care planning services, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER of Georgia (for himself, Mr. CÁRDENAS, and Mr. BISHOP of Georgia):

H.R. 8841. A bill to require the Secretary of Health and Human Services, in coordination

with single State agencies, to assist certain dual eligible individuals participating in the RSNAT model with accessing non-emergency medical assistance benefits under the Medicaid program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CHABOT (for himself and Mr. SHERMAN):

H.R. 8842. A bill to authorize the transfer of certain defense articles and services to Taiwan, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COMER (for himself, Mr. ROGERS of Kentucky, Mr. ROSE, and Mr. GUTHRIE):

H.R. 8843. A bill to require the Corps of Engineers to take certain actions with respect to rental amounts and administrative fees charged to certain marinas, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. EVANS (for himself, Mrs. KIM of California, Ms. NEWMAN, and Mr. FLOOD):

H.R. 8844. A bill to reauthorize the State Trade Expansion Program of the Small Business Administration, and for other purposes; to the Committee on Small Business.

By Mr. TONY GONZALES of Texas (for himself, Mr. NORMAN, Mr. CRENSHAW, Mr. MAST, Mr. ROUZER, Ms. SALAZAR, Mr. GIMENEZ, Mr. RESCHENTHALER, Mr. JACKSON, Mr. LAMBORN, and Mr. BUDD):

H.R. 8845. A bill to punish the distribution of fentanyl resulting in death as felony murder; to the Committee on the Judiciary.

By Mr. GOTTHEIMER (for himself and Mr. UPTON):

H.R. 8846. A bill to amend title 3, United States Code, to reform the Electoral Count Act, and to amend the Presidential Transition Act of 1963 to provide clear guidelines for when and to whom resources are provided by the Administrator of General Services for use in connection with the preparations for the assumption of official duties as President or Vice President; to the Committee on House Administration, and in addition to the Committees on Oversight and Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFITH (for himself and Mr. CLINE):

H.R. 8847. A bill to amend the Natural Gas Act to bolster fairness and transparency in consideration of interstate natural gas pipelines, to provide for greater public input opportunities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GROTHMAN (for himself, Mr. HARRIS, and Mr. BIGGS):

H.R. 8848. A bill to amend the Internal Revenue Code of 1986 to allow unreimbursed employee expenses to be taken into account as miscellaneous itemized deductions; to the Committee on Ways and Means.

By Mr. HARDER of California (for himself and Mr. GARAMENDI):

H.R. 8849. A bill to prohibit the Corps of Engineers from issuing a permit for the Delta Conveyance Project, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. HARSHBARGER (for herself, Ms. PINGREE, and Mr. GRAVES of Missouri):

H.R. 8850. A bill to amend title XVIII of the Social Security Act to require as a condition of satisfying the definition of an approved medical residency training program for purposes of payments under Medicare for costs

related to graduate medical education for hospitals operating such a program to submit information to encourage more equitable treatment of osteopathic and allopathic candidates in the residency application and review process, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. HINSON:

H.R. 8851. A bill to provide support and assistance to unborn children, pregnant women, parents, and families; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Education and Labor, Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACOBS of California (for herself, Ms. BROWNLEY, Mr. LEVIN of California, and Ms. SPEIER):

H.R. 8852. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program on food insecurity, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KUSTOFF (for himself, Mr. LAHOOD, and Mr. SCHWEIKERT):

H.R. 8853. A bill to amend the Inflation Reduction Act of 2022 to prevent the excise tax on repurchase of corporate stock from taking effect; to the Committee on Ways and Means.

By Mr. LAMALFA (for himself, Mr. PAPPAS, and Mr. LARSEN of Washington):

H.R. 8854. A bill to amend title 38, United States Code, to increase the rate for allowances based on mileage for beneficiary travel, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. LEE of California (for herself, Mr. DANNY K. DAVIS of Illinois, and Ms. ADAMS):

H.R. 8855. A bill to establish a program to address sickle cell disease and other heritable hemoglobinopathies; to the Committee on Energy and Commerce.

By Ms. LEGER FERNANDEZ (for herself, Mrs. HAYES, Mr. GRIJALVA, Mr. GOTTHEIMER, Mr. GALLEGO, Mr. BOWMAN, Ms. CHU, Mr. DESAULNIER, Mr. KHANNA, and Mr. SOTO):

H.R. 8856. A bill to provide enhanced student loan relief to educators; to the Committee on Education and Labor.

By Ms. MACE:

H.R. 8857. A bill to amend the Federal Food, Drug, and Cosmetic Act to make certain changes with respect to the approval of abbreviated applications for the approval of new animal drugs, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MATSUI (for herself, Mr. GRIJALVA, Ms. ESHOO, and Mr. SMITH of Washington):

H.R. 8858. A bill to establish the Foundation for Digital Equity, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NEGUSE:

H.R. 8859. A bill to amend title VI of the Social Security Act to improve the Local Assistance and Tribal Consistency Fund, and for other purposes; to the Committee on Oversight and Reform.

By Mr. NEGUSE (for himself, Mr. BURCHETT, Mr. LIEU, and Mr. FITZPATRICK):

H.R. 8860. A bill to direct the Attorney General to include certain additional infor-

mation in the National Missing and Unidentified Persons System, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 8861. A bill to provide for expanded home rule for the residents of the District of Columbia, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PHILLIPS (for himself, Ms. DELAURO, Ms. BARRAGÁN, Ms. MENG, Ms. KELLY of Illinois, Mr. CARSON, Ms. PORTER, Ms. NORTON, Ms. WILSON of Florida, Mr. NADLER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. KHANNA, Mrs. KIRKPATRICK, Mr. NEGUSE, Mr. CICILLINE, Ms. VELÁZQUEZ, Mr. EVANS, Ms. ADAMS, Ms. LOFGREN, Mr. CONNOLLY, Ms. MCCOLLUM, Ms. SCHAKOWSKY, Mrs. TORRES of California, Ms. ESCOBAR, Mr. GRIJALVA, Mr. COHEN, Ms. MOORE of Wisconsin, Ms. TITUS, and Mr. LIEU):

H.R. 8862. A bill to invest in real pro-life policies that support the American family, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, Transportation and Infrastructure, Education and Labor, the Judiciary, Natural Resources, Agriculture, Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POCAN (for himself, Mr. SESSIONS, Mrs. RODGERS of Washington, Ms. NORTON, and Mr. SUOZZI):

H.R. 8863. A bill to amend Federal law to remove the terms "mentally retarded" and "mental retardation", and for other purposes; to the Committee on the Judiciary.

By Mr. RASKIN (for himself and Mr. COHEN):

H.R. 8864. A bill to amend title 28, United States Code, to establish a procedure to dismiss, punish, and deter strategic lawsuits against public participation, and for other purposes; to the Committee on the Judiciary.

By Ms. SHERRILL:

H.R. 8865. A bill to authorize the Secretary of Health and Human Services to establish a national sepsis data trust, and to fund State-based pilots and programs to establish interoperable State-based sepsis data trusts; to the Committee on Energy and Commerce.

By Mr. SMITH of Washington:

H.R. 8866. A bill to amend the Housing and Community Development Act of 1992 to expand certain service coordinator programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SPEIER (for herself, Ms. LEE of California, Ms. LOIS FRANKEL of Florida, Ms. CHU, Mr. CONNOLLY, Mr. CARTER of Louisiana, Mr. MOULTON, Mrs. HAYES, and Mr. KHANNA):

H.R. 8867. A bill to establish a cause of action with respect to reproductive health

services, and for other purposes; to the Committee on the Judiciary.

By Mrs. STEEL (for herself, Mrs. LEE of Nevada, Mr. WILSON of South Carolina, Mr. GHMENEZ, Ms. MENG, Ms. SALAZAR, Ms. CRAIG, Mr. WEBER of Texas, Mr. WALTZ, Mr. GOTTHEIMER, Mr. TRONE, Mr. ROUZER, Mr. RUTHERFORD, Mr. NORCROSS, Mr. VAN DREW, Ms. WILD, Ms. MANNING, Mr. FALLON, and Mr. JOYCE of Ohio):

H.R. 8868. A bill to repeal the sunset provision of the Iran Sanctions Act of 1996, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Ways and Means, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TENNEY:

H.R. 8869. A bill to require the denial of admission to the United States for individuals subject to sanctions pursuant to Executive Order 13876, and for other purposes; to the Committee on the Judiciary.

By Mr. TIFFANY (for himself, Mr. BUCK, Mr. CHABOT, Mr. FITZGERALD, Mr. GOODEN of Texas, Mrs. MILLER of Illinois, Ms. SALAZAR, and Mr. MOOLENAAR):

H.R. 8870. A bill to improve certain criminal provisions; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILLIAMS of Georgia (for herself, Mr. CICILLINE, Mr. DEUTCH, and Mr. SMITH of New Jersey):

H.R. 8871. A bill to amend the Internal Revenue Code of 1986 to provide a refundable tax credit for certain gun safes; to the Committee on Ways and Means.

By Ms. WILSON of Florida (for herself, Mr. SCOTT of Virginia, Ms. ADAMS, Mr. SABLAN, Ms. BONAMICI, Ms. MANNING, Ms. NORTON, Mrs. HAYES, Mr. TAKANO, Mr. DANNY K. DAVIS of Illinois, Mrs. MCBATH, Mr. THOMPSON of Mississippi, Mr. SOTO, Mr. DESAULNIER, Mr. GRIJALVA, Ms. BARRAGÁN, Mr. CORREA, Mr. EVANS, Mrs. CHERFILUS-MCCORMICK, Mr. CARBAJAL, Mr. TORRES of New York, Ms. CLARKE of New York, Mrs. LAWRENCE, Mr. SARBANES, Ms. LEE of California, Ms. BROWN of Ohio, Mr. LAWSON of Florida, Mr. CARTER of Louisiana, Mr. BOWMAN, Mr. CARSON, Mr. ESPAILLAT, and Mr. CASTRO of Texas):

H.R. 8872. A bill to amend the Higher Education Act of 1965 to double the Pell Grant award amount, improve the Public Service Loan Forgiveness program, and reduce interest rates, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NAPOLITANO (for herself and Mr. COLE):

H.J. Res. 96. A joint resolution approving the location of a memorial to commemorate America's commitment to a free press by honoring journalists who sacrificed their lives in service to that cause; to the Committee on Natural Resources.

By Mr. CÁRDENAS (for himself, Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY, Mr. CARBAJAL,



Mr. CARSON, Mr. CASTRO of Texas, Mr. CICILLINE, Mr. CORREA, Mr. COSTA, Mr. CROW, Mr. CUELLAR, Mr. DANNY K. DAVIS of Illinois, Ms. DELBENE, Mr. DEUTCH, Ms. ESCOBAR, Mr. ESPALLAT, Mr. GALLEGRO, Mr. GARAMENDI, Ms. GARCIA of Texas, Mr. GARCÍA of Illinois, Mr. GOMEZ, Mr. VICENTE GONZALEZ of Texas, Mr. GREEN of Texas, Mr. GRIJALVA, Mrs. HAYES, Ms. KAPTUR, Mr. KHANNA, Mr. LANGEVIN, Mr. LARSEN of Washington, Mrs. LEE of Nevada, Ms. LEGER FERNANDEZ, Mr. LEVIN of California, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. NEWMAN, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. O'HALLERAN, Ms. OMAR, Mr. PANETTA, Mr. PASCRELL, Mr. PETERS, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. SABLAN, Mr. SAN NICOLAS, Ms. SÁNCHEZ, Mr. SIRENS, Mr. SOTO, Ms. TITUS, Mrs. TORRES of California, Mr. TORRES of New York, Mrs. TRAHAN, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WILLIAMS of Georgia, and Ms. CLARK of Massachusetts):

H. Res. 1353. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; to the Committee on Oversight and Reform.

By Mr. CLEAVER (for himself and Mr. GRAVES of Missouri):

H. Res. 1354. A resolution recognizing the life and memory of Officer Blaize Madrid-Evans; to the Committee on the Judiciary.

By Mr. GOSAR:

H. Res. 1355. A resolution of inquiry requesting the President and directing the Secretary of Health and Human Services to transmit, respectively, certain documents to the House of Representatives relating to ivermectin; to the Committee on Energy and Commerce.

By Mr. GOSAR:

H. Res. 1356. A resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to Ray Epps; to the Committee on the Judiciary.

By Ms. JOHNSON of Texas:

H. Res. 1357. A resolution expressing support for designation of the week of September 18, 2022, through September 24, 2022, as "Balance Awareness Week"; to the Committee on Energy and Commerce.

By Mr. POSEY (for himself, Ms. BONAMICI, Mr. MAST, Mr. LARSEN of Washington, Mr. PAPPAS, Mr. DEFazio, Ms. BLUNT ROCHESTER, Ms. SCANLON, and Ms. KUSTER):

H. Res. 1358. A resolution Expressing support for the designation of the week of September 17 through September 24, 2022, as "National Estuaries Week"; to the Committee on Natural Resources.

By Mr. SCHNEIDER (for himself, Mrs. RODGERS of Washington, Mr. TRONE, and Mrs. WAGNER):

H. Res. 1359. A resolution commemorating the second anniversary of the signing of the Abraham Accords Declaration; to the Committee on Foreign Affairs.

By Mr. YARMUTH:

H. Res. 1360. A resolution expressing support for designation of the week of September 18 through 24, 2022, as National Adult Education and Family Literacy Week; to the Committee on Education and Labor.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LEVIN of California:

H.R. 8832.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Ms. WATERS:

H.R. 8833.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 provides Congress with the power to "regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

By Ms. BONAMICI:

H.R. 8834.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the U.S. Constitution

By Mr. CLYDE:

H.R. 8835.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the U.S. Constitution states.

The Congress shall have the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department of officer thereof."

Additionally, Section 1 of the XIV Amendment states, ". . . nor shall any State deprive any person of life, liberty, or property, without due process of law . . ." and under Section 5 of the XIV Amendment, "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

By Mr. OWENS:

H.R. 8836.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. ALLRED:

H.R. 8837.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. JACKSON LEE:

H.R. 8838.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution: the Spending Clause

Article I, Section 8, Clause 3 of the United States Constitution: the Interstate Commerce Clause

14th Amendment the United States Constitution: the Equal Protection Clause

By Mr. BANKS:

H.R. 8839.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. BLUMENAUER:

H.R. 8840.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. CARTER of Georgia:

H.R. 8841.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. CHABOT:

H.R. 8842.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. COMER:

H.R. 8843.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 14 and 16

By Mr. EVANS:

H.R. 8844.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . ."

By Mr. TONY GONZALES of Texas:

H.R. 8845.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GOTTHEIMER:

H.R. 8846.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all laws that shall be necessary and proper for carrying into execution the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. GRIFFITH:

H.R. 8847.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. GROTHMAN:

H.R. 8848.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. HARDER of California:

H.R. 8849.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mrs. HARSHBARGER:

H.R. 8850.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mrs. HINSON:

H.R. 8851.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Ms. JACOBS of California:

H.R. 8852.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. KUSTOFF:

H.R. 8853.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, the Necessary and Proper Clause. Congress shall have power to make all laws which shall be necessary and proper for carrying into Execution the foregoing powers and all Powers vested by this Constitution in the Government of the United States, or in any Department of Officer thereof.

By Mr. LAMALFA:

H.R. 8854.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the U.S. Constitution

By Ms. LEE of California:

H.R. 8855.

Congress has the power to enact this legislation pursuant to the following:



Article I, Section 8, Clause 18 of the Constitution

By Ms. LEGER FERNANDEZ:

H.R. 8856.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Ms. MACE:

H.R. 8857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Ms. MATSUI:

H.R. 8858.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. NEGUSE:

H.R. 8859.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. NEGUSE:

H.R. 8860.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. NORTON:

H.R. 8861.

Congress has the power to enact this legislation pursuant to the following:

clause 17 of section 8 of article I of the Constitution.

By Mr. PHILLIPS:

H.R. 8862.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. POCAN:

H.R. 8863.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. RASKIN:

H.R. 8864.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8 of the United States Constitution.

By Ms. SHERRILL:

H.R. 8865.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, clause 16 of the United States Constitution.

By Mr. SMITH of Washington:

H.R. 8866.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Ms. SPEIER:

H.R. 8867.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (Commerce Clause)

By Mrs. STEEL:

H.R. 8868.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. TENNEY:

H.R. 8869.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the Constitution of the United States

By Mr. TIFFANY:

H.R. 8870.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, of the United States Constitution

By Ms. WILLIAMS of Georgia:

H.R. 8871.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Ms. WILSON of Florida:

H.R. 8872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. NAPOLITANO:

H.J. Res. 96.

Congress has the power to enact this legislation pursuant to the following:

Article 4, section 3, clause 2

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 77: Mr. WALTZ.

H.R. 222: Ms. TLAIB.

H.R. 475: Mr. STANTON.

H.R. 852: Mr. C. SCOTT FRANKLIN of Florida.

H.R. 855: Mr. C. SCOTT FRANKLIN of Florida.

H.R. 987: Mr. KEATING.

H.R. 1176: Mr. CARTER of Louisiana and Mr. GRIJALVA.

H.R. 1282: Mr. GARCIA OF CALIFORNIA AND Mr. BISHOP of North Carolina.

H.R. 1346: Mr. MRVAN.

H.R. 1378: Ms. DELAURO, Mrs. MCBATH, Ms. PRESSLEY, Ms. JOHNSON of Texas, and Mr. KIND.

H.R. 1892: Mr. SCHWEIKERT.

H.R. 1946: Mr. CARL and Mr. TIMMONS.

H.R. 1977: Mr. VALADAO.

H.R. 2041: Ms. VAN DUYN.

H.R. 2050: Mr. CARTER of Louisiana, Mr. OWENS, and Ms. BUSH.

H.R. 2144: Mr. PETERS.

H.R. 2252: Mr. CICILLINE, Mr. MEEKS, Mr. NADLER, Ms. MATSUI, Ms. PINGREE, Ms. CLARK of Massachusetts, and Ms. CONWAY.

H.R. 2294: Ms. ESHOO.

H.R. 2460: Ms. MCCOLLUM, Mr. BLUMENAUER, Mr. MORELLE, Mr. CASE, Ms. PINGREE, Ms. BLUNT ROCHESTER, Mr. KILMER, Mr. DESAULNIER, Mr. GOLDEN, Mr. TONKO, Mr. SWALWELL, and Mr. FITZPATRICK.

H.R. 2517: Mr. JOHNSON of South Dakota.

H.R. 2549: Ms. CLARK of Massachusetts and Mr. JEFFRIES.

H.R. 2586: Mr. STANTON and Mrs. CHERFILUS-MCCORMICK.

H.R. 2654: Mr. SCHNEIDER.

H.R. 2924: Mr. LARSEN of Washington.

H.R. 2974: Mr. TIMMONS and Ms. PINGREE.

H.R. 3109: Mr. BACON.

H.R. 3183: Mr. BISHOP of Georgia.

H.R. 3335: Mr. KEATING.

H.R. 3513: Mr. HARDER of California.

H.R. 3572: Ms. DEAN.

H.R. 3865: Mr. DESAULNIER, Mr. LOWENTHAL, Mr. DANNY K. DAVIS of Illinois, Mr. TRONE, Ms. TLAIB, Mr. ESPAILLAT, and Mr. JONES.

H.R. 3907: Mr. CARSON.

H.R. 4002: Ms. BROWN of Ohio.

H.R. 4118: Ms. OMAR and Mrs. FLETCHER.

H.R. 4134: Mr. JOHNSON of Georgia.

H.R. 4146: Mrs. DINGELL, Mr. NEAL, and Ms. JOHNSON of Texas.

H.R. 4193: Mr. STANTON and Mr. HUFFMAN.

H.R. 4319: Mr. KEATING.

H.R. 4402: Mr. KIND, Mr. VICENTE GONZALEZ of Texas, Mr. CLYBURN, and Ms. DELAURO.

H.R. 4410: Mr. MOOLENAAR and Mr. HOLLINGSWORTH.

H.R. 4457: Ms. CRAIG, Mr. CARBAJAL, Mr. MEEKS, and Ms. DELBENE.

H.R. 4601: Mr. BUDD.

H.R. 4690: Mrs. PELTOLA.

H.R. 4729: Mr. KIND.

H.R. 4785: Mr. FALLON.

H.R. 4965: Mr. DIAZ-BALART and Mr. SEMPOLINSKI.

H.R. 5035: Ms. TLAIB.

H.R. 5141: Mr. STANTON and Mr. SCOTT of Virginia.

H.R. 5230: Mr. CROW.

H.R. 5544: Mr. SUOZZI.

H.R. 5697: Ms. DEAN.

H.R. 5727: Mr. MEEKS and Mrs. FLETCHER.

H.R. 5755: Ms. TLAIB.

H.R. 5883: Mr. MANN.

H.R. 5944: Mr. KILMER.

H.R. 5984: Mr. STANTON.

H.R. 6018: Mr. HILL.

H.R. 6117: Ms. LOFGREN, Mr. NORCROSS, Mr. RUIZ, Mr. CLYBURN, Mr. LARSEN of Washington, Mr. BROWN of Maryland, Mr. BOWMAN, Ms. ROYBAL-ALLARD, Mrs. DINGELL, Ms. JOHNSON of Texas, Mr. SABLAN, Ms. SLOTKIN, and Ms. WASSERMAN SCHULTZ.

H.R. 6167: Mr. CARSON and Ms. PORTER.

H.R. 6186: Mrs. NAPOLITANO.

H.R. 6226: Mr. KELLY of Pennsylvania.

H.R. 6283: Mr. GRIJALVA.

H.R. 6314: Mr. KIND.

H.R. 6394: Mr. CROW.

H.R. 6405: Ms. DEGETTE.

H.R. 6571: Mr. KEATING and Mr. BOST.

H.R. 6661: Mrs. STEEL.

H.R. 6720: Mrs. SPARTZ.

H.R. 6857: Mr. GOOD of Virginia.

H.R. 6860: Mrs. FLETCHER, Mrs. LAWRENCE, Mrs. KIRKPATRICK, Mr. LAMB, Mr. TRONE, and Mr. JEFFRIES.

H.R. 6945: Mr. GRIFFITH.

H.R. 6970: Mr. CRENSHAW, Mr. ELLZEY, Mr. LATTI, and Mr. HERN.

H.R. 6985: Ms. DEAN, Mr. SUOZZI, and Ms. NORTON.

H.R. 7004: Ms. TITUS.

H.R. 7053: Mr. CLEAVER.

H.R. 7151: Mr. DONALDS, Mr. GOODEN of Texas, Mr. JOYCE of Ohio, Mrs. WAGNER, and Mr. OWENS.

H.R. 7213: Mr. QUIGLEY.

H.R. 7266: Mr. LOUDERMILK.

H.R. 7294: Mrs. MCCLAIN.

H.R. 7644: Mr. KEATING and Ms. CLARK of Massachusetts.

H.R. 7724: Mrs. LURIA and Mr. PERLMUTTER.

H.R. 7738: Mr. C. SCOTT FRANKLIN of Florida.

H.R. 7832: Mrs. STEEL.

H.R. 7892: Mr. JOHNSON of South Dakota.

H.R. 7930: Mr. COSTA.

H.R. 7961: Ms. ADAMS, Mr. RUTHERFORD, Mr. TONKO, Mr. ROUZER, and Mr. MOONEY.

H.R. 7993: Mr. POCAN.

H.R. 8059: Ms. BLUNT ROCHESTER.

H.R. 8105: Mr. NEGUSE and Mr. LYNCH.

H.R. 8175: Mr. BUDD.

H.R. 8188: Mr. AGUILAR and Mr. ROUZER.

H.R. 8192: Mr. WESTERMAN.

H.R. 8203: Mr. BURGESS, Mr. TAYLOR, Mr. WEBER of Texas, Mr. GOODEN of Texas, Mrs. FLORES, Ms. VAN DUYN, Mr. ARRINGTON, Mr. FALLON, and Mr. NEHLS.

H.R. 8265: Ms. ROSS, Mr. STEIL, Mr. KIM of New Jersey, and Mr. PHILLIPS.

H.R. 8274: Mrs. HINSON.

H.R. 8298: Mr. CARBAJAL, Mr. GOLDEN, and Mrs. MILLER-MEEKS.

H.R. 8362: Mr. HUDSON.

H.R. 8380: Mr. MANN.

H.R. 8384: Mr. CLINE, Mr. LUETKEMEYER, Mr. LATURNER, Mr. FALLON, and Mr. HUDSON.

H.R. 8393: Mr. POSEY, Ms. WILD, Mr. MULLIN, and Mr. GARBARINO.

H.R. 8433: Mr. CASTEN.

H.R. 8443: Mr. FALLON.

H.R. 8444: Ms. CHU.

H.R. 8450: Mr. DEUTCH.

H.R. 8496: Mr. FALLON.

H.R. 8521: Mr. FERGUSON.

H.R. 8532: Mr. SCHIFF, Mr. PRICE of North Carolina, Mr. PETERS, Mr. SCHNEIDER, Mr.

PASCRELL, Mr. CICILLINE, Mr. SUOZZI, Mr. LAMB, Mr. LANGEVIN, Mr. CASE, Mr. DOGGETT, Mr. LYNCH, Mr. KRISHNAMOORTHY, Mr. ESPAILLAT, and Mr. PHILLIPS.

H.R. 8544: Ms. TITUS.

H.R. 8549: Mrs. FLORES.

H.R. 8552: Ms. DEAN.

H.R. 8575: Mr. BAIRD.

H.R. 8581: Ms. ROSS, Mr. SMITH of Nebraska, Ms. DEAN, Mr. RUTHERFORD, Mr. MANN, Mr. PAPPAS, and Ms. SALAZAR.

H.R. 8600: Mr. CLINE.

H.R. 8614: Mr. KILDEE.

H.R. 8620: Mr. GARCIA of California and Mr. BACON.

H.R. 8622: Mrs. STEEL, Ms. WATERS, and Ms. CONWAY.

H.R. 8632: Mr. LOUDERMILK.

H.R. 8654: Mr. LEVIN of California, Mr. KHANNA, and Ms. STRICKLAND.

H.R. 8655: Mr. CLINE.

H.R. 8685: Mr. NORCROSS, Mr. CASTEN, and Ms. CLARK of Massachusetts.

H.R. 8731: Mr. LOUDERMILK and Mr. HERN.

H.R. 8736: Mrs. BUSTOS, Mr. CICILLINE, Mr. GROTHMAN, Mr. HIGGINS of Louisiana, Ms. KUSTER, Mr. LYNCH, Mr. MCGOVERN, Mr. MOULTON, Mr. O'HALLERAN, Ms. PORTER, Mr. SABLAN, Mr. SESSIONS, Mr. PETERS, Mr. VAN DREW, Ms. DEAN, and Ms. TITUS.

H.R. 8747: Mr. THOMPSON of Pennsylvania, Ms. LEGER FERNANDEZ, and Mr. BURCHETT.

H.R. 8770: Mrs. FLETCHER and Ms. BROWNLEY.

H.R. 8794: Mrs. CAROLYN B. MALONEY of New York.

H.R. 8800: Ms. WILD, Mr. DUNN, Mr. HORSFORD, Ms. DEAN, Mrs. MILLER-MEEKS, and Mr. CARBAJAL.

H.R. 8812: Mr. RODNEY DAVIS of Illinois and Ms. SCHAKOWSKY.

H.R. 8820: Mr. HARRIS, Mr. JOHNSON of Louisiana, and Mr. CLINE.

H.R. 8821: Mrs. WATSON COLEMAN, Mr. LIEU, and Mr. SCHIFF.

H.J. Res. 88: Mr. FERGUSON.

H. Con. Res. 104: Mr. KILMER.

H. Res. 110: Mr. MOONEY.

H. Res. 565: Ms. JAYAPAL.

H. Res. 832: Mr. LEVIN of California.

H. Res. 1030: Mr. FITZPATRICK, Mr. ELLZEY, Mrs. RODGERS of Washington, Mr. MANN, Mr. KILMER, Mr. CARTER of Georgia, Mr. GOODEN of Texas, Mr. BUDD, Mr. HUDSON, Ms. STEFANIK, Mr. ISSA, Mrs. MILLER-MEEKS, and Ms. SALAZAR.

H. Res. 1190: Mr. KEATING.

H. Res. 1233: Mr. HUDSON.

H. Res. 1266: Mr. CAREY.

H. Res. 1336: Mr. TIMMONS, Mr. MCEACHIN, and Ms. WILLIAMS of Georgia.

H. Res. 1351: Mr. SWALWELL, Mrs. CAROLYN B. MALONEY of New York, Mrs. NAPOLITANO, Mr. SHERMAN, Ms. BASS, Mr. CICILLINE, Ms.

CONWAY, Mr. MCGOVERN, Ms. ESHOO, Mr. PAPPAS, Ms. CLARK of Massachusetts, Ms. WILD, Mr. SMITH of New Jersey, Ms. MENG, Mrs. TRAHAN, Mr. LANGEVIN, Mrs. LAWRENCE, Ms. CHU, Ms. TITUS, Mr. LIEU, Ms. LOFGREN, and Mr. SARBANES.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 8824: Mr. FITZPATRICK.

#### DISCHARGE PETITIONS— ADDITIONS AND WITHDRAWALS

The following Members added their names to the following discharge petitions:

Petition 8 by Mr. LONG on H.R. 3860: Mr. Steube.

Petition 12 by Mr. GOSAR on House Joint Resolution 46: Mr. LaHood.

Petition 14 by Mr. MAST on House Resolution 1039: Mr. LaMalfa.

Petition 15 by Mr. MULLIN on H.R. 575: Mr. LaMalfa.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 117<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 168

WASHINGTON, THURSDAY, SEPTEMBER 15, 2022

No. 149

## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JACKY ROSEN, a Senator from the State of Nevada.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who harmonized the world with seasons and kindness, sowing and reaping, color and fragrance, we praise Your loving Name.

Lord, strengthen our Senators to do their part in fulfilling Your purposes for this land we love. Be for our lawmakers a refuge and a shelter from life's storms. Give them the wisdom to find in Your word a lamp for their feet and a light for their path. Provide them also with the resolve to walk in that light and follow Your guidance. In Your compassion, free them from the cares that deplete their trust in You.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 15, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JACKY ROSEN, a Senator from the State of Nevada, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Ms. ROSEN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Sarah A. L. Merriam, of Connecticut, to be United States Circuit Judge for the Second Circuit.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

#### RAILWAY LABOR MANAGEMENT AGREEMENT

Mr. SCHUMER. Madam President, last night, as most Americans were in bed asleep, freight rail companies and unions representing tens of thousands of workers secured a tentative agreement that will keep the trains running on time and keep our economy moving. And the best part is that union leadership representing tens of thousands of railway workers, who have worked themselves to the bone over the course of the pandemic, seem to have secured

the higher pay and better working conditions for their members. Railway workers have earned that pay and those benefits through blood, sweat, and tears, and I hope it will make it easier for other workers in future negotiations to secure stronger benefits.

This is exactly the sort of outcome that will keep our economy going, our supply chains running, and, most importantly, our workers well-taken care of. The episode is a reminder of an evergreen truth that people underappreciate even now: Workers are what make the wheels of our economy turn—in this case, literally.

I want to thank President Biden and Secretary Walsh, who was steadfast and dedicated, and in a word that we have used for our Senate caucus, he persisted and persisted and persisted. I want to thank every single union representative and railworker who negotiated in good faith to reach this outcome.

#### RESPECT FOR MARRIAGE ACT

Madam President, now I have a few short remarks to say on marriage equality.

Negotiators have been meeting practically every single day. Senate negotiators, Democrat and Republican, have been meeting practically every single day this week to find a path forward. There will be a meeting later today between both sides, and I look forward to seeing what progress Republicans make to reach the magic number of 10. The onus is right now on our Republican colleagues to demonstrate they are serious about passing marriage equality into law. Every single Democrat is for it, but, of course, we need 60 votes.

Let me be clear. My No. 1 priority is to pass legislation. It is an issue that will have profound consequences for millions of Americans in same-sex marriages and who identify as LGBTQ. To downplay this issue, to let it pass by or to act as if we can put it off for another time is not the right thing to

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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do. We should do it now. That is why we are so eager to get 10 Republicans to support the bill.

And across the street from here, we have all heard Justice Clarence Thomas and his fellow MAGA Republican Justices are surely waiting for the chance to one day follow through on his threat—Justice Thomas's threat to drag same-sex marriage rights back under the spotlight of the Supreme Court. That thought should send a shiver down all of our spines.

So I want to thank my colleagues, from Senators BALDWIN to SINEMA to COLLINS and others, for continuing their talks. I am glad to give them the space to lead these negotiations because this needs to be done and done right. But for the sake of tens of millions of Americans, we need to get this done, and I hope we have 10 Republicans who are willing to raise their hands and push this process forward.

#### JUDICIAL NOMINATIONS

Madam President, finally on judges, it was another productive week here on the Senate floor when it comes to confirming more judicial nominees. On Monday, we completed the confirmation process for Salvador Mendoza to sit on the Ninth Circuit. Then we confirmed Lara Montecalvo to sit on the First Circuit. And later this morning, we will vote to confirm Sarah Merriam to be on the Second Circuit.

We also will return to the nomination of Arianna Freeman to the Third Circuit as soon as possible.

That brings our total for the month of September to five circuit court judges, and we now have confirmed more than 80 judicial nominees to the Federal bench. On numerous occasions, it has been with bipartisan votes, and I want to thank my Republican colleague who joined us in voting for these fine nominees.

To the Committee on the Judiciary, Senator DURBIN, and all of my colleagues, I say great work. Let's keep going.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### INFLATION

Mr. MCCONNELL. This week's inflation report confirmed what working people across this country know all too well: The costs of feeding a family and keeping the lights on have skyrocketed more quickly this past year than at any time since the wake of the Carter administration.

A year and a half of crippling runaway inflation is the most important

story to the American people every single day. The media have grown somewhat numb to month after month of 8 and 9 percent inflation, but working Americans have not had the luxury of growing numb. The pain gets worse every single time they have to fill a shopping cart or pay their credit card bill.

One mother of young sons in my hometown of Louisville put it this way:

My grocery bill has [gone] up a lot. It's terrible right now. I have to be really strategic on how I plan out the whole month to make sure we have enough money.

Of course, Kentuckians aren't the only ones in this predicament. In Nevada, an office worker recently told reporters:

I've not been buying a lot of things because I can't afford it. I'm like, "The kids don't need juice for school anymore. We'll just do water."

In Arizona, so many families are having to make tough choices at the grocery store, many are accepting charity to keep food on the table.

According to an employee of one food bank in Phoenix:

The impact we are seeing day in and day out continues to go up. The families are stressed.

And who can blame them? Food inflation in America is at more than a four-decade high. Bread is 16.2 percent more expensive than it was a year ago. Milk is up 17 percent. Flour is up 23.3 percent, and eggs are going for nearly 40 percent more.

Week after week, feeding a family has become a stressful proposition for millions of Americans, and every extra dollar spent on groceries is one fewer to spare for soaring electricity bills.

In the suburbs of Las Vegas, residents have commiserated over the astronomical cost of keeping their homes cool in the summer. One neighborhood message board reads like this:

My bill for this month will be \$574 . . . it's insane.

Yes, ours was \$800 for June.

In Arizona, a restaurant worker didn't mince words about scraping together enough to keep the lights and air-conditioning on:

If I didn't have roommates, I wouldn't be able to make it on the salary that I have.

Overall, inflation in Phoenix and Atlanta is way, way higher than even the sky-high national average. The country as a whole is still grappling with inflation over 8 percent, but Phoenix has seen a staggering 13 percent inflation in just the last year, and Atlanta has seen nearly 12 percent.

Of course, for working Americans in some other States, the most acute emergency is not the cost of summer cooling but, rather, the cost of winter heating.

In places like New Hampshire and Vermont where many homes burn heating oil, this important price is up more than 91 percent since President Biden took office.

And in every corner of the country, one of the biggest collective headaches

facing working families with young kids is the rising cost of back-to-school shopping lists.

According to one working mother in Pennsylvania, she had to take items like a backpack for her preschooler out of her shopping cart in the checkout line:

It's been at least 20 years since I have had to pull back to this extent. This is a new and humbling experience for me as an adult.

American families are facing math problems that just don't add up.

Meanwhile, the same Washington Democrats who got them into this mess spent Tuesday celebrating having rammed through, on a party-line vote, a bill that does nothing to help them solve it: hundreds of billions of dollars in new spending, just as working families are having the hardest time in decades making ends meet at home; hundreds of billions of taxpayer dollars that wouldn't even accomplish Democrats' own underlying radical climate goals, let alone the false claims of "inflation reduction" on the cover.

So our economy continues to hand working families a raw deal. But the same day this latest awful inflation report was published, Washington Democrats went to a concert at the White House and celebrated—celebrated—their economic policies.

How much more out of touch can you get?

The Democrats' giant inflationary spiral is costing the average American household 460 extra dollars every single month just to buy the same things they bought last year. President Biden and his government have imposed a silent Democratic inflation tax of \$460 every single month.

In Kentucky, the average household has to pay \$608 more a month—well over \$7,000 more a year—just to stay where they were when President Biden was sworn in.

Americans' real wages—their purchasing power—has plummeted since this all-Democratic government was sworn in.

And the Democrats response? Print and spend hundreds of billions more, make Americans without bachelor's degrees pay off the graduate school debt of doctors and lawyers, and throw themselves a party on the White House lawn.

Our colleagues across the aisle created this human catastrophe. This runaway inflation was a policy choice by Democrats, and they aren't even trying to stop it.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### INFLATION REDUCTION ACT OF 2022

Mr. THUNE. Madam President, the August inflation numbers came out

this week, and they weren't good. Inflation was even higher than expected. It was very clear that soaring prices are likely to continue for quite a while, but as usual, it doesn't seem to concern the Democrats one bit.

The President was asked Tuesday if he was concerned about August's even-worse-than-expected inflation report.

His answer? "No, I'm not."

It was just one more tone-deaf moment for the President and the Democrats.

On Tuesday, the President and the Democrats gathered at the White House to congratulate themselves for having passed their so-called Inflation Reduction Act, a bill that will do nothing—nothing—to reduce inflation. That is not just my opinion. That was the conclusion of the nonpartisan Penn Wharton Budget Model and of the Democrat chairman of the Senate Budget Committee, who referred to the bill as the "so-called Inflation Reduction Act" on the Senate floor while admitting it would do nothing to solve our Nation's inflation crisis.

But that didn't stop the Democrats from celebrating yesterday. For most of us, of course, it is difficult to understand what there was to celebrate. Leaving aside the issue of the 40-year-high inflation, we already know that the bill will also fall short in another respect—on deficit reduction.

The Democrats' claims that the bill would provide meaningful deficit reduction were always somewhat dubious, but even granting the Democrats' rosier assumptions, President Biden wiped out any deficit reduction when he announced his massive student loan giveaway 8 days—8 days—after the Inflation Reduction Act was signed into law.

So no inflation reduction, no deficit reduction. Oh, one other thing: The Inflation Reduction Act will drive up energy bills for Americans.

So the question is: What was there to celebrate?

Well, for the Democrats, the Inflation Reduction Act marked a chance to finally push through some of their far-left, Green New Deal fantasies, things like electric vehicle tax credits to help wealthy Americans buy electric cars, more than \$60 billion—\$60 billion—for "environmental justice priorities," including \$1.9 billion for things like identifying gaps in tree canopy coverage, and the list goes on. So I think the Democrats are pretty satisfied with themselves over finally jamming through elements of their Green New Deal agenda.

Then, of course, they succeeded in extending increased ObamaCare subsidies that will push Americans off of private healthcare plans and into government-run care.

Then—then—there are the tax hikes. The current Democratic leader once said, "You don't want to take money out of the economy when the economy is shrinking," like it has in the previous two quarters. But those days are

gone. For the Democrats, raising taxes has become an article of faith.

And it goes far beyond raising money to help pay for their Big Government spending. The Democrats believe raising taxes on corporations and well-off Americans is good in and of itself, even if those tax hikes have a negative effect on less well-off Americans and the economy. The tax hikes that the Democrats have included in their so-called Inflation Reduction Act will, indeed, have a negative effect on our economy and on the hard-working Americans who help support it. The Democrats' tax hikes on businesses will result in slower growth, lower wages, and thousands of fewer jobs, and the Democrats' tax hikes on conventional energy will result in higher energy prices for working families.

In addition to raising taxes, the other main way the Inflation Reduction Act raises revenue is by increasing IRS audits and placing new burdens on taxpayers.

The Democrats' bill contains a whopping \$80 billion in increased funding for the IRS. That is an increase in funding which represents six times the annual budget of the IRS today. More than half of those funds, or \$46 billion, are earmarked for increased IRS enforcement. Just 4 percent is for improving customer service, which should tell you all you need to know about where the Democrats' real priorities lie.

The bill would provide for the hiring of as many as 87,000 new employees, which would more than double the current size of the Agency and make the IRS—make the IRS, if you can believe this—larger than Customs and Border Protection and the U.S. Coast Guard put together, combined.

In the lead-up to the passage of the Democrats' bill, the Biden administration put out a statement declaring that the money for IRS enforcement would not go to the increased audits of households making less than \$400,000. Because we had reason to doubt that that would be the case, the Republicans put forward an amendment to the bill to prevent the IRS from using its new money to audit those Americans. Every Democrat—every single Democrat—voted against the amendment. So, I guess, the Democrats are happy to oppose more IRS audits of middle-class Americans in theory, but they don't want to cut off the possibility of those audits in practice if they end up needing them to help fund their Green New Deal spending.

I don't need to tell anyone that the IRS is notorious for mishandling sensitive taxpayer data. As recently as this month, we learned that the IRS had inadvertently posted confidential taxpayer data of around 120,000 individuals on its website—private taxpayer information that was available to the general public.

Then, of course, there was last year's leak, or hack, of confidential taxpayer information that was shared with the left-leaning ProPublica and was used

to advance a partisan agenda for which, I might add, neither the IRS nor the Biden administration has provided any accountability.

Then there was the infamous targeting of conservative groups for extra scrutiny under the Obama IRS, and the list goes on.

I haven't even discussed the IRS's record of grossly underperforming—some would say nonexistent—customer service. During the 2022 tax season, just 10 percent of taxpayers' calls—10 percent of taxpayers' calls—to the IRS were answered by an IRS employee. What we need to be doing is holding the IRS accountable, not setting tens of thousands of new IRS agents loose on taxpayers' accounts.

Earlier this week, I joined my Republican colleagues on the Senate Finance Committee to introduce legislation to prevent the IRS from using its new funding to audit American workers or small business owners earning less than \$400,000 per year.

I also introduced a bill this week, along with Senator COLLINS, to improve taxpayer service at the IRS. Our legislation, called the Increase Reliable Services Now Act, would prevent the IRS from hiring new employees for enforcement until customer service at the IRS had reached a more acceptable level. It is unacceptable—unacceptable—that taxpayers have a 1 in 10 chance of receiving assistance when calling the IRS, and the Agency should not be allowed to increase enforcement hires until it has achieved at least a basic level of customer service.

So we have 87,000 new employees, which is double—double—the size of the current IRS workforce, and we have \$80 billion, which is six times the current annual budget of the IRS, with a specific focus: going after taxpayers in this country to try and get, raise—whatever—more revenue to fund the Democrats' Big Government fantasies. At the same time, 1 in 10 taxpayers is getting his calls returned at the IRS.

I will continue to work to increase IRS accountability and prevent hard-working Americans from being squeezed to fund Democrats' Green New Deal spending.

Like the \$1.9 trillion American Rescue Plan spending spree that came before it—which, I would add, helped plunge our country into our current inflation crisis—the Inflation Reduction Act is a bad deal for the American people, and all of the self-congratulatory White House parties in the world aren't going to change that basic fundamental fact.

Americans are experiencing serious economic hardship, and Democrats are doing nothing to help.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Iowa.

RAILWAY LABOR MANAGEMENT DISPUTE

Mr. GRASSLEY. Mr. President, as of 12:01 tomorrow morning, our Nation's transportation system was set to come to a screeching halt. It now sounds like

we have a bit of a reprieve, but we still have a threat.

Since 2019, railroads and unions have been negotiating a new contract. Two months ago, President Biden appropriately appointed members of what is called the Presidential Emergency Board. This Board recommended the largest pay increase in industry history at 24 percent, in addition to an annual bonus and healthcare changes.

President Biden promised to be the “most pro-union president” in history, but even President Biden’s recommendations weren’t enough for these unions. A few unions continued to hold out and, in fact, took us to the verge of a nationwide strike.

A railroad strike would really plunge us back into the supply chain issues that have just now started to somewhat improve. These trains that would be stopped actually carry the food we eat, the gas for our tanks, and the energy that heats our homes.

Already, I am hearing from grain elevator operators in my State that they are having trouble transporting their grain. Hazardous cargo, like the chlorine cities need to purify drinking water, stopped moving earlier this week. Amtrak has canceled long-distance routes. Maybe they are going to be up and running now, but at least they were getting ready to stop.

But what I just described is the tip of the iceberg unless these unions agree to a long-term deal. The last thing we need is for grain shipments to grind to a halt right as farmers are going to the fields to harvest their grain. Iowa corn and soybeans can’t feed the world if they are stuck on the farm or in the local elevator.

That is why I cosponsored Senator BURR’s joint resolution to prevent all of this. The resolution would mandate that both sides adopt the recommendations of President Biden’s emergency Board. Then, of course, if we pass that, the trains would keep running.

We are just learning about a tentative deal that would let unions back away from the cliff. If they don’t, then Congress must step in and pass the joint resolution to keep our economy going. The alternative is unacceptable. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent that I be permitted to complete my remarks before the rollcall.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### E-CIGARETTES

Mr. DURBIN. Mr. President, September 9, 2021, over a year ago, was supposed to be a historic day in Amer-

ica’s efforts to stop the purveyors of candy- and fruit-flavored e-cigarettes from preying on America’s kids. September 9, 2021, was the deadline, and it was set by a Federal judge for the U.S. Food and Drug Administration to finally—finally—clear its enormous backlog of applications from e-cigarette companies seeking to sell their products in America.

Companies that can prove that their vaping products are, in fact, “appropriate for the protection of public health,” they can go ahead and sell their products legally, but e-cigarette products can’t meet that standard. They can’t demonstrate a benefit to public health. Vaping, as we know, is dangerous and addictive, and these companies, like the tobacco companies of years gone by, are preying on our children.

FDA had a legal mandate to ban these products from U.S. markets on September 9, 2021, but the Food and Drug Administration failed to meet the deadline—not by 1 day, not by 1 week, not even by 1 month. Last Friday marked the 1-year anniversary of the FDA’s failure to meet this Federal court order.

As of today, the FDA has completed reviews of about half of these e-cigarette products that represent a large share of the market. As a result of FDA’s inaction, dangerous, kid-friendly e-cigarettes remain available on store shelves without FDA review or authorization. The cops are not on the beat.

There are consequences to this action. The Truth Initiative is a non-profit consortium of health groups that aims to protect young people from using tobacco. It estimates that, in the year since the FDA missed the court-ordered deadline to approve or reject e-cigarette applications, nearly 2½ million kids in America started using vaping products. Many of these young people will go on to develop nicotine addictions, with serious harm to their health. That is the human cost of this FDA failure.

Now the FDA says: Well, we might be able to finish this by 2023, 2 years after the Federal court-ordered date. And that is not the only deadline the FDA has blown when it comes to protecting kids from nicotine. After parents and public health groups demanded the FDA take action against candy-flavored, nicotine-spiked e-cigarettes, the vaping industry came out with a brandnew miracle product designed to evade FDA jurisdiction: synthetic nicotine. Products like Puff Bar are incredibly popular with middle and high school students. These new synthetic nicotine products include all the health dangers of traditional e-cigarettes, none of the regulation. When Congress learned about this loophole, we changed the law to say that the FDA had jurisdiction over synthetic nicotine products.

To make matters worse, even when the FDA does review a product and

issues a denial, many e-cigarette companies just ignore them. It has reached a point that they are not viewed seriously. The No. 1 regulator of food and drugs in America, when it comes to protecting our kids from these deadly, addictive products, isn’t viewed seriously.

The FDA has the legal right and the legal authority to do so. They can pull these products off the shelves tomorrow. Yet, with respect to illegal e-cigarettes, they do nothing—nothing.

Look, I understand they are understaffed. I understand they are underresourced. FDA is not currently authorized to collect user fees for e-cigarettes, as it does for so many other products. And Congress fails to appropriate the funds many times that they need.

These are real problems, but they do not absolve the FDA of its repeated failure to effectively regulate e-cigarettes. I am at my wits’ end when FDA continues to miss these court-ordered deadlines, fails to enforce orders, and shows a lack of urgency when it comes to vaping products.

Last week, I asked Health and Human Services Secretary Becerra to step in. If FDA cannot or will not do its job, then it is time for the lead Agency, Health and Human Services, to take a more active role. The FDA cannot continue to let unscrupulous e-cigarette companies flout the law and put their own profits ahead of the health of our kids. This has to stop.

#### DIETARY SUPPLEMENTS

Mr. President, on a related matter, Congress has a big decision to make in the next few weeks. Every 5 years, Congress must reauthorize FDA user fee programs. These programs authorize FDA to collect user fees from companies they oversee: prescription drug companies, medical device companies. These fees help provide the funding that FDA needs for staff.

In fact, almost half of their funding comes from user fees. But we shouldn’t settle for a clean authorization of FDA user fees. We should give FDA the authority to collect user fees from e-cigarette companies, and we should provide FDA with new authority to protect America’s health by better regulating the dietary supplement industry.

I want to thank the members of the Senate HELP Committee, especially its chairman, Senator PATTY MURRAY, for including my proposal for better regulation of dietary supplements in the committee-passed bill.

But I fear this commonsense proposal may be lost in the sauce in the closing days of this fiscal year.

Many people are surprised to learn that today dietary supplement companies are not even required to register their products with the FDA. They aren’t required to tell the FDA even the ingredients of their products.

If you are going to put a product on the shelf in America, most Americans walking into that drugstore or that vitamin shop believe that there has been



some government review of the product, some inspection, some standards. Not the case. When it comes to prescription drugs, they have to be proven to be safe and effective. Not so for dietary supplements. These products can hit the shelves and make outrageous claims and not be regulated in any way, like prescription drugs.

What our bill says is that each of the companies selling these products has to register with the FDA the name of the product and the ingredients in the product. So if something goes wrong and people start getting sick, we at least have the most basic information to protect Americans.

The FDA is one of the most important Agencies in the Federal Government. It has fallen on hard times. It is there to protect the health of families across the country, especially our children. Whether it is dietary supplements or tobacco or e-cigarettes, we need to make sure the FDA not only has the tools for the job but uses them.

CONFIRMATION OF SARAH A.L. MERRIAM

Mr. President, today, the Senate will vote to confirm Judge Sarah Merriam to serve on the Second Circuit Court of Appeals.

Judge Merriam was confirmed last year as a U.S. District Court Judge for the District of Connecticut. She received a bipartisan vote on the Senate floor, which reflects not only her qualifications, but her impartiality as well.

Prior to her appointment to the district court, Judge Merriam served as a U.S. magistrate judge for the District of Connecticut from 2015 to 2021.

Throughout her time on the Federal bench, Judge Merriam has presided over hundreds of matters, including five trials that proceeded to final judgment.

This significant judicial experience has undoubtedly prepared Judge Merriam to serve on the Second Circuit.

Judge Merriam also has extensive experience in Federal court as an advocate. For the bulk of her career as a practicing attorney, she served as an assistant Federal defender, representing clients who could not otherwise afford adequate legal representation.

Notably, 24 former Federal prosecutors in Connecticut—including three former U.S. attorneys appointed by Presidents of both political parties—support Judge Merriam’s nomination to the Second Circuit.

This broad, bipartisan support is a testament to her fairness and evenhandedness, both as a jurist and as an advocate.

The American Bar Association unanimously rated Judge Merriam “well qualified” to serve on the Second Circuit, and she has the strong support of Senators BLUMENTHAL and MURPHY.

Judge Merriam has shown that she has the qualifications, experience, and fidelity to the rule of law needed to administer justice on the Second Circuit. I will be supporting her confirmation and urge my colleagues to do the same.

I yield the floor.

VOTE ON MERRIAM NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Merriam nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 337 Ex.]

YEAS—53

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	

NAYS—44

Barrasso	Hagerty	Romney
Blackburn	Hawley	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Crapo	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young
Grassley	Risch	

NOT VOTING—3

Cramer	Cruz	Moran
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate’s action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of David P. Pekoske, of Maryland, to be Administrator of the Transportation Security Administration for a term of five years. (New Position)

The PRESIDING OFFICER. The Senator from California.

TRIBUTE TO VANESSA VALDIVIA

Mr. PADILLA. Mr. President, I rise today because today is a bittersweet day for me. I rise to recognize and express my gratitude for the outstanding work of Vanessa Valdivia, who has served as my communications director since my first day here in the Senate. I speak for everybody in my office when I say we are going to miss her.

But I am also proud. Next week, she will begin work at the White House as Special Assistant to the President and as Press Secretary to the First Lady. I have no doubt that she will do great things in her new role.

Since our first days in the Russell basement, in an office I had when I was transitioning, Vanessa has brought her incredible experience, her unique personality, and her tremendous passion to the job in helping me communicate our work to the people of California. From my maiden speech here on the Senate floor, during the depths of the COVID-19 pandemic, to crisscrossing the State on an infrastructure listening tour as we were negotiating the Infrastructure Investment and Jobs Act here in Washington, to ensuring that Californians were consistently informed of the historic progress that we have made in this Congress, Vanessa has been a key leader in my office and an adviser to me.

She is a California native and is the proud daughter of Mexican-Nicaraguan immigrants. Now, some of you may remember some of my remarks during the confirmation hearings of now-Justice Ketanji Brown Jackson when I said that, often, Americans of color needed to work twice as hard to garner half the respect. Well, it comes as no surprise that Vanessa has gained the utmost respect from her former bosses and colleagues on the various Presidential and Senate campaigns that she has been a part of and from the Senate offices that she has worked in, including those of Senators BOOKER, HEINRICH, and PETERS in addition to mine, and I have no doubt that she will bring the same work ethic and savvy to serving the First Lady and the Biden administration.

Mr. President, I ask unanimous consent to deliver the next part of my remarks in Spanish.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PADILLA. (English translation of statement made in Spanish is as follows:)

Vanessa, I wish you all the luck in your next chapter. Don’t forget your friends here in the Senate. I have no doubt that you will continue to do great things working for the First Lady and the Biden administration. Thank you for your work for all of California.

Mr. President, let the record reflect that Vanessa Valdivia will be deeply missed and that the State of California and the U.S. Senate thank her for her service.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas.

## BUSINESS BEFORE THE SENATE

Mr. CORNYN. Mr. President, the 117th Congress is drawing to a close, and there is a lot we need to do before the end of the year when the 117th Congress is no more.

At the top of that list, of course, are must-pass bills. In the next couple of weeks, the Senate is expected to pass a short-term funding bill to avert a government shutdown. Later this year, we will either have to pass another short-term extension or a full government funding package, otherwise known around here as an omnibus.

On top of that, Congress needs to pass the National Defense Authorization Act, which it has done 61 years in a row. The majority leader has, so far, declined to put that bill on the floor. This is a piece of legislation that provides our men and women in uniform the training they need and the equipment they need to fight and win America's wars and, hopefully, to prevent a war. It also supports our military families, and with an all-volunteer military like we have, it is critical that Congress step up and not only provide for those who wear the uniform but for those who also serve as members of that military member's family.

Even though these major pieces of legislation garner most of the attention, there are countless other bills that need to reach the President's desk before the end of this Congress. As the Presiding Officer knows, if a bill passes one Chamber but doesn't pass both and isn't signed into law, it literally expires. Many of these bills pass the Senate with overwhelming bipartisan support but continue to collect dust on the House calendar.

One of those bills is the Jenna Quinn Law, which I have spoken about many times here on the Senate floor.

This legislation carries the name of a brave young woman from Texas who was a survivor of child sexual assault. Jenna, as a result of her own terrible experience, has made it her mission to end the cycle of abuse that harms children and communities across the country. Her work is having a big impact. She was the inspiration behind the 2009 Texas law that requires training for teachers, caregivers, and other adults who work with children on how to prevent, recognize, and report child sexual abuse. Since then, a number of other States have passed similar laws, but this training lacks a source of funding in many instances, and that is where the Jenna Quinn Law comes into play.

I introduced this bill with Senator HASSAN of New Hampshire to finally back those training sessions with Federal funding through grants from the Department of Health and Human Services. We initially introduced the bill last Congress, and it passed the Senate unanimously. Unfortunately, it became a political hostage and was used to try to exert leverage to advance a partisan bill that stood no chance of passage. So here we are, 2 years later, and the bill is, once again,

stuck in House purgatory. It has now passed the Senate twice—both times with unanimous support—but for some inexplicable reason, the House refuses to even hold a vote.

This is an issue that is way too important for politics. The children who suffer as a result of child abuse and neglect continue to suffer. As for the caregivers who might be able, as a result of the training they receive, to identify a child who is suffering from the abuse, that training is not occurring as a result of the intransigence of the House of Representatives.

So I would implore of Speaker PELOSI, Leader HOYER, and other Democratic leaders in the House who control the majority to please pass this critical legislation.

Here is another great example of a bill that passed the Senate but which is stuck in the House.

Last year, the Senate passed a bipartisan bill I introduced with Senator WHITEHOUSE of Rhode Island, called the Residential Substance Use Disorder Treatment Act, to help incarcerated individuals who are struggling with drug abuse.

There is a well-established link between drug abuse and crime. In order for these individuals who have the requisite desire to try to turn their lives around to have the best shot at living healthy and productive lives, they need to break the cycle of addiction. The Residential Substance Use Disorder Treatment Act provides incarcerated individuals with access to treatment for their substance use disorders. This treatment is coupled with programs to prepare these men and women to reenter society, and it provides them with community-based treatment once they are released.

We learned, from experience in Texas, that it is not enough just to give people who commit nonviolent crimes an opportunity to improve themselves while they are in prison. There also needs to be follow-on services to support them, particularly if they are trying to recover from their addictions.

Our bill updates the program and expands access to treatment in jails and prisons around the country so we can reduce recidivism and build safer and healthier communities. More than two dozen organizations have endorsed this bill, including law enforcement, criminal justice, and behavioral health groups. It passed the Senate with unanimous support last year, but for some unknown reason, it still is lingering on the House calendar.

This is a commonsense, nonpolitical bill that will help get folks the critical assistance they need in order to break the cycle of addiction and to live healthier, productive lives. So why won't the House pass a bill that will help fund law enforcement and bolster our fight against drug abuse? Well, we are not receiving any sort of answers.

The third bill I would like to mention is one I introduced with Senator

PADILLA, the Senator from California, to support infrastructure projects and disaster relief across the country.

Last year, State and local governments received huge sums of money for COVID-19 relief, but as more people have gotten vaccinated and we have learned, somehow, to live with this virus, many of these governments at the State and local levels have found themselves with huge amounts of cash that they can't use for the agreed-upon purpose and that they don't need any more for that purpose.

So the idea behind the bill is pretty simple: Give the State and local leaders the flexibility they need to invest in the most critical projects in their communities. In some places, that may mean pandemic relief-related expenses still, eliminating hospital staffing shortages, and supporting more vaccinations. But in places where the need is simply not there, our bill gives these leaders the option to invest in things that are actually needed and that will have a lasting impact. That includes infrastructure projects like constructing bridges, extending railways, modernizing ports, and expanding access to broadband. It also includes disaster relief, which is a major need in many States across the country.

Both Texas and Kentucky, for example, have experienced devastating flooding in the last couple of months. Jackson, MS, is in the midst of a water crisis that has dragged on for weeks, with no end in sight. The Speaker's home State of California continues to battle destructive wildfires.

If this bill becomes law—again, it passed the Senate 100 to 0—State and local leaders will be able to put a portion of the COVID-19 relief dollars toward disaster relief. This is voluntary on their part. There is no requirement that they do so, but if they need it and they don't need it for COVID-19 purposes, then, we ought to give them the authority to use it. Again, these funds are already appropriated. So there is no worry about an inflationary appropriation of additional funds. Local leaders know their communities best, and they should be able to use this funding in a way that makes the most sense for them.

Senator PADILLA and I worked with our Senate colleagues and the White House to craft language that everyone could live with. We built broad bipartisan support for the bill, and it passed the Senate, as I said, 100 to 0. Once again, 8 months later, the House has done nothing. Speaker PELOSI, so far, has declined to let this bill pass even though it would support disaster relief in her own State and even though it passed by huge bipartisan majorities.

Those are just three of the bills that are stuck in the House that have passed the Senate.

The Senate has unanimously advanced legislation to support programs for those experiencing mental health crises, to provide tax relief to survivors of human trafficking, to equip law enforcement officials with the tools they

need to help people in mental health crises, to increase cross-border trade with Canada and Mexico, and to beef up security for cargo at ports of entry. There are bills to cut redtape, to increase payments to the child support program, and to ensure noncustodial parents have the opportunity to spend more time with their children.

Our colleagues have even refused to pass a bill naming the post office in Arlington, TX, after their late colleague and my friend Congressman Ron Wright. There is no particular reason for it. They just haven't done it, with no explanation.

All of these bills I have named are just a handful of the ones I have introduced that are waiting in House purgatory. Add in the long list of bills led by our colleagues on both sides of the aisle, and you have got a major legislative pileup in the House.

Unlike the Senate, the House has not been in continuous session, and the House is only scheduled to be in for 6 more weeks this year. Unless Speaker PELOSI allows movement on these commonsense bipartisan bills, we are going to have to start all over again come January. It is time to get these bills moving.

I know our colleagues in the House don't necessarily embrace all the legislation that is passed by the Senate, but when commonsense legislation passes with unanimity or broad bipartisan support, there just doesn't seem to be any excuse for not acting.

These aren't controversial bills. We are talking about preventing child sexual abuse, breaking the cycle of drug abuse, strengthening disaster relief, supporting people in crisis, and so much more.

As I said, these bills are just one step away from heading to the President's desk for his signature. So I implore Speaker PELOSI to please take up these Senate-passed bills and allow the House to vote on them, pass them, and send them to the President for his signature.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KING). Without objection, it is so ordered.

#### NOMINATION OF DAVID P. PEKOSKE

Ms. CANTWELL. Mr. President, I come to the floor today to ask my colleagues to vote on the nomination of Admiral David Pecoske to serve a second term as Administrator of the Transportation Security Administration.

We recently commemorated the anniversary of the 9/11 attacks and the 3,000 lives lost here in the United States when tragically the Pentagon was struck, downtown Manhattan, and

Shanksville, PA. In response to that, Congress created the TSA—Transportation Security Administration—to strengthen the Nation's security and our transportation system.

And every day that TSA works the frontlines to protect the traveling public, it is working to also prevent future attacks. It is safeguarding our Nation's infrastructure and certainly working every day to make sure that the flying public continues to move through a successful process.

TSA's mission lies in the commitment of professionals and highly skilled individuals. Admiral Pecoske's confirmation and continued leadership of this team will enable the TSA to further its ongoing and important mission.

Over the past two decades, the TSA has had to deal with many challenges: facing the continued threats of concealing weapons in shoes and underwear and even in soft drinks. And in 2010, the TSA began detecting explosives in electronics and countering attacks on the public side of airports.

Today, the landscape is even more sophisticated with state and nonstate actors and cyber attacks. Unique challenges posed to us during the COVID pandemic have made these challenges to the aviation security landscape even greater.

We know that we need to have continued experienced leadership. And Admirable Pecoske is well qualified for this position. He will continue to make transportation security and its modernization the Nation's No. 1 priority as it relates to the sector.

Each day, at over 430 airports across the country, TSA screens over 2 million passengers and 1.4 million checked bags for explosives and other dangerous items. This helps ensure the security for over 24,000 domestic flights and nearly 3,300 outbound international flights per day.

Security demands for the Agency are returning and every day are continuing to grow. Over the Labor Day weekend, TSA screened nearly 11 million people, or 3 percent more, over the corresponding period in 2019. In fact, TSA screened more people on 4 of the 5 days, from September 1 to 5, marking the first sustained period of checkpoint throughput during a holiday weekend above prepandemic levels.

So the traveling public is back, and, obviously, we need dedicated TSA officers and individuals to continue to work. We are not saying that there aren't improvements to that process—there certainly are—but TSA has been charged with a critical, obviously, responsibility to make sure that we continue to work to ensure the safety of our air transportation system.

Last year's ransomware attack on Colonial Pipeline threatened nearly 50 percent of the east coast's fuel supply. So we must harden all of our targets and make sure the TSA has leadership to make sure that they, too, are helping us address these emerging threats.

Admiral Pecoske's experience in leading TSA in these critical missions deserves support for renomination to this position again.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### INFLATION

Mr. HOEVEN. Mr. President, I rise today to discuss the harmful economic consequences Americans are seeing from President Biden's reckless tax-and-spend agenda. Earlier this week, the Bureau of Labor Statistics released the latest Consumer Price Index figures for the month of August, showing that inflation increased 8.3 percent compared to August 2021. Inflation has now exceeded 8 percent for 6 straight months. This persistent high inflation is causing price increases for American families at the grocery store, the gas pump, and for basic housing needs, leaving many Americans struggling to make ends meet.

Rather than getting government out of the way, increasing domestic energy production, securing our border, and taking meaningful action to reduce inflation, the Biden administration is instead doubling down on its failed economic policies. Gas prices are \$1.34 per gallon higher than when President Biden took office, and diesel fuel prices are even higher, at nearly \$2.40 per gallon more than January 2021. A gallon of diesel now costs more than \$5 a gallon.

Yet, last month, as followup to the massive \$2 trillion spending package from March 2021 that fueled the inflationary fire we are now dealing with, Democrats jammed through another package on a party-line vote, a tax-and-spend bill that imposes new energy taxes and Green New Deal-style subsidies that will only worsen our energy crisis and weaken our Nation's economic and national security.

Ironically, the so-called Inflation Reduction Act does nothing to reduce inflation. Analysis by economists at Penn Wharton School at the University of Pennsylvania, the Federal Reserve, Moody's Analytics, the Congressional Budget Office, and others, all agree that this bill will do nothing to help reduce inflation.

Meanwhile, the cost of food at the grocery store has increased 13.5 percent over the last 12 months—the largest 12-month increase since March 1979. Yet the Biden administration has done nothing to help alleviate these inflationary price increases on Americans.

This week, we neared the brink of another inflationary supply chain disaster as railroad unions threatened to go on strike. Obviously, shutting down freight rail movement throughout the country would be a huge disruption to

our economy. It cannot be overstated how significant a rail strike would be to our national supply chain. With fall harvest, particularly for my State, that is a huge concern, and it is vitally important that we avoid a rail strike.

On the energy front, North Dakota is a huge provider of energy for this Nation. So it is very important. Whether it is our energy producers or energy producers across this country, we need to empower our domestic energy production. We also need to get our debt and deficit under control. We need to help our farmers and ranchers produce the highest quality, lowest cost food supply in the world. We need to address the supply chain issues that continue to be disruptive to our economy and create more inflation.

The Biden administration needs to stop with the tax-and-spend agenda if we are to get this inflation under control.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### VOTE ON PEKOSKE NOMINATION

Mr. HOEVEN. Mr. President, I ask unanimous consent that the vote scheduled for 1:45 p.m. commence.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Pekoske nomination?

Mr. HOEVEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), the Senator from Iowa (Ms. ERNST), the Senator from Kansas (Mr. MORAN), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 77, nays 18, as follows:

[Rollcall Vote No. 338 Ex.]

#### YEAS—77

Baldwin	Coons	Kaine
Barrasso	Cornyn	Kelly
Bennet	Cortez Masto	Kennedy
Blumenthal	Crapo	King
Blunt	Duckworth	Klobuchar
Booker	Durbin	Leahy
Brown	Feinstein	Lujan
Burr	Fischer	Lummis
Cantwell	Gillibrand	Manchin
Capito	Graham	Markey
Cardin	Grassley	McConnell
Carper	Hassan	Menendez
Casey	Heinrich	Merkley
Cassidy	Hickenlooper	Murkowski
Collins	Hirono	Murphy

Murray	Sasse	Tillis
Ossoff	Schatz	Toomey
Padilla	Schumer	Van Hollen
Peters	Shaheen	Warner
Portman	Shelby	Warnock
Reed	Sinema	Warren
Risch	Smith	Whitehouse
Romney	Stabenow	Wicker
Rosen	Sullivan	Wyden
Rounds	Tester	Young
Sanders	Thune	

#### NAYS—18

Blackburn	Hawley	Lee
Boozman	Hoeven	Marshall
Braun	Hyde-Smith	Paul
Cotton	Inhofe	Rubio
Daines	Johnson	Scott (FL)
Hagerty	Lankford	Tuberville

#### NOT VOTING—5

Cramer	Ernst	Scott (SC)
Cruz	Moran	

The nomination was confirmed. (Mr. VAN HOLLEN assumed the Chair.)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action and the Senate will resume legislative session.

#### LEGISLATIVE SESSION

THE PRESIDING OFFICER. The Senate will now resume legislative session.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, I thank my colleagues from Oklahoma and Nebraska for letting us go forward.

In a few moments, I will file cloture on a measure that will get the Senate to approve the Kigali Amendment to the Montreal Protocol.

This important amendment, which already has been agreed to by 120 countries, will affirm our Nation's commitment to curb the use of dangerous hydrofluorocarbons, HFCs. These hypertoxic chemicals are regularly found, unfortunately, in everyday appliances from air conditioners to refrigerators.

In December of 2020, we passed the AIM Act, which took a drastic step to limit HFCs and was one of the most significant climate accomplishments ever, of course, until we passed the Inflation Reduction Act a month ago.

HFCs need to be dealt with as soon as possible because they are thousands—thousands—of times more damaging to our atmosphere than carbon dioxide. So this is a very important opportunity for the Senate to make official America's intention to phase these dangerous chemicals out of use.

Approving this amendment will require two-thirds of the Senate. Reduc-

ing our country's use of HFCs has been a bipartisan priority in the past, so both parties should work together to accelerate passage of this measure.

Also, I will file on the nomination of Judge Florence Pan to serve as a circuit court judge for the D.C. Circuit, one of the most important judicial appointments we can make. After the Supreme Court, the D.C. Circuit Court of Appeals is the most important Federal court in the country with jurisdiction over cases involving Congress and the entire executive branch. The judges who preside on the D.C. Circuit must be individuals of high character, unasailable qualifications.

A few months ago, we elevated someone who meets these standards when confirming Michelle Childs to the bench, and we intend to do it again with Judge Pan's nomination.

Looking ahead, confirming even more of the President's judicial nominees will be a priority for the Senate.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 1067.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 1067, Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Charles E. Schumer, Christopher Murphy, Tammy Baldwin, Tina Smith, Christopher A. Coons, Elizabeth Warren, Jeanne Shaheen, Jeff Merkley, Alex Padilla, Richard J. Durbin, Jack Reed, Gary C. Peters, Edward J. Markey, Sherrod Brown, Tim Kaine, Ben Ray Lujan, Mazie Hirono.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## AMENDMENT TO MONTREAL PROTOCOL (“KIGALI AMENDMENT”)

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 2, Treaty Document No. 117-1.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will state the treaty.

The senior assistant legislative clerk read as follows:

Calendar No. 2, Treaty Document, the Amendment to Montreal Protocol (“Kigali Amendment”).

Mr. SCHUMER. I ask unanimous consent that the treaty be considered as having advanced through the various parliamentary stages up to and including the presentation of the resolution of advice and consent to ratification.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Resolution of Advice and Consent to Ratification is as follows:

## TEXT OF RESOLUTION OF ADVICE AND CONSENT TO RATIFICATION

*Resolved (two-thirds of the Senators present concurring therein),*

## SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO A DECLARATION

The Senate advises and consents to the ratification of the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (“The Kigali Amendment”) (Treaty Doc. 117-1), subject to the declaration of section 2.

## SECTION 2. DECLARATION

The advice and consent of the Senate under section 1 is subject to the following declaration:

The Kigali Amendment is not self-executing.

## CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 2, Treaty Document No. 117-1, amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”) and a resolution of advice and consent to ratification with 1 declaration.

Charles E. Schumer, Robert Menendez, Tammy Baldwin, Christopher Murphy, Mazie Hirono, Martin Heinrich, Christopher A. Coons, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Alex Padilla, Brian Schatz, Patty Murray, Jacky Rosen, Edward J. Markey, Richard

Blumenthal, Angus S. King, Jr., Thomas R. Carper.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 15, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I ask unanimous consent that the filing deadline for first-degree amendments to Calendar No. 2, Treaty Document No. 117-1 be at 4 p.m. on Monday, September 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 1066, 1141, 1142, 1143, 1144; all nominations on the Secretary’s desk in the Foreign Service; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Geoffrey R. Pyatt, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Energy Resources); Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy. (New Position); Rolfe Michael Schiffer, of New York, to be an Assistant Administrator of the United States Agency for International Development; PATRICK LEAHY, of Vermont, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; JAMES E. RISCH, of Idaho, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations; and PN2170-1 FOREIGN SERVICE nominations (163) beginning Donald R. Alderman, and ending John M. Grondelski, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of May 19, 2022?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. SCHUMER. I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business with senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## SHIREEN ABU AKLEH

Mr. LEAHY. Madam President, on May 19, I echoed Secretary of State Blinken’s call for an “independent, credible investigation” of the violent death of widely respected Palestinian-American journalist Shireen Abu Akleh. At that time, several Members of Congress called for the FBI to be involved, as did I. That would be customary and appropriate after a tragedy like this involving a prominent American killed overseas under questionable circumstances.

Secretary Blinken later said, and I agree, that “[w]hen that investigation happens, we will follow the facts, wherever they lead. It’s as straightforward as that.”

Unfortunately, there has been no independent, credible investigation. Two weeks ago, without providing any details, the Israeli Government, after first blaming the Palestinians for Ms. Abu Akleh’s death, stated that she was likely shot, by mistake, by an unnamed Israeli soldier. The State Department has concluded that gunfire from Israeli Defense Force—IDF—positions was likely responsible, but that there was “no evidence to indicate her killing was intentional.” The Department acknowledges that conclusion was not the result of an investigation, but rather a review of information provided by the IDF and the Palestinian Authority—PA. We are told that “the Administration continues to believe that cooperation among Israel, the Palestinian Authority, and the U.S. Security Coordinator (USSC) is the best path to support a thorough, transparent, and impartial investigation.”

No one can credibly think that the PA, which does not have access to the IDF soldier who likely fired the bullet that killed Ms. Abu Akleh or to other IDF personnel who may have information about it, or Israel which has a history of investigations of shootings by IDF soldiers that rarely result in accountability, can be completely relied on to determine and make public all the facts of what happened in this case. The USSC, echoing the conclusion of the IDF, apparently did not interview any of the IDF soldiers or any other witnesses. To say that fatally shooting an unarmed person, and in this case one with “PRESS” written in bold letters on her clothing, was not intentional, without providing any evidence to support that conclusion, calls into question the State Department’s commitment to an independent, credible investigation and to “follow the facts.”

More than 3 months later, key questions remain unanswered.

Other than reviewing the investigations conducted by the IDF and the PA, did the USSC review any of the evidence collected from other investigations, including those conducted by the New York Times, the Washington Post, CNN, the Associated Press, or the Office of the United Nations High Commissioner for Human Rights? If so, which of those other investigations did

the USSC review and what conclusions, if any, did the USSC reach with respect to those investigations?

What specific evidence led to the USSC's conclusion "that there is no reason to believe that this was intentional but rather the result of tragic circumstances"?

What were the "tragic circumstances" the USSC was referring to?

If the soldier who fired the fatal shot did not intend to kill Ms. Abu Akleh, what did he intend?

If, as the Israeli authorities appear to be saying, the soldier missed who he was aiming at and hit Ms. Abu Akleh by mistake, who was he aiming at? What evidence is there, if any, that anyone in the immediate vicinity of where Ms. Abu Akleh was shot was firing at the IDF soldier who killed her?

What steps will the State Department take to ensure the independent, credible investigation the Secretary, and many others, have called for?

What steps has the State Department taken to determine whether the Leahy Law applies in this case?

On July 5, the Department spokesperson said "we would want to see accountability in any case of a wrongful death. That would especially—and is especially the case in the wrongful death of an American citizen, as was Shireen Abu Akleh." What steps does the Department plan to take to ensure such accountability?

I have also urged Israeli authorities to discipline those who were responsible for, and participated in, the chaos that erupted during Ms. Abu Akleh's funeral procession, when Israeli police needlessly beat mourners with batons, including the pallbearers, causing them to momentarily drop one end of the casket. Has anything been done?

There is an increasing foreboding that, as in so many other cases and like the murder of Jamal Khashoggi, there will never be the independent, credible investigation and accountability that Ms. Abu Akleh's family, the Secretary of State, I, and others have called for. That would further jeopardize the safety of journalists everywhere who courageously risk their lives to inform the public. An independent, credible investigation—meaning not by the IDF and not by the PA—but with their full cooperation, must be conducted and the findings made public. Whether her killing was intentional, reckless, or a tragic mistake, there must be accountability. And if it was intentional, and if no one is held accountable, then the Leahy Law must be applied.

#### VOTE EXPLANATION

Mr. PETERS. Madam President, while returning to Washington, DC, on September 12, my flight was temporarily grounded by inclement weather, delaying my return to Washington, DC. As a result, I was unable to attend the vote on the motion to invoke cloture

on Executive Calendar No. 1043, Arianna J. Freeman, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

I would have voted yea on the confirmation had I been able to attend the vote.

#### REMEMBERING JODIE FINGLAND

Mrs. MURRAY. Madam President, I rise today to recognize and honor the life of Jodie Fingland, a dedicated public servant who passed away on September 4 after battling a long illness.

Jodie devoted her life's work to expanding educational opportunities for students across the country, and she will be remembered for her wonderful, caring personality. I join my staff and so many others who had the privilege of knowing and working with Jodie through her tireless work at the Department of Education in mourning her passing and remembering her life.

Over the years, Jodie held many different positions at the Department of Education in the Obama administration. She served as chief of staff, deputy assistant secretary, and principal adviser for legislative affairs all in the Office for Legislation and Congressional Affairs, and worked closely with the Senate and House in these roles.

Whether briefing Members of Congress, preparing the Secretary for a committee hearing, or providing strategic advice to senior managers at the Department, Jodie was known for being kind, calm, and extremely knowledgeable. She was particularly known for her skill in higher education policy.

Jodie dedicated her career to the advancement and improvement of education for all, and her work impacted so many students, educators, and families across the country. She will be remembered fondly.

#### REMEMBERING MARGARET "MEGAN" MICHAEL DEBRANSKI KELHART

Mr. BARRASSO. Madam President, I rise today to honor the life of Margaret "Megan" Michael Debranski Kelhart. Megan passed away on August 19, 2022, after a heroic battle with cancer.

Megan spent her career as a dedicated public servant. Megan most recently worked as head of congressional and legislative affairs for the Bureau of Reclamation. Prior to that, she worked for the U.S. Fish and Wildlife Service and the U.S. Senate. In these roles, she worked with nearly every congressional office.

Megan was born on December 2, 1975, in Norfolk, VA. In 1994, Megan graduated from Lakeland High School where she excelled as a student and was a standout tennis player on a State champion tennis team. She was also a cheerleader, school band member, and prom queen. Megan later studied political science at Virginia Tech, where she was an active member of the Alpha

Chi Omega sorority and later received her master of science degree in natural resources.

In 2001, Megan met her husband Matthew, while playing in the Senate summer softball league. The couple married in October of 2003. Together, they enjoyed college football and travelling the world together. In 2009, Megan and her husband welcomed their son, Matteson Michael Donnan Kelhart.

Megan is survived by her husband Matthew and their son Matteson of Alexandria, VA; father Dr. Michael Debranski and mother Margaret Debranski of Suffolk, VA; grandmother Margaret Beamon of Suffolk, VA; father-in-law and his wife Joseph and Lily Kelhart of Bethlehem, PA; and mother-in-law and her husband Terri and Joseph Costa of Perkasio, PA; and many other loved ones.

I ask our colleagues to join us in honoring the life of Margaret "Megan" Michael Debranski Kelhart.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING HEARTLAND CHIA

• Mr. PAUL. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Heartland Chia of Franklin, KY, as the Senate Small Business of the Week.

Chris Kummer's small business was founded on an idea that virtually no one thought possible: successful chia crops planted and harvested in the United States. But as a fifth-generation farmer, Mr. Kummer is no stranger to the challenges posed by mother nature. Thus, with decades of farming experience under his belt and a tireless dedication to his crops, Mr. Kummer has turned this once crazy idea into a thriving business. Founded in 2012, Heartland Chia develops and markets locally grown chia to buyers across the country. Chris's wife, Jill Kummer, joins her husband at the helm of their business, handling most of the marketing and administrative duties while her husband works with the crop directly in the field. Together, the Kummers are proud to be the only chia seed growers in the U.S.A., a tremendous feat that adds to the biodiversity of Kentucky's burgeoning agricultural industry.

Mr. Kummer will be the first to tell you that his business would not be possible had it not been for the visionary researchers at the University of Kentucky College of Food, Agriculture, and Environment. Since his great-grandfather planted his first crop on their family farm in 1889, the Kummers have grown crops traditional to the Midwestern U.S., such as soy, wheat, and corn. It never occurred to them to plant chia as the plant requires a very



long summer in order to grow and produce seed, meaning that most of the world's chia plants are grown in regions near the equator, such as Central America. Farmers everywhere took it for granted that this plant could not be grown north of the U.S.-Mexico border, but the breeding program over at the University Kentucky sought to change that. Over a period spanning 6 to 8 years, researchers Dr. David Hildebrand and Dr. Tim Phillips, both plant and soil scientists, used decades old breeding methods to create a new strain of chia that would flower earlier in the year, allowing the crop to survive in less temperate climates than those near the equator. Once the scientists created a product they were confident in, they were careful in selecting a steward for their new "Early Flowering" chia seed. Dr. Hildebrand knew Chris Kummer from his days as a student at UK and knew of his farming background; therefore he immediately came to mind.

In 2011, Dr. Phillips and Dr. Hildebrand gave Mr. Kummer half the world's seed supply of this new strain of chia. In the first year of planting, the Kummers lost most of their chia crops, as they and the researchers over at University of Kentucky were still learning best practices for growing this new crop. But through the persistence instilled in him from his farmer forebears, Chris and his wife absorbed as much knowledge as they could from this first planting season and put it to the test the next year. By the end of their second planting season, the Kummers had already entered into commercial production. The success of this second season led UK to purchase a patent for the seed, ensuring that it only be used for benefit of American farmers, domestic food manufacturers, and domestic consumers.

Today, Heartland Chia works with several farmers across four different States that all use the Kummer's chia for manufacturing processes. By producing this previously ungrowable plant in the U.S., the Kummers have not only added to the biodiversity of the State, they have created a reliable source of what is now widely considered "a superfood." In a recent publication, the Mayo Clinic listed chia as one of the few foods truly deserving the distinction of "superfood" due its long list of health and nutritional benefits. Given this growth in consumer demand, it was only natural that Mr. Kummer would embark on this experimental journey with the support of his family, University of Kentucky scientists, as well as food manufacturers seeking top-quality chia.

Chris has been celebrated for his innovative spirit as several food companies encouraged him to pursue this unlikely feat of growing chia on American soil. Chris has fulfilled a need within the U.S. market as many food suppliers lacked a reliable source for top quality chia seeds. After overcoming the odds, the Kummers con-

tinued to grow and produce their own chia and market their products direct to consumers and to food suppliers alike. Not only are they doing a great service to the economy and ecology of Kentucky, they are spreading the good word about an unlikely food that greatly bolsters our body's health. Through persistence and dedication, the Kummers have made their dream a reality, to the great benefit of Kentucky and beyond. Congratulations to Chris and Jill Kummer, along with the entire team at Heartland Chia. I thank you for your innovative outlook and entrepreneurial spirit, and I look forward to seeing your continued growth and success in Kentucky.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3103. An act to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title.

S. 4785. An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

H.R. 5754. An act to amend title 38, United States Code, to improve the ability of veterans to electronically submit complaints about the delivery of health care services by the Department of Veterans Affairs.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 12:22 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 442. An act to amend title 40, United States Code, to require the Administrator of General Services to procure the most life-cycle cost effective and energy efficient lighting products and to issue guidance on the efficiency, effectiveness, and economy of those products, and for other purposes.

S. 2293. An act to amend the Robert T. Stafford Disaster Relief and Emergency As-

sistance Act to provide certain employment rights to reservists of the Federal Emergency Management Agency, and for other purposes.

S. 4205. An act to require the Administrator of the Federal Emergency Management Agency to establish a working group relating to best practices and Federal guidance for animals in emergencies and disasters, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 884. An act to direct the Secretary of Transportation to establish a national aviation preparedness plan for communicable disease outbreaks, and for other purposes.

H.R. 1468. An act to amend title 40, United States Code, to eliminate the leasing authority of the Securities and Exchange Commission, and for other purposes.

H.R. 3173. An act to amend title XVIII of the Social Security Act to establish requirements with respect to the use of prior authorization under Medicare Advantage plans, and for other purposes.

H.R. 5774. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that unmet needs after a major disaster are met.

H.R. 5865. An act to designate the facility of the United States Postal Service located at 4110 Bluebonnet Drive in Stafford, Texas, as the "Leonard Scarcella Post Office Building".

H.R. 5916. An act to amend title 38, United States Code, to allow for the electronic request of certain records, and for other purposes.

H.R. 7735. An act to direct the Secretary of Veterans Affairs to update the appraisal requirements for certain loans guaranteed by the Department of Veterans Affairs, and for other purposes.

H.R. 7846. An act to increase, effective as of December 1, 2022, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 7939. An act to make permanent certain educational assistance benefits under the laws administered by the Secretary of Veterans Affairs in the case of changes to courses of education by reason of emergency situations, and for other purposes.

H.R. 8260. An act to amend title 38, United States Code, to shorten the timeframe for designation of benefits under Department of Veterans Affairs life insurance programs, to improve the treatment of undisbursed life insurance benefits by the Department of Veterans Affairs, and for other purposes.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 15, 2022, she had presented to the President of the United States the following enrolled bills:

S. 3103. An act to amend title 18, United States Code, to eliminate the statute of limitations for the filing of a civil claim for any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of such title.

S. 4785. An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund.

EXECUTIVE AND OTHER  
COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5013. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural eConnectivity Program" received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5014. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticides; Certification of Pesticide Applicators; Further Extension to Expiration Date of Certification Plans" ((FRL No. 9134.1-04-OCSPP) (RIN2070-AL01)) received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5015. A communication from the Director of Rural Development, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Single Family Housing Guaranteed Loan Programs" (RIN0575-AD22) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5016. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child Nutrition Programs: Transitional Standards for Milk, Whole Grains, and Sodium; Correction" (RIN0584-AE81) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5017. A communication from the Acting Director of the Regulations Development Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes to Accreditation of Non-Federal Analytical Testing Laboratories" (RIN0583-AD70) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5018. A communication from the Acting Director of the Regulations Development Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rescission of Dual Labeling Requirements for Certain Packages of Meat and Poultry" (RIN0583-AD70) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5019. A communication from the Director of the Regulations Management Division, Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Notice of Funding Opportunity for the Higher Blends Infrastructure Incentive Program (HBIIIP) for Fiscal Year 2022" received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 4553. A bill to extend other transaction authority for the Department of Homeland Security (Rept. No. 117-149).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 4428. A bill to support the security of Taiwan and its right of self-determination, and for other purposes.

S. 4653. A bill to provide for certain authorities of the Department of State, and for other purposes.

EXECUTIVE REPORTS OF  
COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit.

Dana M. Douglas, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Anne M. Nardacci, of New York, to be United States District Judge for the Northern District of New York.

Jerry W. Blackwell, of Minnesota, to be United States District Judge for the District of Minnesota.

Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Kevin G. Ritz, of Tennessee, to be United States Attorney for the Western District of Tennessee for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. REED (for himself, Ms. CORTEZ MASTO, and Ms. WARREN):

S. 4857. A bill to amend the Securities Exchange Act of 1934 to require companies to file public reports after meeting certain quantitative thresholds, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARSHALL:

S. 4858. A bill to amend the Controlled Substances Act to require electronic communication service providers and remote computing services to report to the Attorney General the unlawful sale and distribution of controlled substances; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. PETERS, Mr. GRASSLEY, Ms. SINEMA, Mr. TILLIS, Mrs. FEINSTEIN, and Mr. CRUZ):

S. 4859. A bill to reauthorize the Project Safe Neighborhoods Grant Program Authorization Act of 2018, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 4860. A bill to provide for the establishment of a grazing management program on

Federal land in Malheur County, Oregon, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROUNDS (for himself, Mr. HOEVEN, Mr. MARSHALL, and Mr. CRAMER):

S. 4861. A bill to amend title 49, United States Code, to exempt employees in certain farm-related service industries and employees of State, local, and Tribal governments from entry-level driver training requirements for operating a commercial motor vehicle and allow States to issue restricted commercial driver's licenses to owners and employees of certain small businesses, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ROSEN (for herself and Mr. BOOZMAN):

S. 4862. A bill to establish a commission on long-term care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Ms. DUCKWORTH, Ms. HIRONO, Mrs. SHAHEEN, and Ms. ROSEN):

S. 4863. A bill to amend the Small Business Act to improve the Women's Business Center Program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. KAINÉ (for himself and Mr. WARNER):

S. 4864. A bill to amend the Natural Gas Act to bolster fairness and transparency in the consideration of interstate natural gas pipeline permits, to provide for greater public input opportunities in the natural gas pipeline permitting process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUJÁN (for himself, Mr. MERKLEY, Mr. HEINRICH, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 4865. A bill to establish the Foundation for Digital Equity, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN (for himself and Mr. BOOKER):

S. 4866. A bill to establish a program to address sickle cell disease and other heritable hemoglobinopathies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, Mr. CASEY, Mr. PADILLA, Mr. VAN HOLLEN, Mr. BOOKER, Ms. BALDWIN, Mr. REED, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. MARKEY, Mr. KELLY, and Ms. DUCKWORTH):

S. 4867. A bill to provide enhanced student loan relief to educators; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 4868. A bill to provide support and assistance to unborn children, pregnant women, parents, and families; to the Committee on Finance.

By Mr. LEE (for himself, Ms. LUMMIS, and Mr. BRAUN):

S. 4869. A bill to index certain thresholds for inflation; to the Committee on Finance.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 4870. A bill to approve the settlement of the water right claims of the Tule River Tribe, and for other purposes; to the Committee on Indian Affairs.

By Ms. BALDWIN (for herself and Ms. COLLINS):

S. 4871. A bill to establish an office to coordinate work relating to behavioral health crisis care and to improve the National Suicide Prevention Lifeline program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. SMITH):

S. 4872. A bill to establish a permanent rural housing preservation and revitalization program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself, Ms. COLLINS, Ms. BALDWIN, and Ms. KLOBUCHAR):

S. 4873. A bill to amend title XVIII of the Social Security Act to waive cost-sharing for advance care planning services, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. YOUNG):

S. 4874. A bill to establish an Early Federal Pell Grant Commitment Program; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BLACKBURN (for herself and Mr. HAGERTY):

S. 4875. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to establish a grant program for law enforcement agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. COTTON, Mr. SCOTT of Florida, Mr. HAGERTY, Mr. WICKER, Ms. ERNST, Mr. CASSIDY, Mr. CORNYN, Mr. BRAUN, Mr. CRUZ, Mr. HAWLEY, Mrs. BLACKBURN, and Mrs. HYDE-SMITH):

S. 4876. A bill to punish the distribution of fentanyl resulting in death as felony murder; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself and Mr. DAINES):

S. 4877. A bill to amend Public Law 91-378 to authorize activities relating to Civilian Conservation Centers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 4878. A bill to amend title VI of the Social Security Act to improve the Local Assistance and Tribal Consistency Fund, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Mr. MURPHY, Mr. COONS, and Mr. PORTMAN):

S. Res. 765. A resolution designating October 8, 2022, as "National Hydrogen and Fuel Cell Day"; to the Committee on the Judiciary.

By Ms. HASSAN (for herself, Mrs. CAPITO, and Mr. CASEY):

S. Res. 766. A resolution supporting the designation of September 16, 2022, as "National Concussion Awareness Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN):

S. Res. 767. A resolution designating the week beginning September 11, 2022, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. CRAPO (for himself, Mrs. FEINSTEIN, Mr. RISCH, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. PADILLA, and Mr. WHITEHOUSE):

S. Res. 768. A resolution recognizing and supporting the goals and ideals of National Forensic Science Week; considered and agreed to.

By Mr. CASEY (for himself, Mr. MENENDEZ, and Mr. TOOMEY):

S. Res. 769. A resolution honoring the athletic career and humanitarian and civic work of Roberto Enrique Clemente Walker, Sr., on the 50th anniversary of his 3,000th regular season hit; to the Committee on the Judiciary.

By Mrs. BLACKBURN:

S. Res. 770. A resolution commemorating September 17, 2022, as "Constitution Day" and celebrating the signing of the Constitution; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 642

At the request of Ms. BALDWIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 642, a bill to protect the rights of passengers with disabilities in air transportation, and for other purposes.

S. 828

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 885

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 885, a bill to establish a rural postsecondary and economic development grant program.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2014

At the request of Ms. WARREN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2014, a bill to permit legally married same-sex couples to amend their filing status for tax returns outside the statute of limitations.

S. 2215

At the request of Ms. STABENOW, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 2215, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 2242

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2242, a bill to prohibit

commercial sexual orientation conversion therapy, and for other purposes.

S. 2559

At the request of Mr. PORTMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2559, a bill to establish the National Deepfake and Digital Provenance Task Force, and for other purposes.

S. 2706

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2706, a bill to improve diversity in clinical trials and data collection for COVID-19 and future public health threats to address social determinants of health.

S. 2753

At the request of Mr. PADILLA, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 2753, a bill to amend the Immigration and Nationality Act to authorize lawful permanent resident status for certain college graduates who entered the United States as children, and for other purposes.

S. 3013

At the request of Ms. ERNST, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3013, a bill to require the evaluation and standardization of suicide prevention efforts by the Department of Defense, and for other purposes.

S. 3161

At the request of Mrs. BLACKBURN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3161, a bill to require the Secretary of Defense to carry out a pilot program to supplement the Transition Assistance Program of the Department of Defense.

S. 3295

At the request of Ms. SMITH, the names of the Senator from Delaware (Mr. COONS), the Senator from New Mexico (Mr. LUJAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Massachusetts (Ms. WARREN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3295, a bill to increase access to pre-exposure prophylaxis to reduce the transmission of HIV.

S. 3357

At the request of Mr. BOOKER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3357, a bill to substantially restrict the use of animal testing for cosmetics.

S. 3538

At the request of Mr. GRAHAM, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3538, a bill to establish a National Commission on Online Child Sexual Exploitation Prevention, and for other purposes.

S. 3909

At the request of Mr. KAINE, the names of the Senator from Vermont

(Mr. LEAHY) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3909, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 4168

At the request of Mr. PORTMAN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 4168, a bill to amend title 54, United States Code, to reauthorize the National Park Foundation.

S. 4202

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4202, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 4203

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 4203, a bill to extend the National Alzheimer's Project.

S. 4254

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4254, a bill to amend the Lobbying Disclosure Act of 1995 to clarify a provision relating to certain contents of registrations under that Act.

S. 4360

At the request of Mr. OSSOFF, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 4360, a bill to amend title 37, United States Code, to extend the authority to temporarily adjust the basic allowance for housing in certain areas.

S. 4466

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 4466, a bill to amend the Peace Corps Act by reauthorizing the Peace Corps, providing better support for current, returning, and former volunteers, and for other purposes.

S. 4516

At the request of Ms. ERNST, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 4516, a bill to require the Office of Federal Procurement Policy to develop governmentwide procurement policy and guidance to mitigate organizational conflict of interests relating to national security and foreign policy, and for other purposes.

S. 4524

At the request of Mrs. GILLIBRAND, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from California (Mrs. FEINSTEIN), the Senator from Georgia (Mr. OSSOFF), the Senator from New Jersey (Mr. BOOKER), the Senator from Texas (Mr. CORNYN), the Senator from Iowa (Mr.

GRASSLEY), the Senator from California (Mr. PADILLA) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 4524, a bill to limit the judicial enforceability of predispute nondisclosure and non-disparagement contract clauses relating to disputes involving sexual assault and sexual harassment.

S. 4561

At the request of Mr. WARNOCK, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 4561, a bill to direct the Secretary of Defense to seek to enter into an agreement with an entity to conduct a study and produce a report on barriers to home ownership for members of the Armed Forces.

S. 4605

At the request of Ms. STABENOW, the names of the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4605, a bill to amend title XVIII of the Social Security Act to ensure stability in payments to home health agencies under the Medicare program.

S. 4718

At the request of Mr. BLUNT, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 4718, a bill to direct the Secretary of Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes.

S. 4854

At the request of Mrs. BLACKBURN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 4854, a bill to amend title 36, United States Code, to repeal the Federal charter of the National Education Association.

S.J. RES. 61

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S.J. Res. 61, a joint resolution to provide for the resolution of issues in a railway labor-management dispute, and for other purposes.

S. CON. RES. 10

At the request of Ms. STABENOW, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Con. Res. 10, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 183

At the request of Mr. WYDEN, the names of the Senator from Colorado (Mr. HICKENLOOPER) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. Res. 183, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 754

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 754, a resolution designating November 13, 2022, as "National Warrior Call Day" in recognition of the importance of connecting warriors in the United States to support structures necessary to transition from the battlefield.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. CORTEZ MASTO, and Ms. WARREN):

S. 4857. A bill to amend the Securities Exchange Act of 1934 to require companies to file public reports after meeting certain quantitative thresholds, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, today, I am joined by Senator CORTEZ MASTO in introducing the Private Markets Transparency and Accountability Act, a bill that will address a disturbing trend in our capital markets. Increasingly, some of America's largest and most important companies are exploiting weaknesses in our securities laws to stay or go dark; that is, they are avoiding requirements to enter the public markets, where disclosure and transparency are required under law. Instead, they are remaining indefinitely in the private markets, where there is less visibility into the health and activities of the company.

Why should average Americans care? First, they are invested in these companies through pension plans and mutual funds. Second, transparency is the lifeblood of fair and efficient markets. And third, these companies have incredible influence over our society and way of life.

This legislation will address this disturbing trend by requiring the Nation's largest and most important private companies to register with the Securities and Exchange Commission, SEC. Requiring registration would put these companies on par with publicly traded corporations with regard to ongoing public disclosure about their business practices and financial condition.

The most significant development in the capital markets over the last decade has been the explosive growth of the private markets. According to consulting firm McKinsey, annual private market fundraising reached a record of almost \$1.2 trillion worldwide in 2021 up from \$380 billion in 2011. More money has been raised in the private markets than in the public markets each year over the past 10 years. Many large companies find the allure of virtually no public transparency or oversight that is available in the private markets irresistible. Under current law, they find that it is all too easy to stay private forever.

Under the Securities Exchange Act of 1934, Exchange Act, a private company

must register with the SEC after reaching 2,000 shareholders “of record.” But this requirement is easily circumvented because a single Wall Street broker or bank, which holds securities on behalf of thousands of underlying investors, is counted as one recordholder. The SEC estimates that under this threshold, 89 percent of public companies could choose to transition to the private markets and go dark tomorrow.

This threshold desperately needs reform. Former SEC Chairman Mary Schapiro has testified before the Banking Committee that “since the definition of ‘held of record’ was put into place, a fundamental shift has occurred in how securities are held in the United States.” And Harvard Law Professor John Coates recently testified before the committee that “there is much to be said for revisiting the thresholds that are built into the [Exchange] Act, thinking about them in a different way, [and] not simply counting numbers.”

It should be alarming when private companies can become extremely large and influential in our economy and raise unlimited amounts of capital from an unlimited number of investors, while circumventing the basic disclosure and governance requirements that Congress sought to apply. That is what is happening today. A central feature of the Exchange Act has effectively been gutted.

Again, these are not small or inconsequential companies. Former SEC Commissioner Allison Herren Lee has observed that very large private companies are “notable not just for their size, but for their transformational impacts on our way of life. They have, for example, changed the transportation and travel habits of millions across the globe, spawned billions of dollars in litigation, changed the legal underpinnings of entire markets, and launched civilians into space. Yet, despite their outside impact, there is little public information available about their activities. They are not required to file periodic reports or make the disclosures required in proxy statements. They are not even required to obtain, much less distribute, audited financial statements. This has consequences for investors and policymakers alike, which in turn may have consequences for the broader economy.”

The Private Markets Transparency and Accountability Act would restore the Exchange Act in order to provide the public with the essential insight it needs to make informed decisions. Under our legislation, private companies would be required to register with the SEC if they either reach a valuation of \$700 million, excluding shares held by affiliates, or have at least 5,000 employees and \$5 billion in revenues. These companies would enter the public disclosure system that Congress established in the Exchange Act and would have powerful incentives to conduct public stock offerings and list their shares on stock exchanges.

Our legislation would provide momentum and-pop investors in the private markets with nearly all of the same protections that they are entitled to in the public markets. Pension plans that invest in companies through private equity funds would finally be able to obtain basic information about those companies, such as their audited financial statements, and employees who get compensated with company stock and options would be able to determine the true value of their shares. They would no longer need to fly blind when deciding whether to take another job and face the potentially enormous financial consequences of relinquishing their stock or options.

By mandating that very highly valued or large companies register with the SEC, our legislation would raise the bar on governance for companies that control huge swaths of our economy. The ability to stay private forever has directly led to the dramatic rise of “unicorns,” or private companies with at least a \$1 billion valuation. At the start of December 2021, the United States had nearly 473 unicorns. Some of these unicorns have been plagued by scandals and toxic cultures, without needing to comply with governance requirements for public companies designed to curb waste and force management accountability. Still others have been exposed as outright frauds. In these situations, investors suffer losses while fund managers keep their fees and company executives keep their bonuses. Arguably, greater transparency would have protected investors from unnecessary losses. Indeed, some unicorns that received sky-high valuations in the opaque private markets saw those valuations tumble when they faced the discipline and scrutiny that comes with public market transparency.

Finally, our legislation helps markets allocate capital more efficiently. When risks are obscured in dark corners of our markets, then capital may not be directed towards the most deserving companies. When similar companies in similar industries of similar size are subject to wildly different disclosure requirements, market participants have less information to value those companies. That means the shares of many public companies may not be accurately priced. Without accurate prices, retail investors cannot have confidence that they are getting reasonable returns on their hard-earned savings.

Our capital markets depend on disclosure and transparency. As more companies remain private indefinitely or go dark, we lose those features and weaken the foundational strengths of our economy. We need to restore these bedrock requirements and ensure that they apply to all major companies whether they are in the private or the public markets.

I thank the bill’s supporters, including the AFL-CIO, the Consumer Federation of America, the North Amer-

ican Securities Administrators Association, the Healthy Markets Association, Public Citizen, former SEC Commissioner Robert J. Jackson, Columbia Law Professor John Coffee, and Harvard Law Professor John Coates.

I would like to thank Senator CORTEZ MASTO for working with me on this legislation, and I urge our colleagues to join us in supporting the Private Markets Transparency and Accountability Act.

By Mr. KAINÉ (for himself and Mr. WARNER):

S. 4864. A bill to amend the Natural Gas Act to bolster fairness and transparency in the consideration of interstate natural gas pipeline permits, to provide for greater public input opportunities in the natural gas pipeline permitting process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. KAINÉ. Mr. President, today I am introducing a bill to make the process of siting natural gas pipelines fairer, more transparent, and more responsive to landowner concerns.

For some time now, I have been listening to Virginians with passionate views on the process involved in permitting the Mountain Valley Pipeline, as well as the previous proposal for the Atlantic Coast Pipeline. For various reasons, many oppose one or both of these projects, while others support these projects. The Federal Energy Regulatory Commission, FERC, is tasked with analyzing all the issues—purpose and need for a project, impacts on people living on the route, potential risks to the environment or property—and deciding what course best serves the public interest.

From listening to all sides, I have concluded that while reasonable people may reach different conclusions, FERC’s public input process is flawed and could be better. Accordingly, this legislation proposes several steps to address several shortcomings, all of which were originally brought to my attention by Virginia constituents. For instance, this bill requires programmatic analysis of pipelines proposed around the same time and in the same geographic vicinity so that the full impacts of multiple projects can be analyzed. It requires a greater number of public comment meetings so that citizens are not required to commute long distances to meetings at which they must speed through just a few minutes of remarks on these complex topics. It ensures that affected landowners are given proper notice and compensation. It guarantees that landowner complaints will be heard before construction commences, and it clarifies the circumstances under which eminent domain should and should not be used.

I am pleased to be joined by my colleague Senator MARK WARNER on this bill, which is an update to a version we introduced in the 116th Congress. The public deserves reasonable opportunity



to weigh in on energy infrastructure projects, and we are heeding calls by our constituents to make this process fairer and more transparent without mandating a particular outcome.

I encourage the Senate to consider this legislation, not to pave the way for pipelines nor to throw up insurmountable roadblocks to them but to give the public greater certainty that the Federal Government's infrastructure decisions are fair and transparent.

By Mr. PADILLA (for himself and Mrs. FEINSTEIN):

S. 4870. A bill to approve the settlement of the water right claims of the Tule River Tribe, and for other purposes; to the Committee on Indian Affairs.

Mr. PADILLA. Mr. President, I rise to introduce the Tule River Tribe Reserved Water Rights Settlement Act of 2022. This legislation would finalize this multidecade effort by the Tule River Tribe to provide clean drinking water to their people and uphold the Federal Government's trust and treaty responsibilities.

The Tule River people are descendants of the Yokuts Indians, a large group of Native Americans who occupied what is now known as the San Joaquin Valley in California for thousands of years prior to contact with settlers.

In 1856, the Federal Government established their reservation in Tulare County, with the specific goal of providing the Tribe with arable farmland and the water resources necessary to establish self-sufficiency. However, their land was fraudulently stolen from them, and in 1873, President Grant issued an Executive order to create a new reservation for the tribe. This land, which is the Tribe's current reservation, is comprised of mostly mountainous lands that do not provide sufficient irrigation opportunities or water storage facilities. Today, the Tule River Tribe struggles to provide clean drinking water to their people, and Tule Tribal citizens suffer from a low standard of living as a result.

Since 1971, the Tribe has worked to establish its federally reserved water rights to create the viable homeland they were promised and to ensure that their citizens have enough water to meet their current and future water needs. For decades, the Tribe has worked with the Departments of the Interior and Justice as well as downstream water users to advance a settlement agreement, thereby avoiding costly litigation for both the Tribe and the U.S. Government.

I am proud to introduce this legislation to quantify the Tribe's water right of 5,828 acre-feet per year of surface water and fund \$568 million towards the construction of a water storage project. Our legislation would also codify what is known as the 2007 Agreement with downstream water users, who support this legislation. Finally, the legislation would transfer approxi-

mately 9,000 acres of Federal land currently in the Sequoia National Monument to allow the Tribe to protect the watershed headwaters and 800 acres of grazing land to the north and south of the reservation boundary.

It is long past time for the Federal Government to live up to its trust and treaty responsibilities to the Tule River Tribe. We must codify this water settlement and settle the Tule River Tribe's claims against the United States. Access to clean drinking water now and in the future is essential to the continued strength of Tribal nations and to ensuring the sustainability and viability of future generations.

Water is a sacred and necessary resource for Tribal nations and for all people. As California and the West continue to experience a historic megadrought, enactment of our legislation would provide water security to Tule River citizens now and into the future.

I thank Senator FEINSTEIN for introducing this legislation with me in the Senate. I would also like to thank the Tule River Tribe for their decades of hard work to finalize this settlement and the downstream water users, including the Tule River Association and the South Tule Independent Ditch Company, for working with the Tribe to settle this issue and avoid litigation.

I look forward to working with my colleagues to enact the Tule River Tribe Reserved Water Rights Settlement Act of 2022 as quickly as possible.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 765—DESIGNATING OCTOBER 8, 2022, AS "NATIONAL HYDROGEN AND FUEL CELL DAY"

Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Mr. MURPHY, Mr. COONS, and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 765

Whereas hydrogen, which has an atomic mass of 1.008, is the most abundant element in the universe;

Whereas the United States is a world leader in the development and deployment of fuel cell and hydrogen technologies;

Whereas hydrogen fuel cells played an instrumental role in the United States space program, helping the United States achieve the mission of landing a man on the Moon;

Whereas private industry, Federal and State governments, national laboratories, and institutions of higher education continue to improve fuel cell and hydrogen technologies to address the most pressing energy, environmental, and economic issues of the United States;

Whereas fuel cells utilizing hydrogen and hydrogen-rich fuels to generate electricity are clean, efficient, safe, and resilient technologies being used for—

(1) stationary and backup power generation; and

(2) zero-emission transportation for light-duty vehicles, industrial vehicles, delivery

vans, buses, trucks, trains, military vehicles, marine applications, and aerial vehicles;

Whereas stationary fuel cells are being placed in service for continuous and backup power to provide businesses and other energy consumers with reliable power in the event of grid outages;

Whereas stationary fuel cells can help reduce water use, as compared to traditional power generation technologies;

Whereas fuel cell electric vehicles that utilize hydrogen can completely replicate the experience of internal combustion vehicles, including comparable range and refueling times;

Whereas hydrogen fuel cell industrial vehicles are deployed at logistical hubs and warehouses across the United States and exported to facilities in Europe and Asia;

Whereas hydrogen is a nontoxic gas that can be derived from a variety of domestically available traditional and renewable resources, including solar, wind, biogas, and the abundant supply of natural gas in the United States;

Whereas hydrogen and fuel cells can store energy to help enhance the grid and maximize opportunities to deploy renewable energy;

Whereas the United States produces and uses approximately 10,000,000 metric tons of hydrogen per year;

Whereas engineers and safety code and standard professionals have developed consensus-based protocols for safe delivery, handling, and use of hydrogen; and

Whereas the ingenuity of the people of the United States is essential to paving the way for the future use of hydrogen technologies: Now, therefore, be it

*Resolved*, That the Senate designates October 8, 2022, as "National Hydrogen and Fuel Cell Day".

SENATE RESOLUTION 766—SUPPORTING THE DESIGNATION OF SEPTEMBER 16, 2022, AS "NATIONAL CONCUSSION AWARENESS DAY"

Ms. HASSAN (for herself, Mrs. CAPITO, and Mr. CASEY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 766

Whereas mild traumatic brain injury, otherwise known as a concussion, is an important health concern for children, teens, and adults;

Whereas, according to information from the Centers for Disease Control and Prevention—

(1) there are as many as 1,600,000 to 3,800,000 sports-related concussions annually;

(2) as many as 5,300,000 individuals live with a disability because of a traumatic brain injury;

(3) between 2010 and 2016, an estimated 2,000,000 children under age 18 visited an emergency department because of a traumatic brain injury sustained during sports- or recreation-related activities;

(4) an estimated 283,000 children seek care in United States emergency departments each year for a sports- or recreation-related traumatic brain injury, with traumatic brain injuries sustained in contact sports accounting for approximately 45 percent of these visits;

(5) research suggests that many children with a traumatic brain injury do not seek care in emergency departments or do not seek care at all, resulting in a significant underestimate of prevalence; and



(6) approximately 15 percent of all high school students in the United States self-reported one or more sports- or recreation-related concussions within the preceding 12 months;

Whereas the seriousness of concussions should not be minimized in athletics, and return-to-play and return-to-learn protocols can help ensure recovery;

Whereas concussions can affect physical, mental, and social health, and a greater awareness and understanding of proper diagnosis and management of concussions is critical to improved outcomes; and

Whereas the Senate can raise awareness about concussions among the medical community and the public: Now, therefore, be it Resolved, That the Senate—

(1) supports the designation of September 16, 2022, as “National Concussion Awareness Day”;

(2) recognizes that mild traumatic brain injury (“mTBI”), otherwise known as a concussion, is an important health concern;

(3) commends the organizations and individuals that raise awareness about mild traumatic brain injury;

(4) encourages Federal, State, and local policymakers to work together—

(A) to raise awareness about the effects of concussions; and

(B) to improve the understanding of proper diagnosis and management of concussions; and

(5) encourages further research and prevention efforts to ensure that fewer individuals experience the most adverse effects of mild traumatic brain injury.

**SENATE RESOLUTION 767—DESIGNATING THE WEEK BEGINNING SEPTEMBER 11, 2022, AS “NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK”**

Mr. CARDIN (for himself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Mr. CASEY, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. MENENDEZ, Ms. SMITH, Mr. VAN HOLLEN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 767

Whereas direct care workers, including direct support professionals, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are key to providing publicly funded, long-term support and services for millions of individuals with disabilities;

Whereas direct support professionals provide essential services that ensure all individuals with disabilities are—

(1) included as a valued part of the communities in which those individuals live;

(2) supported at home, at work, and in the communities of the United States; and

(3) empowered to live with the dignity that all people of the United States deserve;

Whereas, by fostering connections between individuals with disabilities and their families, friends, and communities, direct support professionals ensure that individuals with disabilities thrive, thereby avoiding more costly institutional care;

Whereas direct support professionals build close, respectful, and trusting relationships with individuals with disabilities and provide a broad range of personalized support to those individuals, including—

(1) helping individuals make person-centered choices;

(2) assisting with personal care, meal preparation, medication management, and other aspects of daily living;

(3) assisting individuals in accessing the community and securing competitive, integrated employment;

(4) providing transportation to school, work, religious, and recreational activities;

(5) helping with general daily affairs, such as assisting with financial matters, medical appointments, and personal interests;

(6) assisting individuals in the transition from isolated or congregate settings or services to living in the communities of their choice; and

(7) helping to keep individuals with disabilities safe and healthy during the COVID-19 pandemic;

Whereas there is a critical and increasing shortage of direct support professionals throughout the United States, a crisis which has been exacerbated by the COVID-19 pandemic, bringing uncertainty and risk to individuals with disabilities;

Whereas direct support professionals do not have their own Standard Occupational Classification for the purposes of federal data collection, which includes data produced by the Bureau of Labor Statistics of the Department of Labor;

Whereas the direct care workforce, including direct support professionals, is expected to grow more than any other occupation in the United States;

Whereas many direct support professionals—

(1) are the primary financial providers for their families;

(2) are hardworking, taxpaying citizens who provide a critical service in the United States; and

(3) continue to earn low wages, receive inadequate benefits, and have limited opportunities for advancement, resulting in high turnover and vacancy rates that adversely affect the quality of support, safety, and health of individuals with disabilities; and

Whereas the Supreme Court of the United States, in *Olmstead v. L.C.*, 527 U.S. 581 (1999)—

(1) recognized the importance of the deinstitutionalization of, and community-based services for, individuals with disabilities; and

(2) held that, under the Americans with Disabilities Act of 1990 (42 U.S. 12101 et seq.), a State must provide person-centered, community-based service options to individuals with intellectual and developmental disabilities: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning September 11, 2022, as “National Direct Support Professionals Recognition Week”;

(2) recognizes the dedication and vital role of direct support professionals in enhancing the lives of individuals with disabilities;

(3) appreciates the contribution of direct support professionals in supporting individuals with disabilities and their families in the United States;

(4) commends direct support professionals for being integral to the provision of long-term support and services for individuals with disabilities;

(5) encourages the Bureau of Labor Statistics of the Department of Labor to collect data specific to direct support professionals; and

(6) finds that the successful implementation of public policies affecting individuals with disabilities in the United States can depend on the dedication of direct support professionals.

**SENATE RESOLUTION 768—RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL FORENSIC SCIENCE WEEK**

Mr. CRAPO (for himself, Mrs. FEINSTEIN, Mr. RISCH, Mr. WARNOCK, Mr. BLUMENTHAL, Mr. PADILLA, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 768

Whereas the Senate is committed to the use of forensic science in the investigation of crimes, the prosecution and conviction of the correct perpetrators of crimes, and the exoneration of innocent individuals falsely accused of crimes in the United States;

Whereas forensic science service providers address critical questions in civil and criminal investigations and trials in the United States, including by providing scientific conclusions relating to forensic evidence;

Whereas forensic science service providers partner with—

(1) Federal agencies to build and maintain criminal databases relating to latent prints, DNA, and other information relevant to criminal cases; and

(2) Federal, State, and local agencies to ensure public safety;

Whereas forensic science service providers serve a vital role in the criminal justice system by providing scientific information to investigators and officers of the court; and

Whereas the fourth week in September 2022 is recognized as “National Forensic Science Week”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Forensic Science Week; and

(2) recognizes that National Forensic Science Week provides a special opportunity for—

(A) forensic science service providers to—

(i) acknowledge the contributions of forensic scientists in the laboratories in which those individuals work;

(ii) organize community events to encourage a better understanding of forensic science;

(iii) provide tours to Federal, State, and local policymakers to assist those individuals in gaining better insight into the current capabilities of forensic science service providers and the future demands that forensic science service providers will face; and

(iv) contact and invite local media outlets to cover events hosted during National Forensic Science Week;

(B) local policymakers to—

(i) recognize, through formal commendation or resolution, the contributions of local forensic science laboratories to the communities of those policymakers;

(ii) formally declare the fourth week of September 2022 to be “National Forensic Science Week” by proclamation;

(iii) visit local forensic science laboratories to gain an understanding of the capabilities and needs of those laboratories; and

(iv) discuss the operational needs of State and local forensic science laboratories;

(C) individuals in the United States, including members of the media, to—

(i) attend community events sponsored by local forensic science laboratories;

(ii) take tours of local forensic science laboratories; and

(iii) ask local forensic science laboratories about the operational and legislative needs of those laboratories;

(D) members of the media to highlight local news stories that focus on the work of local forensic science laboratories in the

communities that those laboratories serve; and

(E) public safety officers, law enforcement officers, and officers of the court to—

(i) attend community events sponsored by local forensic science laboratories;

(ii) take tours of local forensic science laboratories;

(iii) discuss the operational needs of State and local forensic science laboratories; and

(iv) engage with local forensic science laboratories about working together more effectively.

**SENATE RESOLUTION 769—HONORING THE ATHLETIC CAREER AND HUMANITARIAN AND CIVIC WORK OF ROBERTO ENRIQUE CLEMENTE WALKER, SR., ON THE 50TH ANNIVERSARY OF HIS 3,000TH REGULAR SEASON HIT**

Mr. CASEY (for himself, Mr. MENENDEZ, and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

**S. RES. 769**

Whereas Roberto Clemente was born on August 18, 1934, in Carolina, Puerto Rico;

Whereas Clemente played for numerous seasons in the Puerto Rican Professional Baseball League;

Whereas, in 1954, Clemente began playing in Minor Leagues Baseball for the Montreal Royals, where he impressed many Major League Baseball scouts;

Whereas, on November 22, 1954, the Pittsburgh Pirates drafted Clemente;

Whereas, in 18 seasons with the Pirates, Clemente became a decorated player who was recognized for his achievements as—

- (1) a 15-time All-Star;
- (2) a 12-time Gold Glove Award Winner;
- (3) a 4-time National League Batting Champion;
- (4) a 2-time World Series Champion;
- (5) a 1-time National League MVP; and
- (6) a 1-time World Series MVP;

Whereas Roberto Clemente ranks 33rd all-time in total hits;

Whereas, in addition to exhibiting excellence on the field, Clemente was a selfless and committed individual off the field;

Whereas Clemente joined the Marine Corps Reserve in 1958, working his way up to private first class;

Whereas Clemente dedicated himself to humanitarian work;

Whereas Clemente delivered significant aid in the form of money, food, clothes, and medicine to communities across Latin America;

Whereas, beyond humanitarian work, Clemente shared his love of baseball, hosting free baseball clinics for underprivileged children in numerous communities;

Whereas, on September 30, 1972, for the 3,000th and final regular season hit of his illustrious career, Clemente hit a 4th-inning double against the New York Mets at the Three Rivers Stadium in Pittsburgh, Pennsylvania;

Whereas Clemente played right field in his 2,433rd game as a Pittsburgh Pirate, tying with all-time great Honus Wagner for most games played as a Pittsburgh Pirate;

Whereas, after the end of the 1972 season, Clemente flew to deliver humanitarian aid in the wake of a destructive earthquake near Managua, Nicaragua;

Whereas, on December 31, 1972, the aircraft carrying Clemente and the aid packages crashed into the Atlantic Ocean near Isla Verde, Puerto Rico;

Whereas Clemente and the 4 others on board the plane did not survive the crash,

which killed one of brightest stars in baseball;

Whereas, after the tragic and premature death of Clemente, in 1973 the Baseball Writer's Association of America waived the waiting period and elected Clemente as a first-ballot National Baseball Hall of Fame and Museum inductee with 92.7 percent of the vote;

Whereas, in 1973, the Pittsburgh Pirates retired uniform number 21, the number famously worn by Clemente;

Whereas, that same year, Major League Baseball renamed the Commissioner's Award, given to the player who "best exemplifies the game of baseball, sportsmanship, community involvement and the individual's contribution to his team", as the "Roberto Clemente Award";

Whereas Clemente, posthumously, has received the Congressional Gold Medal, the Presidential Citizens Medal, and the Presidential Medal of Freedom;

Whereas, in 2012, the Puerto Rican Baseball League honored Clemente by renaming itself the "Liga de Béisbol Profesional Roberto Clemente";

Whereas the legacy of Roberto Clemente lives on today, especially his work to overcome the racial and linguistic barriers that plagued Major League Baseball;

Whereas Clemente serves as a role model for countless individuals, especially in the Latino community, due to his on-field excellence and commitment to humanitarian causes;

Whereas the impact of Clemente can be seen in the many parks, schools, and sports stadiums across the United States and Latin America that have been renamed to honor Roberto Clemente; and

Whereas September 15 through October 15, 2022, is National Hispanic Heritage Month: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Roberto Clemente for his excellence in both sport and in citizenship on the 50th anniversary of his 3,000th and final regular season hit; and

(2) recognizes, during National Hispanic Heritage Month, the lasting impact that Roberto Clemente has had on baseball and the United States.

**SENATE RESOLUTION 770—COMMEMORATING SEPTEMBER 17, 2022, AS "CONSTITUTION DAY" AND CELEBRATING THE SIGNING OF THE CONSTITUTION**

Mrs. BLACKBURN submitted the following resolution; which was referred to the Committee on the Judiciary:

**S. RES. 770**

Whereas the Constitution of the United States (referred to in this preamble as the "Constitution") is the supreme law of the United States;

Whereas the Constitution enshrines the freedom of the people of the United States;

Whereas the Constitution forms a more perfect Union;

Whereas the fundamental principles of the Constitution are limited government, separation of powers, individual liberty, and rule of law;

Whereas the Constitution establishes justice, ensures domestic tranquility, provides for the common defense, promotes the general welfare, and secures the blessings of liberty, now and for future generations;

Whereas the Constitution guarantees that no one can be deprived of life, liberty, or property without due process of law, including unborn children;

Whereas the Constitution protects the rights of conscience against the enterprises of the civil authority;

Whereas the Constitution affirms that the Government of the United States exists to serve its citizens;

Whereas the Constitution grants power to a national, Federal Government while preserving fundamental, individual rights;

Whereas the Constitution separates the power of the Federal government into 3 branches: executive, judicial, and legislative;

Whereas the powers of each branch of the Federal Government are delegated in the Constitution, with powers not assigned to the branches reserved to the States;

Whereas the Constitution grants the executive power to the President;

Whereas the Constitution does not allow the President to enact national policies in areas that are reserved solely to Congress under the Constitution;

Whereas the Constitution grants judicial power to the Supreme Court and inferior courts that Congress may ordain and establish;

Whereas justices and judges have constitutional limits on their power;

Whereas an activist judiciary that usurps powers reserved to the people through other branches of government is a threat to the United States;

Whereas the judiciary should interpret laws as written by Congress rather than allowing executive agencies to rewrite those laws to suit a political agenda;

Whereas the Constitution grants all legislative powers to Congress, which consists of a Senate and a House of Representatives;

Whereas the Constitution assigns to Congress the responsibility for organizing the executive and judicial branches, raising revenue, declaring war, and making all laws necessary for executing these powers;

Whereas it is a breach of trust for Congress to delegate excessive legislative authority to executive departments, agencies, and commissions, thus empowering the administrative state instead of the elected representatives of the people of the United States;

Whereas the Constitution protects the democracy of the United States;

Whereas elections are a vital component of democracy;

Whereas the Constitution states that the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature of that State;

Whereas article I, section 5 of the Constitution—

(1) provides that "Each House [of Congress] may determine the Rules of its Proceedings"; and

(2) authorizes the Senate to make procedural rules, including the length of debate;

Whereas no one may unilaterally rewrite or otherwise impugn the validity of the text of the Constitution;

Whereas the Constitution can only be changed by amendment;

Whereas an amendment to the Constitution may be proposed by a  $\frac{2}{3}$  vote of both Houses of Congress, or, if  $\frac{2}{3}$  of the States request an amendment, by a convention called for that purpose;

Whereas an amendment to the Constitution must be ratified by  $\frac{3}{4}$  of the State legislatures or  $\frac{3}{4}$  of conventions called in each State for ratification;

Whereas, according to the First Amendment to the Constitution—

(1) Congress shall make no law respecting an establishment of religion or prohibiting free exercise of religion; and

(2) Congress shall make no law abridging the freedom of speech or of the press;

Whereas, according to the Second Amendment to the Constitution, the right of the people to keep and bear arms shall not be infringed;

Whereas Congress may not pass laws that deny or abridge any constitutional rights;

Whereas it is unconstitutional for the Federal Government to wield its authority beyond the scope of power delegated to it or to use that authority as a political weapon against the rights of States to pass voter identification laws, oversee the health care of their citizens, draft curricula, and craft other laws and policies consistent with the Constitution;

Whereas constitutional rights are not negotiable;

Whereas all legislation, regulations, and official actions should conform to the original meaning of the Constitution as understood at the time the language was adopted;

Whereas the Constitution was written during the Philadelphia Convention, now known as the Constitutional Convention, which convened from May 25 to September 17, 1787; and

Whereas Constitution Day commemorates the formation and signing of the Constitution by 39 courageous men on September 17, 1787, in Philadelphia, Pennsylvania: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the signing of the Constitution of the United States by recognizing Constitution Day on September 17, 2022; and

(2) affirms that the Constitution of the United States is not a flexible document, but an enduring covenant.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5499. Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 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; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 5499.** Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 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; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “James M. Inhofe National Defense Authorization Act for Fiscal Year 2023”.

##### SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into four divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

Sec. 1. Short title.

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

Sec. 3. Congressional defense committees.

Sec. 4. Budgetary effects of this Act.

#### DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

##### TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Limitations on production of Extended Range Cannon Artillery howitzers.

Subtitle C—Navy Programs

Sec. 121. DDG(X) destroyer program.

Sec. 122. Multiyear procurement authority for Arleigh Burke class destroyers.

Sec. 123. Block buy contracts for Ship-to-Shore Connector program.

Sec. 124. Procurement authorities for John Lewis-class fleet replenishment oiler ships.

Sec. 125. Tomahawk cruise missile capability on FFG-62 class vessels.

Sec. 126. Navy shipbuilding workforce development initiative.

Sec. 127. Extension of prohibition on availability of funds for Navy port waterborne security barriers.

Sec. 128. Limitation on retirement of E-6B aircraft.

Sec. 129. EA-18G aircraft.

Sec. 130. Block buy contracts for CH-53K heavy lift helicopter program.

Subtitle D—Air Force Programs

Sec. 141. Prohibition on certain reductions to inventory of E-3 airborne warning and control system aircraft.

Sec. 142. Modification of inventory requirements for air refueling tanker aircraft.

Sec. 143. Prohibition on reductions to inventory of F-22 Block 20 aircraft.

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

Sec. 151. Parts for commercial derivative aircraft and engines and aircraft based on commercial design.

Sec. 152. Assessment and strategy for fielding counter unmanned aerial systems swarm capabilities.

Sec. 153. Treatment of nuclear modernization and hypersonic missile programs within Defense Priorities and Allocations System.

Sec. 154. Government Accountability Office assessment of efforts to modernize propulsion systems of the F-35 aircraft.

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

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Disclosure requirements for recipients of research and development funds.

Sec. 212. Modification of cooperative research and development project authority.

Sec. 213. Administration of the Advanced Sensor Applications Program.

Sec. 214. Modification of authority of the Department of Defense to carry out certain prototype projects.

Sec. 215. Competitively awarded demonstrations and tests of electromagnetic warfare technology.

Sec. 216. Government-Industry Working Group on Microelectronics.

Sec. 217. Inclusion of Office of Under Secretary of Defense for Research and Engineering in personnel management authority to attract experts in science and engineering.

Sec. 218. Investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

Sec. 219. Open radio access network 5G acquisition acceleration and transition plans.

Sec. 220. Pilot program to facilitate the development of electric vehicle battery technologies for warfighters.

Subtitle C—Plans, Reports, and Other Matters

Sec. 231. Report on recommendations from Army Futures Command Research Program Realignment Study.

Sec. 232. Strategy and plan for strengthening and fostering defense innovation ecosystem.

Sec. 233. Modification of Director for Operational Test and Evaluation annual report.

Sec. 234. Extension of requirement for quarterly briefings on development and implementation of strategy for fifth generation information and communications technologies.

Sec. 235. Report on estimated costs of conducting a minimum frequency of hypersonic weapons testing.

Sec. 236. Annual report on studies and reports being undertaken by the Department of Defense.

Sec. 237. Quantifiable assurance capability for security of microelectronics.

Sec. 238. Clarification of role of Chief Digital and Artificial Intelligence Officer.

##### TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Aggregation of energy conservation measures and funding.

Sec. 312. Establishment of joint working group to determine joint requirements for future operational energy needs of Department of Defense.

Sec. 313. Additional special considerations for developing and implementing the energy performance goals and energy performance master plan of the Department of Defense.

Sec. 314. Participation in pollutant banks and water quality trading.

Sec. 315. Consideration under Defense Environmental Restoration Program for State-owned facilities of the National Guard with proven exposure of hazardous substances and waste.

Sec. 316. Authorization of closure of Red Hill bulk fuel storage facility.

Sec. 317. Revision of Unified Facilities Guide Specifications and Unified Facilities Criteria to include specifications on use of gas insulated switchgear and criteria and specifications on microgrids and microgrid converters.

- Sec. 318. Transfer of customers from electrical utility system of the Navy at former Naval Air Station Barber's Point, Hawaii, to new electrical system in Kalaheo, Hawaii.
- Sec. 319. Pilot program on use of sustainable aviation fuel.
- Sec. 320. Renewal of annual environmental and energy reports of Department of Defense.
- Sec. 321. Report on feasibility of terminating energy procurement from foreign entities of concern.
- Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances
- Sec. 331. Increase of transfer authority for funding of study and assessment on health implications of per- and polyfluoroalkyl substances contamination in drinking water by Agency for Toxic Substances and Disease Registry.
- Sec. 332. Modification of limitation on disclosure of results of testing for perfluoroalkyl or polyfluoroalkyl substances on private property.
- Sec. 333. Department of Defense research relating to perfluoroalkyl or polyfluoroalkyl substances.
- Subtitle D—Logistics and Sustainment
- Sec. 351. Implementation of Comptroller General recommendations regarding Shipyard Infrastructure Optimization Plan of the Navy.
- Sec. 352. Research and analysis on the capacity of private shipyards in the United States and the effect of those shipyards on Naval fleet readiness.
- Sec. 353. Limitation on funds for the Joint Military Information Support Operations Web Operations Center.
- Sec. 354. Notification of increase in retention rates for Navy ship repair contracts.
- Sec. 355. Inapplicability of advance billing dollar limitation for relief efforts following major disasters or emergencies.
- Sec. 356. Repeal of Comptroller General review on time limitations on duration of public-private competitions.
- Subtitle E—Reports
- Sec. 371. Inclusion of information regarding joint medical estimates in readiness reports.
- Subtitle F—Other Matters
- Sec. 381. Implementation of recommendations relating to animal facility sanitation and master plan for housing and care of horses.
- Sec. 382. Inclusion of land under jurisdiction of Department of Defense subject to long-term real estate agreement as community infrastructure for purposes of Defense community infrastructure pilot program.
- Sec. 383. Restriction on procurement or purchasing by Department of Defense of turnout gear for firefighters containing perfluoroalkyl substances or polyfluoroalkyl substances.
- Sec. 384. Continued designation of Secretary of the Navy as executive agent for Naval Small Craft Instruction and Technical Training School.
- Sec. 385. Prohibition on use of funds to discontinue the Marine Mammal System program.
- Sec. 386. Limitation on replacement of non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.
- Sec. 387. Limitation on use of charging stations for personal electric vehicles.
- Sec. 388. Pilot programs for tactical vehicle safety data collection.
- TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS
- Subtitle A—Active Forces
- Sec. 401. End strengths for active forces.
- Sec. 402. End strength level matters.
- Sec. 403. Additional authority to vary Space Force end strength.
- Subtitle B—Reserve Forces
- Sec. 411. End strengths for Selected Reserve.
- Sec. 412. End strengths for reserves on active duty in support of the Reserves.
- Sec. 413. End strengths for military technicians (dual status).
- Sec. 414. Maximum number of reserve personnel authorized to be on active duty for operational support.
- Subtitle C—Authorization of Appropriations
- Sec. 421. Military personnel.
- TITLE V—MILITARY PERSONNEL POLICY
- Subtitle A—Officer Personnel Policy
- Sec. 501. Consideration of adverse information.
- Sec. 502. Extension of time limitation for grade retention while awaiting retirement.
- Sec. 503. Realignment in Navy distribution of flag officers serving in the grades of O-8 and O-9.
- Sec. 504. Updating warrant officer selection and promotion authority.
- Sec. 505. Authorized strengths for Space Force officers on active duty in grades of major, lieutenant colonel, and colonel.
- Sec. 506. Repeal of requirement for Inspector General of the Department of Defense to conduct certain reviews.
- Sec. 507. Modification of reports on Air Force personnel performing duties of a Nuclear and Missile Operations Officer (13N).
- Subtitle B—Reserve Component Management
- Sec. 511. Authority to waive requirement that performance of Active Guard and Reserve duty at the request of a Governor may not interfere with certain duties.
- Sec. 512. Selected Reserve and Ready Reserve order to active duty to respond to a significant cyber incident.
- Sec. 513. Backdating of effective date of rank for reserve officers in the National Guard due to undue delays in Federal recognition.
- Sec. 514. Independent study on Federal recognition process.
- Sec. 515. Continued National Guard support for FireGuard program.
- Sec. 516. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.
- Subtitle C—General Service Authorities and Military Records
- Sec. 521. Modernization of the Selective Service System.
- Sec. 522. Prohibition on induction under the Military Selective Service Act without express authorization.
- Sec. 523. Extension of temporary authority for targeted recruitment incentives.
- Sec. 524. Home leave demonstration program.
- Sec. 525. Prohibition on considering State laws and regulations when determining individual duty assignments.
- Sec. 526. Modification to limitations on discharge or release from active duty.
- Sec. 527. Sex-neutral high fitness standards for Army combat Military Occupational Specialties.
- Subtitle D—Military Justice and Other Legal Matters
- Sec. 541. Briefing and report on resourcing required for implementation of military justice reform.
- Sec. 542. Randomization of court-martial panels.
- Sec. 543. Matters in connection with special trial counsel.
- Sec. 544. Jurisdiction of Courts of Criminal Appeals.
- Sec. 545. Special trial counsel.
- Sec. 546. Exclusion of officers serving as lead special trial counsel from limitations on authorized strengths for general and flag officers.
- Sec. 547. Special trial counsel of Department of the Air Force.
- Sec. 548. Restricted reporting option for Department of Defense civilian employees choosing to report experiencing adult sexual assault.
- Sec. 549. Improvements to Department of Defense tracking of and response to incidents of child abuse, adult crimes against children, and serious harmful behavior between children and youth involving military dependents on military installations.
- Sec. 550. Primary prevention.
- Sec. 551. Dissemination of civilian legal services information.
- Subtitle E—Member Education, Training, and Transition
- Sec. 561. Review of certain Special Operations personnel policies.
- Sec. 562. Expanded eligibility to provide Junior Reserve Officers' Training Corps (JROTC) instruction.
- Sec. 563. Pre-service education demonstration program.
- Subtitle F—Military Family Readiness and Dependents' Education
- Sec. 571. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.
- Sec. 572. Assistance to local educational agencies that benefit dependents of members of the Armed Forces with enrollment changes due to base closures, force structure changes, or force relocations.
- Sec. 573. Pilot program on hiring of special education inclusion coordinators for Department of Defense child development centers.
- Sec. 574. Extension of and report on pilot program to expand eligibility for enrollment at domestic dependent elementary and secondary schools.

Subtitle G—Decorations and Awards,  
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- Sec. 581. Temporary exemption from end strength grade restrictions for the Space Force.
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- Subtitle D—Other Matters
- Sec. 3131. Repeal of obsolete provisions of the Atomic Energy Defense Act and other provisions.
- TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**
- Sec. 3201. Authorization.
- Sec. 3202. Delegation of authority to Chairperson of Defense Nuclear Facilities Safety Board.
- TITLE XXXV—MARITIME ADMINISTRATION**
- Sec. 3501. Maritime Administration. 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.
- SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**
- In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.
- SEC. 4. BUDGETARY EFFECTS OF THIS ACT.**
- The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on the conference report or amendment between the Houses.
- DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**
- TITLE I—PROCUREMENT**
- Subtitle A—Authorization of Appropriations**
- SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**
- Funds are hereby authorized to be appropriated for fiscal year 2023 for procurement for the Army, the Navy and the Marine Corps, the Air Force and the Space Force, and Defense-wide activities, as specified in the funding table in section 4101.
- Subtitle B—Army Programs**
- SEC. 111. LIMITATIONS ON PRODUCTION OF EXTENDED RANGE CANNON ARTILLERY HOWITZERS.**
- (a) LIMITATIONS.—In carrying out the acquisition of Extended Range Cannon Artillery howitzers, the Secretary of the Army shall—
- (1) limit production of prototype Extended Range Cannon Artillery howitzers to not more than 18;
- (2) compare the cost and value to the United States Government of a Paladin Integrated Management-modification production approach with a new-build production approach;
- (3) include in any cost analysis or comparison—
- (A) the value of a Paladin howitzer that may be modified to produce an Extended Range Cannon Artillery howitzer; and

(B) the production value of government-owned infrastructure that would be leveraged to facilitate the modification;

(4) use a full and open competitive approach using best value criteria for post-prototype production source selection; and

(5) base any production strategy and source selection decisions on a full understanding of the cost of production, including—

(A) the comparison of production approaches described in paragraph (2); and

(B) any cost analysis or comparison described in paragraph (3).

(b) **CERTIFICATION.**—Before issuing a request for proposal for the post-prototype production of an Extended Range Cannon Artillery howitzer, the Secretary of the Army shall—

(1) certify to the congressional defense committees that the acquisition strategy upon which the request for proposal is based complies with the requirements of subsection (a); and

(2) provide a briefing to the congressional defense committees on that acquisition strategy and the relevant cost and value comparison described in subsection (a)(2).

#### Subtitle C—Navy Programs

##### SEC. 121. DDG(X) DESTROYER PROGRAM.

(a) **IN GENERAL.**—Notwithstanding subsection (e)(1) of section 3201 of title 10, United States Code, and in accordance with subsection (e)(3) of such section, the Secretary of the Navy, for the covered program, shall—

(1) award prime contracts for concept design, preliminary design, and contract design to eligible shipbuilders;

(2) award prime contracts for detailed design and construction only to eligible shipbuilders; and

(3) allocate not less than one vessel and not more than two vessels in the covered program to each eligible shipbuilder before making a competitive contract award for the construction of vessels in the covered program.

(b) **COLLABORATION REQUIREMENT.**—The Secretary of the Navy shall maximize collaboration between the Federal Government and eligible shipbuilders throughout the design, development, and production of the covered program.

(c) **COMPETITIVE INCENTIVE REQUIREMENT.**—The Secretary of the Navy shall provide for competitive incentives throughout the design, development, and production of the covered program, including the following:

(1) Design labor hours, provided neither eligible shipbuilder has fewer than 30 percent of aggregate design labor hours in any phase of vessel design.

(2) Competitive solicitations for vessel procurement following the actions required by subsection (a)(3).

(d) **TECHNOLOGY MATURATION REQUIREMENTS.**—The Secretary of the Navy shall incorporate into the acquisition strategy of the covered program the requirements of the following:

(1) Section 131 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1237).

(2) Section 221 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1599).

(e) **TRANSITION REQUIREMENT.**—The Secretary of the Navy shall ensure a transition from the Arleigh Burke-class destroyer program to the covered program that maintains predictable production workload at eligible shipbuilders.

(f) **DEFINITIONS.**—In this section:

(1) **COVERED PROGRAM.**—The term “covered program” means the DDG(X) destroyer program.

(2) **ELIGIBLE SHIPBUILDER.**—The term “eligible shipbuilder” means any of the following:

(A) General Dynamics Bath Iron Works.

(B) Huntington Ingalls Incorporated, Ingalls Shipbuilding division.

(3) **PREDICTABLE PRODUCTION WORKLOAD.**—The term “predictable production workload” means production workload that is not less than 70 percent of the average production workload of the Arleigh Burke-class destroyer program over the most recent five-fiscal year period throughout the transition from the Arleigh Burke-class destroyer program to the covered program.

##### SEC. 122. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS.

(a) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—Subject to section 3501 of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts for the procurement of up to 15 Arleigh Burke class Flight III guided missile destroyers.

(b) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The Secretary of the Navy may enter into one or more contracts, beginning in fiscal year 2023, for advance procurement associated with the destroyers for which authorization to enter into a multiyear procurement contract is provided under subsection (a), and for systems and subsystems associated with such destroyers in economic order quantities when cost savings are achievable.

(c) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2023 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) **CONTRACT REQUIREMENT.**—

(1) **IN GENERAL.**—The Secretary of the Navy shall ensure that a contract entered into under subsection (a) includes a priced option to procure an additional such destroyer in each of fiscal years 2023 through 2027.

(2) **OPTION DEFINED.**—In this subsection, the term “option” has the meaning given that term in section 2.101 of the Federal Acquisition Regulation (or any successor regulation).

##### SEC. 123. BLOCK BUY CONTRACTS FOR SHIP-TO-SHORE CONNECTOR PROGRAM.

(a) **BLOCK BUY CONTRACT AUTHORITY.**—Beginning in fiscal year 2023, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of up to 10 Ship-to-Shore Connector class craft and associated material.

(b) **LIABILITY.**—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

(1) The use of such a contract is consistent with the Chief of Naval Operations' projected force structure requirements for such craft.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost

savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by craft, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by craft, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by craft, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(3) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic, including a description of the basis for such estimates.

(5) The use of such a contract will promote the national security of the United States.

(d) **MILESTONE DECISION AUTHORITY DEFINED.**—In this section, the term “milestone decision authority” has the meaning given the term in section 4251(d) of title 10, United States Code.

##### SEC. 124. PROCUREMENT AUTHORITIES FOR JOHN LEWIS-CLASS FLEET REPLENISHMENT OILER SHIPS.

(a) **CONTRACT AUTHORITY.**—

(1) **PROCUREMENT AUTHORIZED.**—In fiscal year 2023 or 2024, the Secretary of the Navy may enter into one or more contracts for the procurement of not more than eight John Lewis-class fleet replenishment oiler ships.

(2) **PROCUREMENT IN CONJUNCTION WITH EXISTING CONTRACTS.**—The ships authorized to be procured under paragraph (1) may be procured as additions to existing contracts covering such program.

(b) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of the Navy certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority for such program:

(1) The use of such a contract is consistent with the Department of the Navy's projected force structure requirements for such ships.

(2) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated end cost and appropriated funds by fiscal year, by hull, without the authority provided in subsection (a);

(B) the estimated end cost and appropriated funds by fiscal year, by hull, with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year, by hull, with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

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

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

(5) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(6) The use of such a contract will promote the national security of the United States.

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

(c) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The Secretary of the Navy may enter into one or more contracts for advance procurement associated with a ship or ships for which authorization to enter into a contract is provided under subsection (a), and for systems and subsystems associated with such ships in economic order quantities when cost savings are achievable.

(d) **CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.**—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year is subject to the availability of appropriations for that purpose for such fiscal year.

(e) **MILESTONE DECISION AUTHORITY DEFINED.**—In this section, the term “milestone decision authority” has the meaning given the term in section 4251(d) of title 10, United States Code.

**SEC. 125. TOMAHAWK CRUISE MISSILE CAPABILITY ON FFG-62 CLASS VESSELS.**

Before accepting delivery of any FFG-62 class vessel, the Secretary of the Navy shall require that the vessel be capable of carrying and employing Tomahawk cruise missiles.

**SEC. 126. NAVY SHIPBUILDING WORKFORCE DEVELOPMENT INITIATIVE.**

(a) **IN GENERAL.**—Chapter 863 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 8696. Navy shipbuilding workforce development initiative.**

“(a) **REQUIREMENT.**—

“(1) **IN GENERAL.**—The Secretary of the Navy shall ensure that any award for a covered contract or contract modification includes a separate and distinct line item for workforce development.

“(2) **COVERED CONTRACTS AND CONTRACT MODIFICATIONS.**—For purposes of this subsection, a covered contract or contract modification is a construction contract or contract modification for the procurement of one or more naval vessels entered into using funds from the Shipbuilding and Conversion, Navy account with a prime contractor that will deliver such vessel or vessels to the Navy.

“(3) **AMOUNT OF LINE ITEM.**—The amount of funding in a line item for workforce development required under subsection (a)(1) shall be not less than one-half of one percent and not more than one percent of the target price of the contract concerned.

“(b) **MATCHING CONTRIBUTION REQUIREMENT.**—

“(1) **IN GENERAL.**—Funds for a line item for workforce development required under subsection (a)(1) may be obligated only—

“(A) on or after the date on which the service acquisition executive of the Navy receives a written commitment from one or more entities described in paragraph (2) of a separate and distinct cumulative contribution for workforce development; and

“(B) in an amount that is—

“(i) equal to the amount of the contribution described in subparagraph (A), if the contribution is less than the amount of funding in the line item; or

“(ii) equal to the amount of funding in the line item, if the contribution is equal to or greater than the amount of such funding.

“(2) **ENTITIES DESCRIBED.**—The entities described in this paragraph are the following:

“(A) The prime contractor receiving the award described in subsection (a)(1).

“(B) A qualified subcontractor.

“(C) A State government or other State entity.

“(D) A county government or other county entity.

“(E) A local government or other local entity.

“(c) **AUTHORIZED ACTIVITIES.**—

“(1) **IN GENERAL.**—Funds for a line item for workforce development required under subsection (a)(1) may be used only to provide for the activities described in paragraph (2) in support of the production and production support workforce of the prime contractor concerned or a qualified subcontractor.

“(2) **ACTIVITIES DESCRIBED.**—The activities described in this paragraph are the following:

“(A) The creation of short- and long-term workforce housing, transportation, and other support services to facilitate attraction, relocation, and retention of workers.

“(B) The expansion of local talent pipeline programs for both new and existing workers.

“(C) Investments in long-term outreach in middle and high school programs, specifically career and technical education programs, to promote and develop manufacturing skills.

“(D) Facilities developed or modified for the primary purpose of workforce development.

“(E) Direct costs attributable to workforce development.

“(F) Attraction and retention bonus programs.

“(G) On-the-job training to develop key manufacturing skills.

“(d) **APPROVAL REQUIREMENT.**—The service acquisition executive of the Navy shall—

“(1) provide the final approval of the use of funds for a line item for workforce development required under subsection (a)(1); and

“(2) not later than 30 days after the date on which such approval is provided, certify to the congressional defense committees compliance with the requirements of subsections (b) and (c), including—

“(A) a detailed explanation of such compliance; and

“(B) the associated benefits to—

“(i) the Federal Government; and

“(ii) the shipbuilding industrial base of the Navy.

“(e) **QUALIFIED SUBCONTRACTOR DEFINED.**—In this section, the term “qualified subcontractor” means a subcontractor to a prime contractor receiving an award described in subsection (a)(1) that will deliver the vessel or vessels covered by the award to the Navy.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 863 of such title is amended by adding at the end the following new item:

“8696. Navy shipbuilding workforce development initiative.”

(c) **APPLICABILITY.**—Section 8696 of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts and contract modifications entered into on or after June 1, 2023.

**SEC. 127. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS FOR NAVY PORT WATERBORNE SECURITY BARRIERS.**

(a) **IN GENERAL.**—Subsection (a) of section 130 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1665), as most recently amended by section 122 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1570), is further amended by striking “for fiscal years 2019, 2020, 2021, or 2022” and inserting “for any of fiscal years 2019 through 2023”.

(b) **TECHNICAL AMENDMENT.**—Subsection (b)(4) of such section is amended by striking “section 2304” and inserting “sections 3201 through 3205”.

**SEC. 128. LIMITATION ON RETIREMENT OF E-6B AIRCRAFT.**

The Secretary of the Navy may take no action that would prevent the Navy from maintaining the fleet of E-6B aircraft in the configuration and capability in effect as of the date of the enactment of this Act until the date on which the Chair of the Joint Requirements Oversight Council certifies in writing to the congressional defense committees that the replacement capability for the E-6B aircraft will—

(1) be fielded at the same time or before the retirement of the E-6B aircraft; and

(2) result in equal or greater capability available to the commanders of the combatant commands.

**SEC. 129. EA-18G AIRCRAFT.**

(a) **PROHIBITION.**—None of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Navy may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any EA-18G aircraft.

(b) **TRANSFER OF AIRCRAFT.**—The Secretary of the Navy shall transfer the EA-18G aircraft associated with the expeditionary land-based electronic attack squadrons to the Navy Reserve.

(c) **ESTABLISHMENT OF SQUADRONS.**—The Secretary of the Air Force shall designate one or more units from the Air National Guard or the Air Force Reserve to join with the Navy Reserve to establish one or more joint service expeditionary, land-based electronic attack squadrons to match the capability of such squadrons assigned to Naval Air Station Whidbey Island, Washington, as of the date of the enactment of this Act.

(d) **REPORT ON IMPLEMENTATION PLAN.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall jointly submit to the congressional defense committees a report on the plan of the Secretaries to implement this section.

**SEC. 130. BLOCK BUY CONTRACTS FOR CH-53K HEAVY LIFT HELICOPTER PROGRAM.**

(a) **BLOCK BUY CONTRACT AUTHORITY.**—During fiscal years 2023 and 2024, the Secretary of the Navy may enter into one or more block buy contracts for the procurement of airframes and engines in support of the CH-53K heavy lift helicopter program (in this section referred to as the “program”).

(b) **LIABILITY.**—Any contract entered into under subsection (a) shall provide that—

(1) any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose; and

(2) the total liability of the Federal Government for termination of the contract shall be limited to the total amount of funding obligated to the contract at the time of termination.

(c) **CERTIFICATION REQUIRED.**—A contract may not be entered into under subsection (a) unless the Secretary of Defense certifies to the congressional defense committees, in writing, not later than 30 days before entry into the contract, each of the following, which shall be prepared by the milestone decision authority (as defined in section 4251(d) of title 10, United States Code) for the program:

(1) The use of such a contract will result in significant savings compared to the total anticipated costs of carrying out the program through annual contracts. In certifying cost savings under the preceding sentence, the Secretary shall include a written explanation of—

(A) the estimated obligations and expenditures by fiscal year for the program without the authority provided in subsection (a);

(B) the estimated obligations and expenditures by fiscal year for the program with the authority provided in subsection (a);

(C) the estimated cost savings or increase by fiscal year for the program with the authority provided in subsection (a);

(D) the discrete actions that will accomplish such cost savings or avoidance; and

(E) the contractual actions that will ensure the estimated cost savings are realized.

(2) There is a reasonable expectation that throughout the contemplated contract period the Secretary of Defense will request funding for the contract at the level required to avoid contract cancellation.

(3) There is a stable design for the property to be acquired and the technical risks associated with such property are not excessive.

(4) The estimates of both the cost of the contract and the anticipated cost avoidance through the use of a contract authorized under subsection (a) are realistic.

(5) The use of such a contract will promote the national security of the United States.

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

(7) The contract will be a fixed price type contract.

#### Subtitle D—Air Force Programs

#### SEC. 141. PROHIBITION ON CERTAIN REDUCTIONS TO INVENTORY OF E-3 AIRBORNE WARNING AND CONTROL SYSTEM AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any E-3 aircraft if such actions would reduce the total aircraft inventory for such aircraft below 26.

(b) EXCEPTION FOR ACQUISITION STRATEGY.—If the Secretary of the Air Force submits to the congressional defense committees an acquisition strategy for the E-7 Wedgetail approved by the Service Acquisition Executive of the Air Force, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E-3 aircraft to 21 after the date on which the strategy is so submitted.

(c) EXCEPTION FOR CONTRACT AWARD.—If the Secretary of the Air Force awards a contract for the E-7 Wedgetail aircraft, the prohibition under subsection (a) shall not apply to actions taken to reduce the total aircraft inventory for E-3 aircraft to 16 after the date on which such contract is so awarded.

#### SEC. 142. MODIFICATION OF INVENTORY REQUIREMENTS FOR AIR REFUELING TANKER AIRCRAFT.

(a) MODIFICATION OF GENERAL REQUIREMENT.—Section 135(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3431) is amended by striking “412” and inserting “400”.

(b) MODIFICATION OF LIMITATION ON RETIREMENT OF KC-135 AIRCRAFT.—Section 137(b)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1576) is amended by striking “18” and inserting “31”.

#### SEC. 143. PROHIBITION ON REDUCTIONS TO INVENTORY OF F-22 BLOCK 20 AIRCRAFT.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized

to be appropriated by this Act for fiscal year 2023 for the Air Force may be obligated to retire, prepare to retire, or place in storage or in backup aircraft inventory any F-22 Block 20 aircraft.

(b) EXPIRATION OF PROHIBITION.—The prohibition under subsection (a) shall cease to have effect on the date on which the Secretary of the Air Force submits to the congressional defense committees—

(1) a detailed plan approved by the Secretary to conduct formal training for F-22 aircrews to ensure that the combat capability at operational units would not be degraded if the Air Force were to retire all F-22 Block 20 aircraft; and

(2) a report on how the Secretary intends to avoid—

(A) diminishing the combat effectiveness of remaining F-22 aircraft;

(B) exacerbating F-22 aircraft availability concerns; and

(C) complicating F-22 aircraft squadron maintenance issues.

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

#### SEC. 151. PARTS FOR COMMERCIAL DERIVATIVE AIRCRAFT AND ENGINES AND AIRCRAFT BASED ON COMMERCIAL DESIGN.

(a) IN GENERAL.—The Secretary of the Air Force and the Secretary of the Navy shall—

(1) include covered parts in supply chain solutions to provide for replacement or increased inventories for—

(A) all commercial derivative aircraft and engines of the Department of Defense; and

(B) all aircraft of the Department that are based on commercial design;

(2) conduct the acquisition of all follow-on covered parts on a competitive basis, based on price and quality; and

(3) procure covered parts only from suppliers that provide covered parts that possess a FAA Authorized Release Certificate, FAA Form 8130-3 Airworthy Approval Tag, from a repair station certified pursuant to part 145 of title 14, Code of Federal Regulations (or successor regulation).

(b) COVERED PARTS DEFINED.—In this section, the term “covered parts”—

(1) means used, overhauled, reconditioned, or re-manufactured common or dual use parts certified as airworthy by the Federal Aviation Administration; and

(2) does not include life limited parts.

#### SEC. 152. ASSESSMENT AND STRATEGY FOR FIELDING COUNTER UNMANNED AERIAL SYSTEMS SWARM CAPABILITIES.

(a) ASSESSMENT, ANALYSIS, AND REVIEW.—The Secretary of Defense shall conduct—

(1) an assessment of the threats posed by unmanned aerial system (UAS) swarms or unmanned aerial systems with indicative swarm capabilities to installations and deployed armed forces;

(2) an analysis of the use or potential use of unmanned aerial system swarms by adversaries, including China, Russia, Iran, North Korea, and non-state actors;

(3) an analysis of the implication of swarming technologies such as autonomous intelligence and machine learning;

(4) a review of current fielded systems and whether they effectively counter a wide range of potential unmanned aerial system swarm threats; and

(5) an overview of development efforts and field tests of technologies that offer scalable, modular, and rapidly deployable systems that could counter unmanned aerial system swarms.

(b) STRATEGY DEVELOPMENT AND IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—The Secretary shall develop and implement a strategy to field systems to counter threats posed by unmanned aerial system swarms.

(2) ELEMENTS.—The strategy required by paragraph (1) shall include the following:

(A) The development of a comprehensive definition of “unmanned aerial system swarm”.

(B) A plan to establish and incorporate requirements for development, testing, and fielding of counter unmanned aerial system swarm capabilities.

(C) A plan to acquire and field adequate organic capabilities to counter unmanned aerial system swarms in defense of United States armed forces, assets, and infrastructure across land, air, and maritime domains.

(D) An estimate of resources needed by the Army, the Navy, and the Air Force to implement the plan required by paragraph (3).

(E) An analysis, determination, and prioritization of legislative action required to ensure the Department has the ability to counter the threats described in subsection (a)(1).

(F) Such other matters as the Secretary considers pertinent.

(3) INCORPORATION INTO EXISTING STRATEGY.—The Secretary may incorporate the strategy required by paragraph (1) into a strategy that was in effect on the day before the date of the enactment of this Act.

(c) INFORMATION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary under subsection (a); and

(2) the strategy developed and implemented by the Secretary under subsection (b).

#### SEC. 153. TREATMENT OF NUCLEAR MODERNIZATION AND HYPERSONIC MISSILE PROGRAMS WITHIN DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM.

(a) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the United States is entering into an unprecedented period of strategic competition with two potential adversaries, each of which now possesses, or will acquire, nuclear and missile forces equal to or greater than such forces possessed by the United States;

(2) ensuring the continued deterrence of the growing threat of the nuclear capabilities of such adversaries requires—

(A) safe, secure, effective, and credible nuclear forces, with a range of flexible employment options, available to the President; and

(B) robust missile forces capable of overcoming current and future missile defenses;

(3) such forces can only be achieved through the rapid and complete modernization of legacy nuclear capabilities of the United States and the timely development of a range of ballistic, cruise, and hypersonic boost-glide missiles;

(4) ongoing Department of Defense and National Nuclear Security Administration programs and projects to achieve the modernization of United States nuclear forces enjoy virtually no scheduled margin for delivery prior to the expected retirement or decommissioning of legacy systems and facilities, even as the People's Republic of China, the Russian Federation, and North Korea work to rapidly modernize and expand their nuclear arsenals;

(5) the People's Republic of China, the Russian Federation, and North Korea are—

(A) engaged in a variety of missile programs intended to defeat the missile defense capabilities of the United States and its allies; and

(B) expected to field such capabilities in greater volumes than the United States;

(6) imbalances in such capabilities are inherently destabilizing and represent profound risks to the security of the United



States and its allies and to global stability at large;

(7) the Secretary of Defense and the Secretary of Energy should leverage all available tools to reduce the risk of schedule delays in nuclear modernization and hypersonic missile programs and projects, including by—

(A) universally applying the authorities provided by the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to each such program or project; and

(B) assigning a DX priority rating under part 700 of title 15, Code of Federal Regulations, to each such program or project;

(8) the assignment of DX priority ratings would help minimize the risk that such programs and projects are unnecessarily delayed due to misallocations of industrial materials, services, or facilities; and

(9) the Secretary of Defense and the Secretary of Energy should promptly inform Congress of any additional opportunities to further reduce risks relating to such programs and projects or the schedules for such programs and projects that could be achieved through the adjustment of existing authorities.

**(b) REPORT AND CERTIFICATION.—**

(1) **IN GENERAL.**—Not later than January 1, 2023, the Secretary of Defense and the Secretary of Energy shall jointly submit to the congressional defense committees a report including—

(A) with respect to each nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration, a determination of whether such program or project should be assigned a DX priority rating under part 700 of title 15, Code of Federal Regulations;

(B) for any such program or project that the respective Secretary determines under subparagraph (A) should be assigned a DX priority rating, a confirmation that such program or project has been assigned a DX rating; and

(C) for any such program or project that has not been assigned a DX priority rating as of January 1, 2023—

(i) an explanation for any delay in assigning such a rating; and

(ii) a timeline for the assignment of such a rating.

(2) **ANNUAL CERTIFICATION.**—For any nuclear weapons delivery system, missile warning system, hypersonic boost-glide missile system program, or weapon program or nuclear security enterprise infrastructure project of the National Nuclear Security Administration that the respective Secretary determines under paragraph (1)(A) should not be assigned a DX priority rating, the Secretary shall, until such program reaches full operational capability, annually submit to the congressional defense committees a certification that the lack of assignment of such rating will not negatively affect the delivery of operational capabilities by such program or project.

(3) **NONDELEGATION.**—The Secretary may not delegate a determination under paragraph (1)(A) to any other official.

**SEC. 154. GOVERNMENT ACCOUNTABILITY OFFICE ASSESSMENT OF EFFORTS TO MODERNIZE PROPULSION SYSTEMS OF THE F-35 AIRCRAFT.**

(a) **IN GENERAL.**—Not later than February 28, 2023, the Comptroller General of the United States shall conduct an assessment of efforts to modernize propulsion systems of the F-35 aircraft.

(b) **ELEMENTS.**—The findings of the assessment required by subsection (a) shall set forth the following:

(1) The results of a comparative analysis and independent cost assessment, conducted by the Comptroller General, of options to modernize propulsion systems of the F-35 aircraft, including—

(A) modernizing the existing F135 engine; and

(B) the development and insertion of the Adaptive Engine Transition Program engine.

(2) The costs of the alternatives associated with development, production, retrofit, integration, and installation, including air vehicle modifications, and sustainment infrastructure requirements of the Adaptive Engine Transition Program engine for the F-35A aircraft.

(3) An assessment of progress made by prototype aircraft in the Adaptive Engine Transition Program effort.

(4) The timeline associated with modernizing the F135 engine to meet Block 4 upgrade requirements for the F-35A aircraft.

(5) The costs associated with modernizing the F135 engine to meet Block 4 upgrade requirements.

(6) An assessment of the potential impact of the modernization alternatives described in this subsection on life cycle sustainment and sparing contracts, including the impact on international partners.

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

**Subtitle A—Authorization of Appropriations**

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

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

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

**SEC. 211. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF RESEARCH AND DEVELOPMENT FUNDS.**

(a) **IN GENERAL.**—Chapter 301 of title 10, United States Code, is amended by inserting after section 4026 the following new section:

**“§ 4027. Disclosure requirements for recipients of research and development funds**

“(a) **IN GENERAL.**—Except as provided in subsections (b) and (c), an individual or entity (including a State or local government) that uses funds received from the Department of Defense to carry out research or development activities shall include, in any public document pertaining to such activities, a clear statement indicating the dollar amount of the funds received from the Department for such activities.

“(b) **EXCEPTION.**—The disclosure requirement under subsection (a) shall not apply to a public document consisting of fewer than 280 characters.

“(c) **WAIVER.**—The Secretary of Defense may waive the disclosure requirement under subsection (a) on a case-by-case basis.

“(d) **PUBLIC DOCUMENT DEFINED.**—In this section, the term ‘public document’ means any document or other written statement made available for public reference or use, regardless of whether such document or statement is made available in hard copy or electronic format.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4026 the following new item:

“4027. Disclosure requirements for recipients of research and development funds.”

**SEC. 212. MODIFICATION OF COOPERATIVE RESEARCH AND DEVELOPMENT PROJECT AUTHORITY.**

(a) **IN GENERAL.**—Section 2350a of title 10, United States Code, is amended—

(1) in subsection (a)(2), by adding at the end the following:

“(F) The European Union, including the European Defence Agency, the European Commission, and the Council of the European Union, and their suborganizations.”; and

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

“(1) The term ‘cooperative research and development project’ means a project—

“(A) involving joint participation by—

“(i) the United States and—

“(ii)(I) one or more countries and organizations referred to in subsection (a)(2) under a memorandum of understanding (or other formal agreement); or

“(II) one or more parties in the national technology and industrial base (as defined in section 4801 of this title) under a memorandum of understanding (or other formal agreement); and

“(B) to carry out a joint research and development program—

“(i) to develop new conventional defense equipment and munitions; or

“(ii) to modify existing military equipment to meet United States military requirements.”

(b) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulations to conform with section 2350a of title 10, United States Code, as amended by subsection (a).

**SEC. 213. ADMINISTRATION OF THE ADVANCED SENSOR APPLICATIONS PROGRAM.**

**(a) RESOURCE SPONSOR.—**

(1) **IN GENERAL.**—The Commander of Naval Air Systems Command (NAVAIR) shall, in conjunction with the Director of Air Warfare (OPNAV N98), serve as the resource sponsor for the Advanced Sensor Applications Program (known as “ASAP” and in this section referred to as the “Program”).

(2) **RESPONSIBILITIES.**—The resource sponsor of the Program shall be responsible for the following:

(A) Developing budget requests relating to the Program.

(B) Establishing priorities for the Program.

(C) Approving the execution of funding and projects for the Program.

(D) Coordination and joint planning with external stakeholders in matters relating to the Program.

(b) **LIMITATIONS.**—No other entity in the Department of the Navy may—

(1) serve as a resource sponsor for the Program;

(2) provide direction and management for the Program;

(3) set priorities for the Program;

(4) regulate or limit the information available or accessible to the Program;

(5) edit reports or findings generated under the Program; or

(6) coordinate and manage interactions of the Program with external stakeholders.

(c) **AUTHORITY FOR PROGRAM MANAGER.**—The program manager for the Program may access, consider, act on, and apply information, at all levels of classification and from all sources and organizations, that is pertinent to the projects and activities that the Program is executing, or considering proposing for the future.

(d) **QUARTERLY BRIEFINGS.**—Not less frequently than once every three months, the program manager for the Program shall provide the congressional defense committees and congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) a briefing on all aspects of the Program, including on the

implementation of this section, other congressional direction, and direction and oversight from the Commander of Naval Air Systems Command and other higher headquarters.

(e) **STRATEGIC RELATIONSHIP.**—The program manager for the Program shall evaluate the feasibility and advisability of establishing a strategic relationship with the Naval Research Laboratory for scientific and technical assistance and support for the Program.

(f) **USE OF ASSETS.**—The Commander shall take all actions the Commander considers reasonable—

(1) to enable the Program to utilize assets controlled within the Naval Air Systems Command enterprise, including sensor systems and platforms; and

(2) to pursue the use of other assets that may further the mission of the Program.

**SEC. 214. MODIFICATION OF AUTHORITY OF THE DEPARTMENT OF DEFENSE TO CARRY OUT CERTAIN PROTOTYPE PROJECTS.**

Section 4022 of title 10, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking “, and any follow-on production contract or transaction that is awarded pursuant to subsection (f),” both places it appears;

(B) in subparagraph (A)(ii), by striking “; and” and inserting a semicolon;

(C) in subparagraph (B)(ii), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following new subparagraph:  
“(C) may be exercised for a transaction for a follow-on production contract or transaction that is awarded pursuant to subsection (f) and expected to cost the Department of Defense in excess of \$100,000,000 (including all options) only if a covered official—

“(i) determines in writing that—

“(I) the requirements of subsection (d) will be met; and

“(II) the use of the authority of this section is essential to meet critical national security objectives; and

“(ii) notifies the congressional defense committees in writing of the findings required under clause (i) at the time such authority is exercised.”; and

(2) in subsection (e)—

(A) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following new paragraph:

“(1) The term ‘covered official’ means—

“(A) a service acquisition executive;

“(B) the Director of the Defense Advanced Research Projects Agency;

“(C) the Director of the Missile Defense Agency;

“(D) the Undersecretary of Defense for Acquisition and Sustainment; or

“(E) the Undersecretary of Defense for Research and Engineering.”; and

(C) by inserting after paragraph (2), as so redesignated, the following new paragraph:

“(3) The term ‘service acquisition executive’ has the meaning given the term in section 101 of this title.”.

**SEC. 215. COMPETITIVELY AWARDED DEMONSTRATIONS AND TESTS OF ELECTROMAGNETIC WARFARE TECHNOLOGY.**

(a) **DEMONSTRATIONS AND TESTS REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Director of the Air Force Rapid Capabilities Office (RCO) shall conduct competitively awarded demonstrations and tests of commercial electronics technology to determine whether technology currently exists that could en-

able the following electromagnetic warfare capabilities:

(1) The operation of multiple emitters and receivers in the same frequency at the same time and in the same location without mutual interference and without using adaptive beam forming or nulling.

(2) Protecting the reception of Global Positioning System and other vulnerable low-power signals from multiple high-power jammers at a level that is significantly better than the protection afforded by Controlled Reception Pattern Antennas.

(3) Simultaneous transmission from and reception of separate signals on the same platform wherein the signals lie in the same frequency and are transmitted and received at the same time without interference.

(4) Capabilities similar to paragraphs (1) through (3) in a live, virtual constructive simulation environment.

(5) Other capabilities that might satisfy or support needs set forth in the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

(b) **OVERSIGHT OF TESTS.**—The Director of Operational Test and Evaluation shall—

(1) provide oversight of the demonstrations and tests required by subsection (a);

(2) review other applicable government or commercial demonstrations and tests; and

(3) not later than 30 days after the completion of the demonstrations and tests under subsection (a), independently advise the Chief Information Officer (CIO) of the Department of Defense, the Under Secretary of Defense for Research and Engineering (USD R&E), and the Under Secretary of Defense for Acquisition and Sustainment (USD A&S) of the outcomes of the demonstrations and tests.

(c) **OUTCOME-BASED ACTIONS REQUIRED.**—If the Director of Operational Test and Evaluation and the Director of the Air Force Rapid Capabilities Office affirm that the demonstrations and tests under subsection (a) confirm that current technology could enable the capabilities described in paragraphs (1) through (3) of such subsection—

(1) not later than 45 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office and the Director of Operational Test and Evaluation shall brief the congressional defense committees on the outcomes of the tests;

(2) the Director of the Air Force Rapid Capabilities Office may commit additional funds to begin engineering form, fit, and function development and integration for specific Department of Defense platforms and applications; and

(3) not later than 90 days after the conclusion of the tests under subsection (a), the Director of the Air Force Rapid Capabilities Office, the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment shall brief the congressional defense committees on a plan to further develop and deploy the demonstrated and tested technologies to support the Electromagnetic Spectrum Superiority Strategy Implementation Plan.

**SEC. 216. GOVERNMENT-INDUSTRY WORKING GROUP ON MICROELECTRONICS.**

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The Secretary of Defense shall establish a working group for industry, academia, and Department of Defense components to coordinate on microelectronics issues of mutual interest as specified in subsection (b).

(2) **COMPOSITION.**—The working group established under paragraph (1) shall be composed of representatives of industry, academia, and Department of Defense components.

(3) **DESIGNATION.**—The working group established under paragraph (1) shall be referred to as the “Government-Industry Working Group on Microelectronics” (in this section referred to as the “Working Group”).

(b) **SCOPE.**—The Secretary shall ensure that the Working Group supports dialogue and coordination on the following topic areas relating to microelectronics:

(1) Future research needs.

(2) Infrastructure needs and shortfalls.

(3) Technical and process standards.

(4) Training and certification needs for the workforce.

(5) Supply chain issues.

(6) Supply chain, manufacturing, and packaging security.

(c) **ADMINISTRATIVE SUPPORT FRAMEWORK.**—

(1) **CHARTER AND POLICIES.**—Not later than March 1, 2023, the Secretary of Defense shall develop a charter and issue policies for the functioning of the Working Group.

(2) **SUPPORT.**—The joint federation of capabilities established under section 937 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) shall provide administrative support to the Working Group.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to give a competitive advantage to any participant in the Working Group.

(e) **SUNSET.**—The provisions of this section shall terminate on December 31, 2030.

**SEC. 217. INCLUSION OF OFFICE OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING IN PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.**

Section 4092 of title 10, United States Code, is amended—

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

“(10) **OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING.**—The Undersecretary of Defense for Research and Engineering may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Office.”; and

(2) in subsection (b)(1)—

(A) in subparagraph (H), by striking “; and” and inserting a semicolon;

(B) in subparagraph (I), by striking the semicolon and inserting “; and”; and

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

“(J) in the case of the Office of the Under Secretary of Defense for Research and Engineering, appoint scientists and engineers to a total of not more than 10 scientific and engineering positions in the Office.”.

**SEC. 218. INVESTMENT PLAN FOR FOUNDATIONAL CAPABILITIES NEEDED TO DEVELOP NOVEL PROCESSING APPROACHES FOR FUTURE DEFENSE APPLICATIONS.**

(a) **INVESTMENT PLANS REQUIRED.**—Not later than November 1, 2023, and not less frequently than once every three years thereafter until December 31, 2035, the Secretary of Defense shall submit to the congressional defense committees an investment plan for foundational capabilities needed to develop novel processing approaches for future defense applications.

(b) **PURPOSE.**—The purpose of the investment plan required by subsection (a) is to establish an integrated approach to the identification, prioritization, development, and leveraging of Department of Defense investments from the research, development, test, and evaluation accounts of the Department.

(c) **ELEMENTS.**—The investment plan required by subsection (a) shall—

(1) identify current and projected investments in research and technology development to support fielding and use of novel processing approaches;

(2) identify current and projected investments supporting the acceleration of novel processing approaches, including investments in—

(A) personnel and workforce capabilities;

(B) facilities and infrastructure to host systems utilizing novel processing approaches;

(C) algorithm developments necessary to expand the functionality from each novel processing approach;

(D) other Federal agencies and federally sponsored laboratories; and

(E) appropriate international and commercial sector organizations and activities;

(3) describe mechanisms to coordinate and leverage investments within the Department and with non-Federal partners;

(4) describe the technical goals to be achieved and capabilities to be developed under the strategy; and

(5) include recommendations for such legislative or administration action as may support the effective execution of the investment plan.

(d) FORM.—Each plan submitted under subsection (a) shall be submitted in such form as the Secretary considers appropriate, which may include classified, unclassified, and publicly releasable formats.

(e) NOVEL PROCESSING APPROACHES DEFINED.—In this section, the term “novel processing approaches” means—

(1) new, emerging techniques in computation, such as biocomputing, exascale computing, utility scale quantum computing; and

(2) associated algorithm and hardware development needed to instantiate such techniques.

**SEC. 219. OPEN RADIO ACCESS NETWORK 5G ACQUISITION ACCELERATION AND TRANSITION PLANS.**

(a) THREE-YEAR TRANSITION PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, the Assistant Secretary of the Navy for Research, Development, and Acquisition, and the Assistant Secretary of the Air Force for Acquisition and Research, in coordination with and under the oversight of the Chief Information Officer, the Under Secretary of Defense for Research and Engineering, and the Under Secretary of Defense for Acquisition and Sustainment, shall each develop and submit to the congressional defense committees an unclassified three-year transition plan for fifth generation information and communications technology (5G) infrastructure for their respective military department.

(2) ELEMENTS.—The transition plans identified under paragraph (1) shall include—

(A) an operational needs assessment that identifies the highest priority areas where fifth generation information and communications technologies should be deployed;

(B) an investment plan that includes funding estimates, by fiscal year and appropriation account, to accelerate the maturation, acquisition, and deployment of fifth generation information and communications capabilities that use the open radio access network approach on Department of Defense facilities and systems;

(C) metrics and reporting mechanisms to drive progress towards the three-year transition goal;

(D) identification and designation of a single point of contact at each installation, and within each of the services to facilitate the

deployment of fifth generation information and communications technologies;

(E) planned efforts to streamline the real estate, contracting, and communications policies and processes to field wireless infrastructure that has resulted in a lengthy approval processes for industry to provide on-air wireless coverage on an installation;

(F) identification of other areas of concern that require investment to support the transition to fifth generation information and communications technology that uses the open radio access network approach; and

(G) such other matters as the Secretary of Defense considers appropriate.

(b) CROSS-FUNCTIONAL TEAM ASSESSMENT.—

(1) ASSESSMENT AND BRIEFING REQUIRED.—Not later than 150 days after the date of the enactment of this Act and after all of the plans required by subsection (a)(1) have been submitted in accordance with such subsection, the cross-functional team established pursuant to section 224(c)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 4571 note) shall assess such plans and provide the congressional defense committees with a briefing on the findings of the cross functional team with respect to such assessment.

(2) ELEMENTS.—The briefing provided under paragraph (1) shall include the following:

(A) Recommendations to further accelerate the deployment of fifth-generation information and communications technologies that use the open radio access network approach across the Department of Defense.

(B) Recommendations to standardize and streamline the real estate, contracting, and communications policies and processes to field wireless infrastructure on an installation.

(C) An engagement plan for Department participants in international wireless standards setting bodies.

(D) Such other matters as the cross functional team described in paragraph (1) considers appropriate.

(c) OPEN RADIO ACCESS NETWORK APPROACH DEFINED.—In this section the term “open radio access network approach” means an approach to networking that uses a disaggregated or virtualized radio access network and core in which components can be provided by different vendors and interoperate through open protocols and interfaces, including those protocols and interfaces utilizing the Open Radio Access Network (commonly known as “Open RAN”) approach.

**SEC. 220. PILOT PROGRAM TO FACILITATE THE DEVELOPMENT OF ELECTRIC VEHICLE BATTERY TECHNOLOGIES FOR WARFIGHTERS.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense may establish and carry out a pilot program to assess the feasibility and advisability of providing support to domestic battery producers, particularly those producing lithium-ion cells and battery packs—

(A) to facilitate the research and development of safe and secure battery technologies for existing as well as new or novel battery chemistry configurations;

(B) to assess existing commercial battery offerings within the marketplace for viability and utility for warfighter applications; and

(C) to transition such technologies, including technologies developed from pilot programs, prototype projects, or other research and development programs, from the prototyping phase to production.

(2) DESIGNATION.—The pilot program established under paragraph (1) shall be known as the “Warfighter Electric Battery Transition

Project” (referred to in this section as the “Project”).

(b) GRANTS, CONTRACTS, AND OTHER AGREEMENTS.—The Secretary may carry out the Project through the award of support, as described in subsection (a)(1), in the form of grants to, or contracts or other agreements with, battery producers, particularly those producing lithium-ion cells and battery packs.

(c) USE OF GRANT AND CONTRACT AMOUNTS.—A recipient of a grant, contract, or other agreement under the Project may use the amount of the grant, contract, or other agreement to carry out the following:

(1) Conducting research and development to validate new or novel battery chemistry configurations, including through experimentation, prototyping, testing, integration or manufacturing feasibility assessment.

(2) Providing commercially available technologies to each Secretary of a military department and the commanders of combatant commands to support utility assessments or other testing by warfighters.

(3) Building and strengthening relationships of the Department of Defense with non-traditional defense contractors in the technology industry that may have unused or underused solutions to the specific operational challenges of the Department.

(d) PRIORITY OF AWARDS.—In awarding grants, contracts, or other agreements under the Project, the Secretary shall give preference to technology producers that—

(1) manufacture battery cells, packs, and modules in the United States;

(2) manufacture battery cells, packs, and modules in the national technology industrial base (NTIB);

(3) provide modularity to support diverse applications;

(4) facilitate safety in tactical and combat applications by using chemistries that reduce thermal runaway and minimize oxygen liberation;

(5) facilitate optimal use in light- medium- and heavy-duty applications by providing a minimum of 400 Wh/L of volumetric energy density;

(6) demonstrate new or novel battery chemistry configurations, safety characteristics, or form-factor configurations;

(7) facilitate the domestic supply chain for raw materials; and

(8) offer commercial products or commercial services and maintains customers with verified purchase orders.

(e) REPORTING AND DATA COLLECTION.—

(1) PLAN REQUIRED BEFORE IMPLEMENTATION.—The Secretary may not commence the Project until the Secretary has completed a plan for the implementation of the Project, including—

(A) collecting, analyzing, and retaining Project data;

(B) developing and sharing best practices for achieving the objectives of the Project;

(C) identification of any policy or regulatory impediments inhibiting the execution of the program; and

(D) sharing results from the program across the Department, and with elements of the Federal Government, including the legislative branch of the Federal Government.

(f) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall administer the Project.

(g) TERMINATION.—The Project shall terminate on December 31, 2028.

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

**SEC. 231. REPORT ON RECOMMENDATIONS FROM ARMY FUTURES COMMAND RESEARCH PROGRAM REALIGNMENT STUDY.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this

Act, the Secretary of the Army shall submit to the congressional defense committees a report on the recommendations made by the National Academies in the Army Futures Command Research Program Realignment Study.

(b) **CONTENTS.**—The report submitted under subsection (a) shall include the following:

(1) A description of each recommendation described in such subsection that has already been implemented.

(2) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(3) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(4) For each recommendation under paragraph (3) the Secretary determines to implement, the following:

(A) A timeline for implementation.

(B) A description of any additional resources or authorities required for implementation.

(C) The plan for implementation.

(5) For each recommendation under paragraph (3) the Secretary determines not to implement, a justification for the determination not to implement.

(c) **FORMAT.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 232. STRATEGY AND PLAN FOR STRENGTHENING AND FOSTERING DEFENSE INNOVATION ECOSYSTEM.**

(a) **STRATEGY AND IMPLEMENTATION PLAN REQUIRED.**—Not later than March 1, 2023, the Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall develop a strategy and an implementation plan for the defense innovation ecosystem.

(b) **PURPOSES.**—

(1) **STRATEGY.**—The purpose of the strategy required by subsection (a) is to provide a framework for identifying, assessing, and tracking innovation ecosystems that are beneficial to advancing the defense, national security, and warfighting missions of the Department of Defense.

(2) **IMPLEMENTATION PLAN.**—The purpose of the implementation plan required by subsection (a) is to provide—

(A) concrete steps and measures of effectiveness to gauge the effect of the innovation ecosystems described in paragraph (1) on the Department; and

(B) a means for assessing the effectiveness of approaches taken by the Department to grow, foster, and sustain such innovation ecosystems.

(c) **ELEMENTS.**—The strategy and the implementation plan required by subsection (a) shall include the following elements:

(1) A process for defining, assessing, and selecting innovation ecosystems with potential to provide benefit to the Department.

(2) Metrics for measuring the performance and health of innovation ecosystems being supported by the Department, including identification of criteria to determine when to establish or cease supporting identified ecosystems.

(3) Identification of Department of Defense research, development, test, and evaluation assets and authorities that can be engaged in identifying, establishing, sustaining, and expanding innovation ecosystems.

(4) For each innovation ecosystem designated or established by the Department—

(A) a listing of such innovation ecosystems with a description of core competencies or focus areas;

(B) identification of Department research, development, test, and evaluation organizations engaged with such innovation ecosystems;

(C) identification of the private sector assets and authorities that are being used to support, sustain, and expand the identified innovation ecosystem; and

(D) a description of challenges and successes associated with each innovation ecosystem.

(5) Such other elements as the Secretary considers appropriate.

(d) **INTERIM BRIEFING.**—Not later than December 1, 2022, the Secretary shall provide the congressional defense committees a briefing on the strategy and implementation plan developed under subsection (a).

(e) **SUBMITTAL OF STRATEGY AND PLAN.**—Not later than March 1, 2023, the Secretary shall submit to the congressional defense committees the strategy and implementation plan developed under subsection (a).

(f) **QUADRENNIAL UPDATES.**—Not later than March 1, 2027, and not less frequently than once every four years thereafter until December 31, 2039, the Secretary shall—

(1) update the strategy and plan developed under subsection (a); and

(2) submit the updated strategy and plan to the congressional defense committees.

(g) **AUTHORITIES.**—The strategy and implementation plan developed under subsection (a) may incorporate the use of the following authorities or programs:

(1) Section 1746a of title 10, United States Code, relating to acquisition workforce educational partnerships.

(2) Section 2194 of such title, relating to education partnerships.

(3) Section 2474 of such title, relating to centers of industrial and technical excellence.

(4) Section 4001 of such title, relating to research and development projects.

(5) Section 4010 of such title, relating to the Defense established program to stimulate competitive research.

(6) Sections 4021 and 4022 of such title, relating to transactions other than contracts and grants and authority of the Department of Defense to carry out certain prototype projects, respectively.

(7) Section 4023 of such title, relating to procurement for experimental purposes.

(8) Section 4025 of such title, relating to prizes for advanced technology achievements.

(9) Section 4123 of such title, relating to mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

(10) Section 4144 of such title, relating to research and educational programs at historically black colleges and universities and minority serving institutions.

(11) Section 4832 of such title, relating to the encouragement of technology transfer at the Department of Defense.

(12) Section 252 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), relating to regional advanced technology clusters.

(13) Section 801(e) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 4832 note), relating to enhanced transfer of technology development at Department of Defense laboratories.

(14) Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), relating to defense pilot program for authority to acquire innovative commercial products, technologies, and services using general solicitation competitive procedures.

(15) Section 217 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 4001 note), relating to mech-

anisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.

(16) Section 833 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 4001 note), relating to a pilot program on acquisition practices for emerging technologies.

(17) Other such authorities as the Secretary deems appropriate.

(h) **DEFINITIONS.**—In this section:

(1) The term “Department of Defense research, development, test, and evaluation assets” includes the following:

(A) The Department of Defense science and technology reinvention laboratories designated under section 4121 of title 10, United States Code.

(B) The Major Range and Test Facility Base (as defined in section 4173(i) of such title).

(C) Department of Defense sponsored manufacturing innovation institutes.

(D) The organic industrial base.

(E) Department of Defense agencies and field activities that execute research, development, test, and evaluation funded activities.

(2) The term “innovation ecosystem” refers to a regionally based network of private sector, academic, and government institutions in a network of formal and informal institutional relationships that contribute to technological and economic development in a defined technology sector or sectors.

**SEC. 233. MODIFICATION OF DIRECTOR FOR OPERATIONAL TEST AND EVALUATION ANNUAL REPORT.**

Section 139(h)(3) of title 10, United States Code, is amended by inserting “or controlled unclassified” after “classified”.

**SEC. 234. EXTENSION OF REQUIREMENT FOR QUARTERLY BRIEFINGS ON DEVELOPMENT AND IMPLEMENTATION OF STRATEGY FOR FIFTH GENERATION INFORMATION AND COMMUNICATIONS TECHNOLOGIES.**

Section 254(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 4571 note) is amended, in the matter before subparagraph (A), by striking “March 15, 2022” and inserting “December 1, 2026”.

**SEC. 235. REPORT ON ESTIMATED COSTS OF CONDUCTING A MINIMUM FREQUENCY OF HYPERSONIC WEAPONS TESTING.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on estimated costs for conducting not fewer than one full-scale, operationally relevant, live-fire, hypersonic weapon test of the systems currently under development each year by each of the Air Force, the Army, and the Navy, once such systems reach initial operational capability.

**SEC. 236. ANNUAL REPORT ON STUDIES AND REPORTS BEING UNDERTAKEN BY THE DEPARTMENT OF DEFENSE.**

Section 4126 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) **ANNUAL REPORT.**—(1) Each year, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report on all studies and reports being undertaken for the Department of Defense as of the date of the report by federally funded research and development centers.

“(2) Each report submitted under paragraph (1) shall set forth, for the period covered by the report, the following:

“(A) A list of each study and report described by paragraph (1).

“(B) For each study or report listed under subparagraph (A) the following:

“(i) The title of the study or report.

“(ii) The federally funded research and development center undertaking the study or report.

“(iii) The amount of the contract or other agreement pursuant to which the study or report is being produced or conducted.

“(iv) The anticipated completion date of the study or report.

“(3) The report required by paragraph (1) shall not apply to the following:

“(A) Classified reports or studies.

“(B) Technical reports associated with scientific research or technical development activities.

“(C) Reports or studies that are deliverables under contract for non-Defense Department entities.

“(D) Reports or studies that are draft, or have not undergone a peer-review or pre-publication security review process established by the federally funded research and development centers.”

“(4) The report required by paragraph (1) shall be generated using the products and processes generated pursuant to section 908 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 111 note).

“(5) The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this subsection.”

**SEC. 237. QUANTIFIABLE ASSURANCE CAPABILITY FOR SECURITY OF MICROELECTRONICS.**

(a) DEVELOPMENT AND IMPLEMENTATION OF CAPABILITY.—The Secretary of Defense shall develop and implement a capability for quantifiable assurance to achieve practical, affordable, and risk-based objectives for security of microelectronics to enable the Department of Defense to access and apply state-of-the-art microelectronics for military purposes.

(b) ESTABLISHMENT OF REQUIREMENTS AND SCHEDULE OF SUPPORT FOR DEVELOPMENT, TEST, AND ASSESSMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Research and Engineering, establish requirements and a schedule for support from the National Security Agency to develop, test, assess, implement, and improve the capability required by subsection (a).

(2) NATIONAL SECURITY AGENCY.—The Director of the National Security Agency shall take such actions as may be necessary to satisfy the requirements established under paragraph (1).

(3) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering and the Director of the National Security Agency shall provide the congressional defense committees a briefing on the requirements and the schedule for support established under paragraph (1).

(c) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense shall assess whether the Department of Defense, to enable expanded use of unprogrammed application specific integrated circuits or other custom-designed integrated circuits manufactured by a supplier that is not using processes accredited by the Defense Microelectronics Activity for the purpose of enabling the Department to access commercial state-of-the-art microelectronics technology using risk-based quantifiable assurance security methodology, should—

(A) seek changes to the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, and Department of Defense Instruc-

tion 5200.44 (relating to protection of mission critical functions to achieve trusted systems and networks); and

(B) expand the use of unprogrammed custom-designed integrated circuits that are not controlled by such regulations.

(2) BRIEFING.—Not later than April 1, 2023, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

**SEC. 238. CLARIFICATION OF ROLE OF CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER.**

(a) PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(6)—

(A) by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”; and

(B) by striking “for the Center” and inserting “to support the activities of such official under section 238 of such Act”; and

(C) in the paragraph heading, by striking “CENTER”;

(2) in subsection (b)(1)(F)—

(A) by striking “Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”; and

(B) by striking “in the Center” and inserting “in support of the activities of such official under section 238 of such Act”;

(3) in subsection (c)(2), by striking “Joint Artificial Intelligence Center” and inserting “the activities under section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”.

(b) JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.—Section 238 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.) is amended—

(1) by amending subsection (c) to read as follows:

“(c) ORGANIZATION AND ROLES.—

“(1) IN GENERAL.—In addition to designating an official under subsection (b), the Secretary of Defense shall assign to appropriate officials within the Department of Defense roles and responsibilities relating to the research, development, prototyping, testing, procurement of, requirements for, and operational use of artificial intelligence technologies.

“(2) APPROPRIATE OFFICIALS.—The officials assigned roles and responsibilities under paragraph (1) shall include—

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

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

“(C) one or more officials in each military department;

“(D) officials of appropriate Defense Agencies; and

“(E) such other officials as the Secretary of Defense determines appropriate.”;

(2) in subsection (e), by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under subsection (b)”;

(3) by striking subsection (h).

(c) BIENNIAL REPORT ON ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) is amended—

(A) in the section heading, by striking “JOINT ARTIFICIAL INTELLIGENCE CENTER” and inserting “ACTIVITIES OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE”;

(B) in subsection (a)—

(i) by striking “2023” and inserting “2025”; and

(ii) by striking “Joint Artificial Intelligence Center (referred to in this section as the ‘Center’)” and inserting “Chief Digital and Artificial Intelligence Office (referred to in this section as the ‘Office’)”;

(C) in subsection (b)—

(i) in paragraph (1), by striking “Center” and inserting “Office”;

(ii) in paragraph (2), by striking “National Mission Initiatives, Component Mission Initiatives, and any other initiatives of the Center” and inserting “initiatives of the Office”;

(iii) in paragraphs (3) through (6), by striking “Center” each place it appears and inserting “Office”;

(iv) in paragraph (7), by striking “Center and the Center’s investments in the National Mission Initiatives and Component Mission Initiatives” and inserting “Office and the Office’s investments”;

(v) in paragraph (8), by striking “Chief Information Officer” and inserting “Chief Digital Artificial Intelligence Officer”;

(vi) in paragraph (10), by striking “Center” and inserting “Officer”;

(D) by striking subsection (c).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 260 and inserting the following new item:

“Sec. 260. Biannual report on the activities of the Chief Digital and Artificial Intelligence Office.”

(d) CHIEF DATA OFFICER RESPONSIBILITY FOR DEPARTMENT OF DEFENSE DATA SETS.—Section 903(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2223 note) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(e) BOARD OF ADVISORS FOR THE OFFICE OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE.—

(1) IN GENERAL.—Section 233 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 4001 note) is amended—

(A) in the section heading, by striking “JOINT ARTIFICIAL INTELLIGENCE CENTER” and inserting “CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICE”;

(B) in subsection (a), by striking “Joint Artificial Intelligence Center” and inserting “Chief Digital and Artificial Intelligence Office”;

(C) in subsection (b), by striking “Director” each place it appears and inserting “Chief Digital and Artificial Intelligence Officer”;

(D) in subsection (f), by striking “September 30, 2024” and inserting “September 30, 2026”; and

(E) in subsection (g)—

(i) by striking paragraphs (2) and (3); and

(ii) by redesignating paragraph (4) as paragraph (2).

(2) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by striking the item relating to section 233 and inserting the following new item:

“Sec. 233. Board of advisors for the Chief Digital and Artificial Intelligence Office.”

(f) APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR IN THE NATIONAL DEFENSE STRATEGY.—Section

234(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 113 note) is amended by striking “Director of the Joint Artificial Intelligence Center” and inserting “official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.)”.

(g) PILOT PROGRAM ON THE USE OF ELECTRONIC PORTFOLIOS TO EVALUATE CERTAIN APPLICANTS FOR TECHNICAL POSITIONS.—Section 247(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1580 note prec.) is amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting before paragraph (3) the following new paragraph (1):

“(3) the Chief Digital and Artificial Intelligence Office;”;

(3) by redesignating paragraphs (3) and (4) and paragraphs (2) and (3), respectively.

(h) REFERENCES TO JOINT ARTIFICIAL INTELLIGENCE CENTER IN LAW.—Any reference in any law, regulation, guidance, instruction, or other document of the Federal Government to the Director of the Joint Artificial Intelligence Center of the Department of Defense or to the Joint Artificial Intelligence Center shall be deemed to refer to the official designated under section 238(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 4061 note prec.) or the office of such official, as the case may be.

### TITLE III—OPERATION AND MAINTENANCE

#### Subtitle A—Authorization of Appropriations

##### SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

#### Subtitle B—Energy and Environment

##### SEC. 311. AGGREGATION OF ENERGY CONSERVATION MEASURES AND FUNDING.

Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(j) AGGREGATE ENERGY CONSERVATION MEASURES AND FUNDING.—(1) To the maximum extent practicable, the Secretary concerned shall take a holistic view of the energy project opportunities on installations under the jurisdiction of such Secretary and shall consider aggregate energy conservation measures, including energy conservation measures with quick payback, with energy resilience enhancement projects and other projects that may have a longer payback period.

“(2) In considering aggregate energy conservation measures under paragraph (1), the Secretary concerned shall incorporate all funding available to such Secretary for such measures, including—

“(A) appropriated funds, such as—

“(i) funds appropriated for the Energy Resilience and Conservation Investment Program of the Department; and

“(ii) funds appropriated for the Facilities Sustainment, Restoration, and Modernization program of the Department; and

“(B) funding available under performance contracts, such as energy savings performance contracts and utility energy service contracts.”.

##### SEC. 312. ESTABLISHMENT OF JOINT WORKING GROUP TO DETERMINE JOINT REQUIREMENTS FOR FUTURE OPERATIONAL ENERGY NEEDS OF DEPARTMENT OF DEFENSE.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a joint working group

(in this section referred to as the “working group”) to determine joint requirements for future operational energy needs of the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of the Air Force shall serve as the executive agent of the working group.

(c) REQUIREMENTS SPECIFIED.—

(1) IN GENERAL.—In determining joint requirements under subsection (a), the working group shall address the operational energy needs of each military department and combatant command to meet energy needs in all domains of warfare, including land, air, sea, space, cyberspace, subsea, and subterranean environments.

(2) PRIORITY FOR CERTAIN SYSTEMS.—Priority for joint requirements under subsection (a) shall be given to independent operational energy systems that—

(A) are capable of operating in austere and isolated environments with quick deployment capabilities; and

(B) may reduce conventional air pollution and greenhouse gas emissions comparable to currently used systems.

(d) EXISTING OR NEW PROGRAMS.—The working group shall address the feasibility of meeting joint requirements determined under subsection (a) through the existing energy programs of the Department and make recommendations for new programs to meet such requirements.

(e) FOCUS AREAS.—In carrying out the requirements under this section, the working group shall focus its efforts on operational energy, to include—

(1) micro-reactors and small modular reactors;

(2) hydrogen-based fuel systems, including hydrogen fuel cells and hydrogen-based combustion engines;

(3) battery storage;

(4) renewable energy sources;

(5) retrofits to existing platforms that will increase efficiencies; and

(6) other technologies and resources that meet joint requirements determined under subsection (a).

(f) RECOMMENDED PLAN OF ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees an unclassified and classified report and provide to the congressional defense committees a classified briefing outlining recommendations for programs to meet joint requirements for future operational energy needs of the Department of Defense by 2025, 2030, and 2040.

(2) FOCUS ON READINESS AND FLEXIBILITY.—In submitting the report and providing the briefing required by paragraph (1), the Secretary shall—

(A) address each element of the report or briefing, as the case may be, in the context of maintaining or increasing—

(i) the readiness levels of the Armed Forces; and

(ii) the flexibility of operational elements within the Department; and

(B) disregard energy sources that do not increase such readiness and flexibility, with an explanation for the reason such sources were disregarded.

(g) DEFINITIONS.—In this section:

(1) ADVANCED NUCLEAR REACTOR.—The term “advanced nuclear reactor” has the meaning given that term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) MICRO-REACTOR.—The term “micro-reactor” means an advanced nuclear reactor that has an electric power production capacity that is not greater than 50 megawatts that can be transported via land, air, or sea transport and can be redeployed.

(3) SMALL MODULAR REACTOR.—The term “small modular reactor” means an advanced nuclear reactor—

(A) with a rated capacity of less than 300 electrical megawatts; or

(B) that can be constructed and operated in combination with similar reactors at a single site.

##### SEC. 313. ADDITIONAL SPECIAL CONSIDERATIONS FOR DEVELOPING AND IMPLEMENTING THE ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN OF THE DEPARTMENT OF DEFENSE.

Section 2911(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(14) The reliability and security of energy resources in the event of a military conflict.

“(15) The value of resourcing energy from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.”.

##### SEC. 314. PARTICIPATION IN POLLUTANT BANKS AND WATER QUALITY TRADING.

(a) IN GENERAL.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2694c the following new section:

##### “§ 2694d. Participation in pollutant banks and water quality trading

“(a) AUTHORITY TO PARTICIPATE.—The Secretary of a military department, and the Secretary of Defense with respect to matters concerning a Defense Agency, when engaged in an authorized activity that may or will result in the discharge of pollutants, may make payments to a pollutant banking program or water quality trading program approved in accordance with the Water Quality Trading Policy dated January 13, 2003, set forth by the Office of Water of the Environmental Protection Agency, or any successor administrative guidance or regulation.

“(b) TREATMENT OF PAYMENTS.—Payments made under subsection (a) to a pollutant banking program or water quality trading program may be treated as eligible project costs for military construction.

“(c) DISCHARGE OF POLLUTANTS DEFINED.—In this section, the term ‘discharge of pollutants’ has the meaning given that term in section 502(12) of the Federal Water Pollution Control Act (33 U.S.C. 1362(12)) (commonly referred to as the ‘Clean Water Act’).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2694c following new item:

“2694d. Participation in pollutant banks and water quality trading.”.

##### SEC. 315. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The term ‘State-owned National Guard facility’ means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.”.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting “and at State-owned National Guard facilities” before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

“(D) Each State-owned National Guard facility being used for training the National



Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.”.

**SEC. 316. AUTHORIZATION OF CLOSURE OF RED HILL BULK FUEL STORAGE FACILITY.**

(a) IN GENERAL.—The Secretary of Defense may close the Red Hill bulk fuel storage facility of the Department of Defense in Hawaii (in this section referred to as the “Facility”).

(b) PLAN FOR CLOSURE AND POST-CLOSURE CARE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for—

(A) closure of the Facility;  
(B) cleanup of the Facility;  
(C) monitoring of the Facility following such closure;  
(D) maintenance of the Facility following such closure;

(E) optimal post-closure care for the Facility, specifically addressing—

(i) monitoring and maintenance of liners;  
(ii) final covers;  
(iii) leachate collection and removal systems;

(iv) leak detection system; and  
(v) gas collection systems to protect against releases of hazardous elements;

(F) environmental remediation of groundwater at the Facility, to include a description of environmental remediation plans, including necessary resources for the Secretary of the Navy to conduct remediation actions at the Facility in the following year;

(G) coordination and communication with applicable Federal and State regulatory authorities, the local water utility authority, applicable State environmental agencies, and surrounding communities on remediation activities conducted by the Navy at the Facility;

(H) improvements to processes, procedures, organization, training, leadership, education, facilities, and policy of the Department of Defense related to best practices for the remediation and closure of the Facility; and

(I) measures to ensure that future strategic level assets of the Department of Defense are properly maintained and critical environmental assets are protected.

(2) PREPARATION OF PLAN.—The Secretary shall prepare the plan required under paragraph (1) in consultation with—

(A) the Administrator of the Environmental Protection Agency;

(B) the head of the Hawaii Department of Health;

(C) the Director of the United States Geological Survey; and

(D) the heads of such other relevant Federal and State agencies as the Secretary considers appropriate.

(c) IDENTIFICATION OF POINT OF CONTACT AT DEPARTMENT OF DEFENSE.—Not later than 60 days after the date of the enactment of this Act, to ensure clear and consistent communication related to the defueling, cleanup, closure, and remediation of the Facility, the Secretary of Defense shall identify a single point of contact within the Office of the Secretary of Defense to oversee and communicate with the public and members of Congress regarding the status of the Facility at each phase of defueling, cleanup, closure, and remediation.

(d) WATER MONITORING PROGRAM.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish a water monitoring program—

(1) to monitor movement of the fuel plume in the aquifer surrounding the Facility;

(2) to monitor long-term impacts to such aquifer and local water bodies resulting from water contamination from the Facility; and

(3) to coordinate with the Agency for Toxic Substances and Disease Registry of the Department of Health and Human Services as the Agency conducts a follow up to the previously conducted voluntary survey of individuals and entities impacted by water contamination from the Facility.

**SEC. 317. REVISION OF UNIFIED FACILITIES GUIDE SPECIFICATIONS AND UNIFIED FACILITIES CRITERIA TO INCLUDE SPECIFICATIONS ON USE OF GAS INSULATED SWITCHGEAR AND CRITERIA AND SPECIFICATIONS ON MICROGRIDS AND MICROGRID CONVERTERS.**

(a) GAS INSULATED SWITCHGEAR.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall modify the Unified Facilities Guide Specifications to include a distinct specification for medium voltage gas insulated switchgear.

(b) MICROGRIDS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) modify the Unified Facilities Criteria to include criteria for microgrids; and

(2) modify the Unified Facilities Guide Specifications to include specifications for microgrids and microgrid controllers.

**SEC. 318. TRANSFER OF CUSTOMERS FROM ELECTRICAL UTILITY SYSTEM OF THE NAVY AT FORMER NAVAL AIR STATION BARBER'S POINT, HAWAII, TO NEW ELECTRICAL SYSTEM IN KALAELOA, HAWAII.**

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of the Navy shall pay the reasonable costs to transfer all customers off of the electrical utility system of the Navy located at former Naval Air Station Barber's Point, Hawaii, to the new electrical system in Kalaeloa, Hawaii, operated by Hawaii Electric.

(b) COOPERATIVE AGREEMENT OR OTHER INSTRUMENT.—The Secretary of the Navy may enter into a cooperative agreement or other appropriate instrument with a third party—

(1) to make amounts available to pay the reasonable costs of transfers described in subsection (a); and

(2) to reimburse the third party for the reasonable costs that it may incur to carry out paragraph (1).

(c) FACILITATION OF TRANSFER.—To facilitate the transfer of customers described in subsection (a), the Secretary of the Navy shall provide the following to the State of Hawaii:

(1) A load analysis and design necessary to complete such transfer.

(2) Such rights of way and easements as may be necessary to support the construction of replacement electrical infrastructure.

(d) DISPOSAL OF NAVY ELECTRICAL SYSTEM.—Subject to the availability of appropriations for such purpose, after all customers have been transferred as required under subsection (a), the Secretary of the Navy may dispose of the electrical system of the Navy located at former Naval Air Station Barber's Point, Hawaii.

**SEC. 319. PILOT PROGRAM ON USE OF SUSTAINABLE AVIATION FUEL.**

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a pilot program on the use of sustainable aviation fuel by the Department of Defense.

(2) DESIGN OF PROGRAM.—The pilot program shall be designed to—

(A) identify any logistical challenges with respect to the use of sustainable aviation fuel by the Department;

(B) promote understanding of the technical and performance characteristics of sustainable aviation fuel when used in a military setting; and

(C) engage nearby commercial airports to explore opportunities and challenges to partner on increased use of sustainable aviation fuel.

(b) SELECTION OF FACILITIES.—

(1) SELECTION.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than two geographically diverse facilities of the Department at which to carry out the pilot program.

(B) ONSITE REFINERY.—Not fewer than one facility selected under subparagraph (A) shall be a facility with an onsite refinery that is located in proximity to not fewer than one major commercial airport that is also actively seeking to increase the use of sustainable aviation fuel.

(2) NOTICE TO CONGRESS.—Upon the selection of each facility under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives notice of the selection, including an identification of the facility selected.

(c) USE OF SUSTAINABLE AVIATION FUEL.—

(1) PLANS.—For each facility selected under subsection (b), not later than one year after the selection of the facility, the Secretary shall—

(A) develop a plan on how to implement, by September 30, 2028, a target of exclusively using at the facility aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel;

(B) submit the plan developed under subparagraph (A) to the Committees on Armed Services of the Senate and the House of Representatives; and

(C) provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on such plan that includes, at a minimum—

(i) a description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel; and

(ii) a description of any stakeholder engagement in the development of the plan, including any consultations with nearby commercial airport owners or operators.

(2) IMPLEMENTATION OF PLANS.—For each facility selected under subsection (b), during the period beginning on a date that is not later than September 30, 2028, and for five years thereafter, the Secretary shall require, in accordance with the respective plan developed under paragraph (1), the exclusive use at the facility of aviation fuel that is blended to contain not less than 10 percent sustainable aviation fuel.

(d) CRITERIA FOR SUSTAINABLE AVIATION FUEL.—Sustainable aviation fuel used under the pilot program shall meet the following criteria:

(1) Such fuel shall be produced in the United States from domestic feedstock sources.

(2) Such fuel shall constitute drop-in fuel that meets all specifications and performance requirements of the Department of Defense and the Armed Forces.

(e) WAIVER.—The Secretary may waive the use of sustainable aviation fuel at a facility under the pilot program if the Secretary—

(1) determines such use is not feasible due to a lack of domestic availability of sustainable aviation fuel or a national security contingency; and

(2) submits to the congressional defense committees notice of such waiver and the reasons for such waiver.

(f) FINAL REPORT.—

(1) IN GENERAL.—At the conclusion of the pilot program, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a final report on the pilot program.

(2) ELEMENTS.—The report required by paragraph (1) shall include each of the following:

(A) An assessment of the effect of using sustainable aviation fuel on the overall fuel costs of blended fuel.

(B) A description of any operational, infrastructure, or logistical requirements and recommendations for the blending and use of sustainable aviation fuel, with a focus on scaling up adoption of such fuel throughout the Armed Forces.

(C) Recommendations with respect to how military installations can leverage proximity to commercial airports and other jet fuel consumers to increase the rate of use of sustainable aviation fuel, for both military and non-military use, including potential collaboration on innovative financing or purchasing and shared supply chain infrastructure.

(D) A description of the effects on performance and operation of aircraft using sustainable aviation fuel, including—

(i) if used, considerations of various blending ratios and their associated benefits;

(ii) efficiency and distance improvements of flights using sustainable aviation fuel;

(iii) weight savings on large transportation aircraft and other types of aircraft with using blended fuel with higher concentrations of sustainable aviation fuel;

(iv) maintenance benefits of using sustainable aviation fuel, including engine longevity;

(v) the effect of the use of sustainable aviation fuel on emissions and air quality;

(vi) the effect of the use of sustainable aviation fuel on the environment and on surrounding communities, including environmental justice factors that are created by the demand for and use of sustainable aviation fuel by the Department of Defense; and

(vii) benefits with respect to job creation in the sustainable aviation fuel production and supply chain.

(g) SUSTAINABLE AVIATION FUEL DEFINED.—In this section, the term “sustainable aviation fuel” means liquid fuel that—

(1) consists of synthesized hydrocarbon;

(2) meets the requirements of ASTM International Standard D7566 (or successor standard);

(3) is derived from biomass (as such term is defined in section 45K(c)(3) of the Internal Revenue Code of 1986), waste streams, renewable energy sources, or gaseous carbon oxides; and

(4) is not derived from palm fatty acid distillates.

**SEC. 320. RENEWAL OF ANNUAL ENVIRONMENTAL AND ENERGY REPORTS OF DEPARTMENT OF DEFENSE.**

(a) ENVIRONMENTAL REPORT.—Section 2711 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

“(a) REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to Congress a report on progress made by environmental programs of the Department of Defense during the preceding fiscal year.

“(b) ELEMENTS.—Each report under subsection (a) shall include, for the year covered by the report, the following:

“(1) With respect to environmental restoration activities of the Department of De-

fense, and for each of the military departments, information on the Defense Environmental Restoration Program under section 2701 of this title, including—

“(A) the total number of sites at which such program was carried out;

“(B) the progress of remediation for sites that have not yet completed cleanup;

“(C) the remaining cost to complete cleanup of known sites; and

“(D) an assessment by the Secretary of Defense of the overall progress of such program.

“(2) An assessment by the Secretary of achievements for environmental conservation and planning by the Department.

“(3) An assessment by the Secretary of achievements for environmental compliance by the Department.

“(4) An assessment by the Secretary of achievements for climate resiliency by the Department.

“(5) An assessment by the Secretary of the progress made by the Department in achieving the objectives and goals of the Environmental Technology Program of the Department.

“(c) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing, environmental restoration, compliance, and resiliency.”

(b) ENERGY REPORT.—

(1) IN GENERAL.—Section 2925 of such title is amended—

(A) by amending the section heading to read as follows: “**Annual report on energy performance, resilience, and readiness of Department of Defense**”; and

(B) by striking subsections (a) and (b) and inserting the following new subsections:

“(a) REPORT REQUIRED.—Not later than 240 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report detailing the fulfillment during that fiscal year of the authorities and requirements under sections 2688, 2911, 2912, 2920, and 2926 of this title, including progress on energy resilience at military installations and the use of operational energy in combat platforms and at contingency locations.

“(b) ELEMENTS.—Each report under subsection (a) shall include the following:

“(1) For the year covered by the report, the following:

“(A) A description of the progress made to achieve the goals of the Energy Policy Act of 2005 (Public Law 109-58), section 2911(g) of this title, and the Energy Independence and Security Act of 2007 (Public Law 110-140).

“(B) A description of the energy savings, return on investment, and enhancements to installation mission assurance realized by the fulfillment of the goals described in paragraph (1).

“(C) A description of and progress towards the energy security, resilience, and performance goals and master planning for the Department of Defense, including associated metrics pursuant to subsections (c) and (d) of section 2911 of this title and requirements under section 2688(g) of this title.

“(D) An evaluation of progress made by the Department in implementing the operational energy strategy of the Department, including the progress of key initiatives and technology investments related to operational energy demand and management.

“(E) Details of the amounts of any funds transferred by the Secretary of Defense pursuant to section 2912 of this title, including a detailed description of the purpose for which such amounts have been used.

“(2) Statistical information on operational energy demands of the Department, in terms of expenditures and consumption, for the preceding five fiscal years, including information on funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

“(3) A description of each initiative related to the operational energy strategy of the Department and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

“(4) Such recommendations as the Secretary considers appropriate for additional changes in organization or authority within the Department to enable further implementation of the energy strategy and such other comments and recommendations as the Secretary considers appropriate.

“(c) CLASSIFIED FORM.—If a report under subsection (a) is submitted in classified form, the Secretary of Defense shall, concurrently with such report, submit to the congressional defense committees an unclassified version of the report.

“(d) CONSOLIDATION.—The Secretary of Defense may consolidate or attach with or otherwise include in any report required under subsection (a) any annual report or other requirement that is aligned or associated with, or would be better understood if presented as part of a consolidated report addressing energy performance, resilience, and readiness.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 173 of such title is amended by striking the item relating to section 2925 and inserting the following new item:

“2925. Annual report on energy performance, resilience, and readiness of Department of Defense.”

(c) TREATMENT OF TERMINATION OF REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Section 1061(c) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) is amended by striking paragraphs (51) and (54).

(2) RULE OF CONSTRUCTION.—The reports required by sections 2711 and 2925 of title 10, United States Code, as amended by this section, shall not be considered to be covered reports for purposes of section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 111 note).

**SEC. 321. REPORT ON FEASIBILITY OF TERMINATING ENERGY PROCUREMENT FROM FOREIGN ENTITIES OF CONCERN.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Energy, Installations, and Environment shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of terminating energy procurement by the Department of Defense from foreign entities of concern.

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

(1) An assessment of the reliance by the Department of Defense on foreign entities of concern for the procurement of energy.

(2) An identification of the number of energy contracts in force between the Director of the Defense Logistics Agency and a foreign entity of concern or an entity headquartered in a country that is a foreign entity of concern.

(3) Such proposals as the Assistant Secretary of Defense for Energy, Installations, and Environment may have for divestment of resourcing of energy for the Department of Defense from entities described in subparagraph (B) and reconfiguring such

resourcing instead from allies of the United States in the North Atlantic Treaty Organization and other major allies of the United States.

(c) FOREIGN ENTITY OF CONCERN DEFINED.—In this section, the term “foreign entity of concern” has the meaning given that term in section 9901 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651).

**Subtitle C—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances**  
**SEC. 331. INCREASE OF TRANSFER AUTHORITY FOR FUNDING OF STUDY AND ASSESSMENT ON HEALTH IMPLICATIONS OF PER- AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION IN DRINKING WATER BY AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY.**

Section 316(a)(2)(B) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1350), as amended by section 315(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1713), section 321 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1307), section 337 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3533), and section 342 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1643), is further amended—

(1) in clause (ii), by striking “2023” and inserting “2022”; and

(2) by adding at the end the following new clause:

“(iii) Without regard to section 2215 of title 10, United States Code, the Secretary of Defense may transfer not more than \$20,000,000 in fiscal year 2023 to the Secretary of Health and Human Services to pay for the study and assessment required by this section.”.

**SEC. 332. MODIFICATION OF LIMITATION ON DISCLOSURE OF RESULTS OF TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES ON PRIVATE PROPERTY.**

Section 345(a)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 2715 note) is amended by inserting “personally identifiable information in connection with” after “publicly disclose”.

**SEC. 333. DEPARTMENT OF DEFENSE RESEARCH RELATING TO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.**

(a) PUBLICATION OF INFORMATION.—

(1) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of this Act, Secretary of Defense shall publish on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2701 note) timely and regularly updated information on the research efforts of the Department of Defense relating to perfluoroalkyl or polyfluoroalkyl substances, which shall include the following:

(A) A description of any research collaborations and data sharing by the Department with the Department of Veterans Affairs, the Agency for Toxic Substances and Disease Registry, or any other agency (as defined in section 551 title 5, United States Code), States, academic institutions, nongovernmental organizations, or any other entity.

(B) Regularly updated information on research projects supported or conducted by the Department of Defense pertaining to the development, testing, and evaluation of a fluorine-free firefighting foam or any other alternative to aqueous film forming foam that contains perfluoroalkyl or polyfluoroalkyl substances, excluding any

proprietary information that is business confidential.

(C) Regularly updated information on research projects supported or conducted by the Department pertaining to the health effects of perfluoroalkyl or polyfluoroalkyl substances, including information relating to the impact of such substances on firefighters, veterans, and military families and excluding any personally identifiable information.

(D) Regularly updated information on research projects supported or conducted by the Department pertaining to treatment options for drinking water, surface water, ground water, and the safe disposal of perfluoroalkyl or polyfluoroalkyl substances.

(E) Budget information, including specific spending information for the research projects relating to perfluoroalkyl or polyfluoroalkyl substances that are supported or conducted by the Department.

(F) Such other matters as may be relevant to ongoing research projects supported or conducted by the Department to address the use of perfluoroalkyl or polyfluoroalkyl substances and the health effects of the use of such substances.

(2) FORMAT.—The information published under paragraph (1) shall be made available in a downloadable, machine-readable, open, and a user-friendly format.

(3) DEFINITIONS.—In this subsection:

(A) MILITARY INSTALLATION.—The term “military installation” includes active, inactive, and former military installations.

(B) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(C) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(b) INCLUSION OF RESEARCH DUTIES IN PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES TASK FORCE.—Section 2714(e) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

“(5) Supporting research efforts relating to perfluoroalkyl substances or polyfluoroalkyl substances.

“(6) Establishing practices to ensure the timely and complete dissemination of research findings and related data relating to perfluoroalkyl substances or polyfluoroalkyl substances to the general public.”.

**Subtitle D—Logistics and Sustainment**

**SEC. 351. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS REGARDING SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN OF THE NAVY.**

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Navy shall—

(1) develop metrics for assessing progress of the Secretary toward improved shipyard capacity and performance in carrying out the Shipyard Infrastructure Optimization Plan of the Navy, including by measuring the effectiveness of capital investments;

(2) ensure that the shipyard optimization program office of the Navy—

(A) includes all costs, such as inflation, program office activities, utilities, roads, environmental remediation, historic preservation, and alternative workspace when developing a detailed cost estimate; and

(B) uses cost estimating best practices in developing a detailed cost estimate, including—

(i) a program baseline;

(ii) a work breakdown structure;

(iii) a description of the methodology and key assumptions;

(iv) a consideration of inflation;

(v) a full assessment of risk and uncertainty; and

(vi) a sensitivity analysis; and

(3) obtain an independent cost estimate for the shipyard optimization program before starting the prioritization of projects under such program.

(b) BRIEFING.—If the Secretary of the Navy is unable to implement the requirements under subsection (a) by March 1, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives before such date on—

(1) the current progress of the Secretary towards implementing those requirements;

(2) any hindrance to implementing those requirements; and

(3) any additional resources necessary to implement those requirements.

**SEC. 352. RESEARCH AND ANALYSIS ON THE CAPACITY OF PRIVATE SHIPYARDS IN THE UNITED STATES AND THE EFFECT OF THOSE SHIPYARDS ON NAVAL FLEET READINESS.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with a nonprofit entity or a federally funded research and development center to conduct research and analysis regarding the capacity and capability of private shipyards in the United States to repair, maintain, and modernize surface combatants and support ships of the Navy to ensure fleet readiness.

(b) ELEMENTS.—The research and analysis conducted under subsection (a) shall include the following:

(1) An assessment of the maintenance needs of the Navy during the five-year period preceding the date of the enactment of this Act, including frequency of unplanned maintenance and average time it takes to repair ships.

(2) An assessment of the projected maintenance needs of the Navy during the 10-year period following such date of enactment.

(3) An assessment of whether current private shipyards in the United States have the capacity to meet current and anticipated needs of the Navy to maintain and repair ships, include whether there are adequate ship repair facilities and a sufficient trained workforce.

(4) An identification of barriers limiting success of intermediate-level and depot-level maintenance availabilities, including constraints of adding private depot capacity and capability.

(5) Recommendations based on the findings of paragraphs (1) through (4) regarding actions the Secretary of the Navy can take to ensure there is an industrial base of private ship repair facilities to meet the needs of the Navy and ensure fleet readiness, including whether the Secretary should institute a new force generation model, establish additional homeport facilities, or establish new hub-type maintenance facilities.

(c) INPUT FROM PRIVATE SHIPYARDS.—In conducting research and analysis under subsection (a), the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall consult with private shipyards regarding—

(1) the fleet maintenance needs of surface combatant and support ships of the Navy;

(2) private shipyard capacity, including workforce; and

(3) additional investment in private shipyards necessary to meet the needs of the Navy.

(d) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

the nonprofit entity or federally funded research and development center with whom the Secretary of the Navy entered into an agreement under subsection (a) shall submit to the Secretary a report on the results of the research and analysis undertaken under such subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit to the congressional defense committees a copy of the report.

**SEC. 353. LIMITATION ON FUNDS FOR THE JOINT MILITARY INFORMATION SUPPORT OPERATIONS WEB OPERATIONS CENTER.**

Not more than 50 percent of the amount authorized to be appropriated for the Joint Military Information Support Operations Web Operations Center for Operation and Maintenance, Defense-Wide, may be obligated and expended until the Secretary of Defense submits to the congressional defense committees a plan for—

(1) appropriately scoping and tailoring messaging activities to foreign target audiences;

(2) ensuring messages serve a valid military purpose;

(3) effectively managing risk associated with web-based military information support operations;

(4) maintaining alignment with policies and procedures of the Department of Defense;

(5) adequately overseeing and approving the work of contractors;

(6) ensuring alignment with policy guidance and procedures of the Department; and

(7) coordinating activities with the Global Engagement Center of the Department of State and other relevant non-Department of Defense entities.

**SEC. 354. NOTIFICATION OF INCREASE IN RETENTION RATES FOR NAVY SHIP REPAIR CONTRACTS.**

(a) IN GENERAL.—Not later than 30 days before making a change to increase the level of retention rates for a Navy ship repair contract, the Secretary of the Navy shall notify the congressional defense committees.

(b) MATTERS TO BE INCLUDED.—A notification under subsection (a) with respect to a change to increase the level of retention rates for a Navy ship repair contract shall include the following information:

(1) An identification of any considerations that informed the decision to increase such rates.

(2) The desired effect the change will have on the Navy ship repair industrial base.

**SEC. 355. INAPPLICABILITY OF ADVANCE BILLING DOLLAR LIMITATION FOR RELIEF EFFORTS FOLLOWING MAJOR DISASTERS OR EMERGENCIES.**

Section 2208(1)(3) of title 10, United States Code, is amended—

(1) by striking “The total” and inserting “(A) Except as provided in subparagraph (B), the total”; and

(2) by adding at the end the following new subparagraph:

“(B) The dollar limitation under subparagraph (A) shall not apply with respect to advance billing for relief efforts following a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).”

**SEC. 356. REPEAL OF COMPTROLLER GENERAL REVIEW ON TIME LIMITATIONS ON DURATION OF PUBLIC-PRIVATE COMPETITIONS.**

Subsection (c) of section 322 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2252) is repealed.

**Subtitle E—Reports**

**SEC. 371. INCLUSION OF INFORMATION REGARDING JOINT MEDICAL ESTIMATES IN READINESS REPORTS.**

Section 482(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (11) as paragraph (12); and

(2) by inserting after paragraph (10) the following new paragraph:

“(11) A summary of the joint medical estimate under section 732(b)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1817) prepared by the Joint Staff Surgeon with a mitigation plan to correct any readiness problem or deficiency and the timeline, cost, and any legislative action required to correct any such problem or deficiency.”

**Subtitle F—Other Matters**

**SEC. 381. IMPLEMENTATION OF RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION AND MASTER PLAN FOR HOUSING AND CARE OF HORSES.**

(a) IMPLEMENTATION BY SECRETARY OF THE ARMY OF CERTAIN RECOMMENDATIONS RELATING TO ANIMAL FACILITY SANITATION.—Not later than March 1, 2023, the Secretary of the Army shall implement the recommendations contained in the memorandum of the Department of the Army dated February 25, 2022, the subject of which is “Animal Facility Sanitation Inspection Findings for the Fort Myer Caisson Barns/Paddocks and the Fort Belvoir Caisson Pasture Facility” (MHCB-RN).

(b) MASTER PLAN FOR THE HOUSING AND CARE OF ALL HORSES WITHIN THE CARE OF THE OLD GUARD.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of the Army shall submit to Congress a master plan for the housing and care of all horses within the care of the 3rd United States Infantry (commonly known as the “Old Guard”).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) describe all modifications planned or underway at the Fort Myer Caisson Barns/Paddocks, the Fort Belvoir Caisson Pasture Facility, and any other facility or location under consideration for stabling of the horses described in paragraph (1);

(B) identify adequate space at Fort Myer, Virginia, to properly care for the horses described in paragraph (1);

(C) prioritize the allotment of the space identified under subparagraph (B) over other functions of Fort Myer that could be placed elsewhere;

(D) include projected timelines and resource requirements to execute the plan; and

(E) describe—

(i) immediate remedies for the unsanitary and unsafe conditions present at the locations described in subparagraph (A); and

(ii) how long-term quality of life improvements will be provided for the horses described in paragraph (1).

**SEC. 382. INCLUSION OF LAND UNDER JURISDICTION OF DEPARTMENT OF DEFENSE SUBJECT TO LONG-TERM REAL ESTATE AGREEMENT AS COMMUNITY INFRASTRUCTURE FOR PURPOSES OF DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.**

Section 2391(e)(4)(A)(i) of title 10, United States Code, is amended by inserting before the semicolon the following: “or on land under the jurisdiction of a Secretary of a military department subject to a long-term real estate agreement, such as a lease or an easement”.

**SEC. 383. RESTRICTION ON PROCUREMENT OR PURCHASING BY DEPARTMENT OF DEFENSE OF TURNOUT GEAR FOR FIREFIGHTERS CONTAINING PERFLUOROALKYL SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.**

(a) PROHIBITION ON PROCUREMENT AND PURCHASING.—Beginning on October 1, 2026, the Secretary of Defense may not enter into a contract to procure or purchase covered personal protective firefighting equipment for use by Federal or civilian firefighters if such equipment contains an intentionally added perfluoroalkyl substance or polyfluoroalkyl substance.

(b) IMPLEMENTATION.—

(1) INCLUSION IN CONTRACTS.—The Secretary of Defense shall include the prohibition under subsection (a) in any contract entered into by the Department of Defense to procure covered personal protective firefighting equipment for use by Federal or civilian firefighters.

(2) NO OBLIGATION TO TEST.—In carrying out the prohibition under subsection (a), the Secretary shall not have an obligation to test covered personal protective firefighting equipment to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

(c) EXISTING INVENTORY.—Nothing in this section shall impact existing inventories of covered personal protective firefighting equipment.

(d) AVAILABILITY OF ALTERNATIVES.—

(1) IN GENERAL.—The requirement under subsection (a) shall be subject to the availability of sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances.

(2) EXTENSION OF EFFECTIVE DATE.—If the Secretary of Defense determines that no sufficiently protective covered personal protective firefighting equipment that does not contain intentionally added perfluoroalkyl substances or polyfluoroalkyl substances is available, the deadline under subsection (a) shall be extended until the Secretary determines that such covered personal protective firefighting equipment is available.

(e) DEFINITIONS.—In this section:

(1) COVERED PERSONAL PROTECTIVE FIREFIGHTING EQUIPMENT.—The term “covered personal protective firefighting equipment” means—

(A) any product that provides protection to the upper and lower torso, arms, legs, head, hands, and feet; or

(B) any other personal protective firefighting equipment, as determined by the Secretary of Defense.

(2) PERFLUOROALKYL SUBSTANCE.—The term “perfluoroalkyl substance” means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) POLYFLUOROALKYL SUBSTANCE.—The term “polyfluoroalkyl substance” means a man-made chemical containing at least one fully fluorinated carbon atom and at least one non-fully fluorinated carbon atom.

**SEC. 384. CONTINUED DESIGNATION OF SECRETARY OF THE NAVY AS EXECUTIVE AGENT FOR NAVAL SMALL CRAFT INSTRUCTION AND TECHNICAL TRAINING SCHOOL.**

The Secretary of the Navy shall continue, through fiscal year 2023—

(1) to perform the responsibilities of the Department of Defense executive agent for the Naval Small Craft Instruction and Technical Training School pursuant to section 352(b) of title 10, United States Code; and

(2) to provide such support, as necessary, for the continued operation of such school.

**SEC. 385. PROHIBITION ON USE OF FUNDS TO DISCONTINUE THE MARINE MAMMAL SYSTEM PROGRAM.**

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to discontinue or prepare to discontinue, including through substantive reduction in training and operational employment, the Marine Mammal System program that has been or is currently being used for—

(1) port security at installations of the Navy, commonly known as Mark-6 systems; or

(2) mine search capabilities, commonly known as Mark-7 systems.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary, with the concurrence of the Director of Operational Test and Evaluation of the Department of Defense, certifies to the congressional defense committees in writing that the Secretary has—

(1) identified a replacement capability and the necessary quantity of systems to carry out such capability to meet all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such capability and quantity;

(2) achieved initial operational capability of all systems described in paragraph (1) with a detailed explanation of such achievement; and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all operational requirements currently being met by the Marine Mammal System program with a detailed explanation of such deployment.

**SEC. 386. LIMITATION ON REPLACEMENT OF NON-TACTICAL VEHICLE FLEET OF THE DEPARTMENT OF DEFENSE WITH ELECTRIC VEHICLES, ADVANCED-BIOFUEL-POWERED VEHICLES, OR HYDROGEN-POWERED VEHICLES.**

(a) IN GENERAL.—Until the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and House of Representatives the report described in subsection (b), the Secretary may not enter into an indefinite delivery indefinite quantity contract to procure and replace the existing non-tactical vehicle fleet of the Department of Defense with electric vehicles, advanced-biofuel-powered vehicles, or hydrogen-powered vehicles.

(b) ELEMENTS.—The report described in this subsection shall include the following:

(1) A complete cost estimate for the acquisition by the Department of Defense, or through contract mechanisms used by the Department, such as energy savings performance contracts, of electric non-tactical vehicles to replace the existing non-tactical vehicle fleet of the Department, which shall include—

(A) the cost per unit and number of units to be procured of each type of electric non-tactical vehicle (trucks, buses, vans, etc.);

(B) the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements;

(C) a per-unit lifecycle cost comparison between electric vehicles and combustion engine vehicles of each type (electric truck versus conventional truck, etc.);

(D) maintenance requirements of electric vehicles compared to combustion engine vehicles; and

(E) for each military department, a cost comparison over periods of three, five, 10, and 15 years of pursuing an electric non-tactical vehicle fleet versus continuing with combustion engine non-tactical vehicles.

(2) An assessment of the current and projected sourcing shortfalls for lithium, cobalt, and nickel from Taiwan, India, member countries of the North Atlantic Treaty Organization, and major allies of the North Atlantic Treaty Organization.

(3) An assessment of the current and projected supply chain shortfalls for electric vehicles, set forth by industry.

(4) An assessment of the cost associated with building the required infrastructure to support electric non-tactical vehicles, including charging stations and electric grid requirements.

(5) An assessment of the security risks associated with data collection conducted with respect to electric vehicles and related computer systems.

(6) An assessment of the current range requirements for electric vehicle compared to combustion engine vehicles and the average life of vehicles of the Department necessary to maintain current readiness requirements of the Department.

(7) An assessment of maintenance requirements of electric vehicles compared to combustion engine vehicles.

(8) A cost-benefit analysis of the cost, time, and manpower associated with maintenance of electric non-tactical vehicles compared to combustion engine non-tactical vehicles.

(9) An assessment of the effect transitioning to electric non-tactical vehicles would have on the National Defense Stockpile administered by the Defense Logistics Agency and current and future requirements relating to such stockpile.

(10) An identification of components for electric non-tactical vehicles that are currently being sourced from the People's Republic of China.

(11) An assessment of the long-term cost and benefit to the Department of being an early adopter of hydrogen-powered vehicles and advanced-biofuel-powered vehicles.

(12) An assessment of the long-term availability to the Department of internal combustion engines and spare parts for such engines, including whether or not they will be manufactured in the United States or repairable with parts made in the United States and labor in the United States.

(13) A comparison of the relative risk to personnel of the Department, budgetary impacts, and impacts on the supply chain between different fuel types to determine the tradeoffs associated with the adoption and use of any particular fuel type.

(c) ADDITIONAL PROHIBITION.—No funds may be obligated or expended for the Department of Defense for the procurement of non-tactical electric vehicles, advanced-biofuel-powered vehicles, hydrogen-powered vehicles, or any components or spare parts associated with such vehicles that are not in compliance with subpart 22.15 of the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code (or any successor regulations), on the Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor.

(d) DEFINITIONS.—In this section:

(1) ADVANCED-BIOFUEL-POWERED VEHICLE.—The term “advanced-biofuel-powered vehicle” includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2202 (7 U.S.C. 8101(3)(A)).

(2) CHARGING STATION.—The term “charging station” means a parking space with electric vehicle supply equipment that supplies electric energy for the recharging of electric vehicles with at least a level 2 charger.

(3) ELECTRIC GRID REQUIREMENTS.—The term “electric grid requirements” means the power grid and infrastructure requirements

needed to support plug-in electric vehicles and vehicle-to-grid requirements.

(4) HYDROGEN-POWERED VEHICLE.—The term “hydrogen-powered vehicle” means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.

(5) NON-TACTICAL VEHICLE.—The term “non-tactical vehicle” means any commercial motor vehicle, trailer, material handling equipment, or engineering equipment that carries passengers or cargo acquired for the administrative, direct mission, or operational support of military functions.

**SEC. 387. LIMITATION ON USE OF CHARGING STATIONS FOR PERSONAL ELECTRIC VEHICLES.**

The Secretary of Defense may not permit the charging of personal electric vehicles through the use of charging stations provided by the Department of Defense unless the charging infrastructure for such stations allows for the receipt of payment for such charging.

**SEC. 388. PILOT PROGRAMS FOR TACTICAL VEHICLE SAFETY DATA COLLECTION.**

(a) IN GENERAL.—Not later than October 1, 2023, the Secretary of the Army and the Secretary of the Navy shall each initiate a pilot program to evaluate the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles in the Army and the Marine Corps, respectively.

(b) DURATION.—Each pilot program initiated under subsection (a) shall be carried out for a period of not less than two years.

(c) REQUIREMENTS.—In carrying out a pilot program under this section, the Secretary of the Army and the Secretary of the Navy shall—

(1) carry out the pilot program at not fewer than one military installation in the United States selected by the Secretary concerned that contains the necessary forces, equipment, and maneuver training ranges to collect data on drivers and military tactical vehicles during training and routine operation;

(2) install data recorders on a sufficient number of each type of military tactical vehicle specified in subsection (d) to gain statistically significant results;

(3) select a data recorder capable of collecting and exporting telemetry data, event data, and driver identification data during operation and accidents;

(4) establish and maintain a data repository for operation and event data captured by the data recorder; and

(5) establish processes to leverage operation and event data to improve individual vehicle operator performance, identify installation hazards that threaten safe vehicle operation, and identify vehicle-type specific operating conditions that increase the risk of accidents or mishaps.

(d) MILITARY TACTICAL VEHICLES SPECIFIED.—Military tactical vehicles specified in this subsection are the following:

(1) High Mobility Multipurpose Wheeled Vehicles.

(2) Family of Medium Tactical Vehicles.

(3) Medium Tactical Vehicle Replacements.

(4) Heavy Expanded Mobility Tactical Trucks.

(5) Light Armored Vehicles.

(6) Stryker armored combat vehicles.

(7) Such other military tactical vehicles as the Secretary of the Army or the Secretary of the Navy considers appropriate.

(e) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army and the Secretary of the Navy shall each—

(1) develop plans for implementing the pilot programs under this section; and

(2) provide to the congressional defense committees a briefing on those plans and the estimated cost of implementing those plans.

(f) **REPORT REQUIRED.**—Not later than December 15, 2024, the Secretary of the Army and the Secretary of the Navy shall each submit to the congressional defense committees a report on the pilot program carried out under this section by the Secretary concerned, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) adjustments made, or to be made, to the implementation plans developed under subsection (e); and

(3) any other matters as determined appropriate by the Secretary concerned.

(g) **ASSESSMENT REQUIRED.**—Not later than December 15, 2025, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees an assessment of the pilot programs carried out under this section, including—

(1) insights and findings regarding the utility of using data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(2) an assessment of the utility of establishing an enduring program to use data recorders to monitor, assess, and improve readiness and the safe operation of military tactical vehicles;

(3) an assessment of the scope, size, and estimated cost of such an enduring program; and

(4) such other matters as the Secretary of the Army and the Secretary of the Navy determine appropriate.

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

##### **Subtitle A—Active Forces**

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

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2023, as follows:

- (1) The Army, 473,000.
- (2) The Navy, 354,000.
- (3) The Marine Corps, 177,000.
- (4) The Air Force, 325,344.
- (5) The Space Force, 8,600.

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

(a) **STRENGTH LEVELS TO SUPPORT NATIONAL DEFENSE STRATEGY.**—

(1) **IN GENERAL.**—Section 691 of title 10, United States Code, is repealed.

(2) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) **CERTAIN ACTIVE-DUTY AND SELECTED RESERVE STRENGTHS.**—Section 115 of such title is amended—

(1) in subsection (f), by striking “increase” each place it appears and inserting “vary”; and

(2) in subsection (g)—

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

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

“(B) vary the end strength pursuant to subsection (a)(2) for a fiscal year for the Selected Reserve of the reserve component of the armed force or forces under the jurisdiction of that Secretary by a number equal to nor more than 2 percent of such authorized end strength.”; and

(B) in paragraph (2), by striking “increase” each place it appears and inserting “variance”.

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

(a) **IN GENERAL.**—Notwithstanding section 115(g) of title 10, United States Code, upon determination by the Secretary of the Air Force that such action would enhance manning and readiness in essential units or in critical specialties, the Secretary may vary the end strength authorized by Congress for each fiscal year as follows:

(1) Increase the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 5 percent of such authorized end strength.

(2) Decrease the end strength authorized pursuant to section 115(a)(1)(A) for a fiscal year for the Space Force by a number equal to not more than 10 percent of such authorized end strength.

(b) **TERMINATION.**—The authority provided under subsection (a) shall terminate on December 31, 2023.

##### **Subtitle B—Reserve Forces**

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

(a) **IN GENERAL.**—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2023, as follows:

- (1) The Army National Guard of the United States, 336,000.
- (2) The Army Reserve, 189,500.
- (3) The Navy Reserve, 57,700.
- (4) The Marine Corps Reserve, 33,000.
- (5) The Air National Guard of the United States, 108,400.
- (6) The Air Force Reserve, 70,000.
- (7) The Coast Guard Reserve, 7,000.

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

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

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

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

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2023, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

- (1) The Army National Guard of the United States, 30,845.
- (2) The Army Reserve, 16,511.
- (3) The Navy Reserve, 10,077.
- (4) The Marine Corps Reserve, 2,388.
- (5) The Air National Guard of the United States, 25,333.
- (6) The Air Force Reserve, 6,003.

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

(a) **IN GENERAL.**—The minimum number of military technicians (dual status) as of the

last day of fiscal year 2023 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

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

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

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

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

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

(c) **LIMITATION.**—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

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

During fiscal year 2023, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

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

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

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) **CONSTRUCTION OF AUTHORIZATION.**—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2023.

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

##### **Subtitle A—Officer Personnel Policy**

#### **SEC. 501. CONSIDERATION OF ADVERSE INFORMATION.**

Section 628a(a)(1) of title 10, United States Code, is amended—

(1) by inserting “(A)” before “If the Secretary concerned”; and

(2) by adding at the end the following new subparagraph:

“(B) Nothing in this section shall be construed to prevent a Secretary concerned from deferring consideration of adverse information concerning an officer subject to this section until the next regularly scheduled promotion board applicable to such officer, in lieu of furnishing such adverse information to a special selection review board under this section.”.

#### **SEC. 502. EXTENSION OF TIME LIMITATION FOR GRADE RETENTION WHILE AWAITING RETIREMENT.**

Section 601(b)(5) of title 10, United States Code, is amended by striking “retirement,



but not for more than 60 days.” and inserting the following: “retirement, but—

“(A) subject to subparagraph (B), not for more than 60 days; and

“(B) with respect to an officer awaiting retirement following not less than one year of consecutive deployment outside of the United States to a combat zone (as defined in section 112(c) of the Internal Revenue Code of 1986) or in support of a contingency operation, not for more than 90 days.”.

**SEC. 503. REALIGNMENT IN NAVY DISTRIBUTION OF FLAG OFFICERS SERVING IN THE GRADES OF O-8 AND O-9.**

Section 525(a)(3) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “33” and inserting “34”; and

(2) in subparagraph (C), by striking “50” and inserting “49”.

**SEC. 504. UPDATING WARRANT OFFICER SELECTION AND PROMOTION AUTHORITY.**

(a) CONVENING OF SELECTION BOARDS.—Section 573 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(g)(1) Upon the request of a warrant officer, the Secretary of the military department with jurisdiction over the officer may exclude the officer from consideration by a selection board convened under this section to consider warrant officers for promotion to the next higher grade.

“(2) The Secretary concerned may approve a request of a warrant officer under paragraph (1) only if—

“(A) the basis for the request is to allow the officer to complete a deepening assignment in support of career progression, advanced education, another assignment of significant value to the Department of Defense, or a career progression requirement delayed by an assignment or education;

“(B) it is determined the exclusion from consideration is in the best interest of the military department concerned; and

“(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.”.

(b) PROMOTIONS: EFFECT OF FAILURE OF SELECTION FOR.—Section 577 of title 10, United States Code, is amended by striking the period at the end of the second sentence and inserting “, or a warrant officer excluded under section 573(g) of this title.”.

(c) RECOMMENDATION FOR PROMOTION BY SELECTION BOARDS.—Section 575 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e)(1) In selecting the warrant officers to be recommended for promotion, a selection board may, when authorized by the Secretary concerned, recommend warrant officers of particular merit, from among those warrant officers selected for promotion, to be placed higher on the promotion list contained in the board’s report under section 576(c) of this title.

“(2) A warrant officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the warrant officer receives the recommendation of at least a majority of the members of the board, unless the Secretary concerned establishes an alternative requirement. Any such alternate requirement shall be furnished to the board as part of the guidelines furnished to the board under section 576 of this title.

“(3) For the warrant officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend the order in which those warrant officers should be placed on the list.”.

(d) INFORMATION TO BE FURNISHED TO SELECTION BOARDS; SELECTION PROCEDURES.—Section 576(c) of title 10, United States Code, is amended to read as follows:

“(c) A selection board convened under section 573(a) of this title shall, when authorized under section 575(e) of this title, include in its report to the Secretary concerned the names of those warrant officers recommended by the board to be placed higher on the promotion list and the order in which those officers should be placed on the list. The names of all other warrant officers recommended for promotion under this section shall be arranged in the board’s report in the order of seniority on the warrant officer active-duty list.”.

(e) PROMOTIONS: HOW MADE; EFFECTIVE DATE.—Section 578(a) of title 10, United States Code, is amended—

(1) by striking “, in the order of the seniority of such officers on the warrant officer active-duty list”; and

(2) by adding at the end the following new sentence: “Warrant officers of particular merit who were recommended by the board to be placed higher on the promotion list under section 576(c) of this title shall be listed first and, amongst themselves, in the order recommended by the board, followed by the other warrant officers approved for promotion in order of the seniority of such officers on the warrant officer active-duty list.”.

**SEC. 505. AUTHORIZED STRENGTHS FOR SPACE FORCE OFFICERS ON ACTIVE DUTY IN GRADES OF MAJOR, LIEUTENANT COLONEL, AND COLONEL.**

The table in subsection (a)(1) of section 523 of title 10, United States Code, is amended by inserting after the items relating to the Marine Corps new items relating to the total number of commissioned officers (excluding officers in categories specified in subsection (b) of such section) serving on active duty in the Space Force in the grades of major, lieutenant colonel, and colonel, respectively, as follows:

3,900	1,016	782	234
4,300	1,135	873	262
5,000	1,259	845	315
7,000	1,659	1,045	415
10,000	2,259	1,345	565”.

**SEC. 506. REPEAL OF REQUIREMENT FOR INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE TO CONDUCT CERTAIN REVIEWS.**

Section 847(b) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 1701 note) is amended—

(1) by striking “REQUIREMENT.—” and all that follows through “Each request” and inserting “REQUIREMENT.—Each request”; and

(2) by striking paragraph (2).

**SEC. 507. MODIFICATION OF REPORTS ON AIR FORCE PERSONNEL PERFORMING DUTIES OF A NUCLEAR AND MISSILE OPERATIONS OFFICER (13N).**

Section 506(b) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1682) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following new paragraph (8):

“(8) A staffing plan for managing personnel within the 13N career field as the Air Force transitions from the Minuteman III weapon system to the Sentinel weapon system.”.

**Subtitle B—Reserve Component Management**

**SEC. 511. AUTHORITY TO WAIVE REQUIREMENT THAT PERFORMANCE OF ACTIVE GUARD AND RESERVE DUTY AT THE REQUEST OF A GOVERNOR MAY NOT INTERFERE WITH CERTAIN DUTIES.**

(a) IN GENERAL.—Section 328(b) of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) WAIVER AUTHORITY.—(1) Notwithstanding section 101(d)(6)(A) of title 10 and subsection (b) of this section, the Governor

of a State or the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, may, at the request of the Secretary concerned, order a member of the National Guard to perform Active Guard and Reserve duty for purposes of performing training of the regular components of the armed forces as the primary duty.

“(2) Training performed under paragraph (1) must be in compliance with the requirements of section 502(f)(2)(B)(i) of this title.

“(3) No more than 100 personnel may be granted a waiver by a Secretary concerned under paragraph (1) at a time.

“(4) The authority under paragraph (1) shall terminate on October 1, 2024.”.

(b) BRIEFING ON PERFORMANCE OF TRAINING AS PRIMARY DUTY.—Not later than March 1, 2023, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing describing how many members of the National Guard are performing Active Guard and Reserve duty for purposes of performing training of the regular components of the Armed Forces as the primary duty.

(c) BRIEFING ON END STRENGTH REQUIREMENTS.—Not later than October 1, 2024, the Secretary of the Army and the Secretary of the Air Force shall each submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing outlining the end strength requirement going forward for Active Guard and Reserve forces of the National Guard impacted by subsection (c) of section 328(b) of title 32, United States Code, as added by subsection (a) of this section.

**SEC. 512. SELECTED RESERVE AND READY RESERVE ORDER TO ACTIVE DUTY TO RESPOND TO A SIGNIFICANT CYBER INCIDENT.**

Section 12304 of title 10, United States Code, is amended—

(1) in subsection (a) in the heading, by striking “AUTHORITY” and inserting “OPERATIONAL MISSIONS AND CERTAIN OTHER EMERGENCIES”;

(2) by redesignating subsections (c) through (j) as subsections (d) through (k), respectively;

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

“(c) SIGNIFICANT CYBER INCIDENTS.—The Secretary of Defense may, without the consent of the member affected, order any unit, and any member not assigned to a unit organized to serve as a unit, of the Selected Reserve or Individual Ready Reserve to active duty for a continuous period of not more than 365 days when the Secretary of Defense determines it is necessary to augment the active forces for a Department of Defense response to a covered incident.”;

(4) in paragraph (1) of subsection (d), as redesignated by paragraph (2) of this section, by inserting “or subsection (c)” after “subsection (b)”;

(5) in subsection (h) (as so redesignated)—

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

(B) by striking “Whenever any” and inserting “(1) Whenever any”; and

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

“(2) Whenever any unit of the Selected Reserve or any member of the Selected Reserve not assigned to a unit organized to serve as a unit, or any member of the Individual Ready Reserve, is ordered to active duty under authority of subsection (c), the service of all units or members so ordered to active duty may be terminated by—

“(A) order of the Secretary of Defense; or

“(B) law.”; and

(6) in subsection (k) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:

“(2) The term ‘covered incident’ means—

“(A) a cyber incident involving a Department of Defense information system or a breach of a Department of Defense system that involves personally identifiable information, that the Secretary of Defense determines is likely to result in demonstrable harm to the national security interests, foreign relations, or the economy of the United States, or to the public confidence, civil liberties, or public health and safety of the people of the United States;

“(B) a cyber incident or collection of related cyber incidents that are determined by the President to be likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States; or

“(C) a significant incident declared pursuant to section 2233 of the Homeland Security Act of 2002 (6 U.S.C. 677b).”.

**SEC. 513. BACKDATING OF EFFECTIVE DATE OF RANK FOR RESERVE OFFICERS IN THE NATIONAL GUARD DUE TO UNDUE DELAYS IN FEDERAL RECOGNITION.**

Paragraph (2) of section 14308(f) of title 10, United States Code, is amended to read as follows:

“(2) If there is a delay in extending Federal recognition in the next higher grade in the Army National Guard or the Air National Guard to a reserve commissioned officer of the Army or the Air Force that exceeds 100 days from the date the National Guard Bureau determines such officer’s application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau, and the delay was not attributable to the action or inaction of such officer—

“(A) in the event of State promotion with an effective date before January 1, 2024, the effective date of the promotion concerned under paragraph (1) may be adjusted to a date determined by the Secretary concerned, but not earlier than the effective date of the State promotion; and

“(B) in the event of State promotion with an effective date on or after January 1, 2024, the effective date of the promotion concerned under paragraph (1) shall be adjusted by the Secretary concerned to the later of—

“(i) the date the National Guard Bureau deems such officer’s application for Federal recognition to be completely submitted by the State and ready for review at the National Guard Bureau; and

“(ii) the date on which the officer occupies a billet in the next higher grade.”.

**SEC. 514. INDEPENDENT STUDY ON FEDERAL RECOGNITION PROCESS.**

(a) INDEPENDENT STUDY.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the National Guard commissioned officer and warrant officer promotion system and provide recommendations to the Department of Defense, the Department of the Air Force, the Department of the Army, the National Guard Bureau, and individual State National Guard commands.

(2) ELEMENTS.—The study referred to in paragraph (1) shall include a comprehensive review and assessment of the following:

(A) Reasons for delays in processing personnel actions for Federal recognition of State National Guard member promotions.

(B) The Federal recognition process used to extend Federal recognition to State promotions.

(C) Best practices among the various State National Guards for managing their requirements under the existing National Guard promotion system.

(D) Possible improvements to requirements, policies, procedures, workflow, or resources to reduce the processing time for Federal recognition of state promotions.

(E) An assessment of the feasibility of developing or adopting a commercially available solution for an integrated enterprise information technology system for managing National Guard officer and warrant officer promotions that allows seamless transition for promotions as they move through review at the National Guard Bureau, the Department of the Army, the Department of the Air Force, and the Department of Defense.

(F) Possible metrics to evaluate effectiveness of any recommendations made.

(G) Possible remedies for undue delays in Federal recognition, including adjustment to the effective date of promotion beyond current statutory authorities.

(H) Any other matters the federally funded research and development center determines relevant.

(3) REPORT.—

(A) IN GENERAL.—The contract under paragraph (1) shall require the federally funded research and development center that conducts the study under the contract to submit to the Secretary of Defense, the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau a report on the results of the study.

(B) SUBMISSION TO CONGRESS.—Upon receiving the report required under subparagraph (A), the Secretary of Defense shall submit an unedited copy of the report results to the congressional defense committees within 30 days of receiving the report from the federally funded research and development corporation.

(b) REPORTING REQUIREMENT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter until the date specified in paragraph (3), the Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force as appropriate, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the current status of the Federal recognition process for National Guard promotions.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) An update on efforts to transition to fully digital processes in accordance with recommendations made pursuant to subsection (a).

(B) The average processing time for personnel actions related to Federal recognition of reserve commissioned officer promotions in the Army and Air National Guards, respectively, including the time in days from the date at which the National Guard Bureau received the promotion until the date at which Federal recognition was granted.

(C) The average time it took during the previous fiscal year to extend Federal recognition.

(D) The number of Army and Air National Guard officers who experienced Federal recognition delays greater than 90 days in the previous fiscal year.

(E) A summary of any additional resources or authorities needed to further streamline the Federal recognition processes to reduce average Federal recognition processing time to 90 days or fewer.

(F) Any other information that the Secretary concerned deem relevant.

(3) EXPIRATION OF ANNUAL REPORTING REQUIREMENT.—The date referred to in paragraph (1) is such time as the average processing time for personnel actions described under this subsection is reduced to 90 days or fewer for each of the Army and Air National Guards.

**SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR FIREGUARD PROGRAM.**

(a) REQUIRED SUPPORT THROUGH FISCAL YEAR 2028.—Until September 30, 2028, the Secretary of Defense shall continue to support the FireGuard program with National Guard personnel, including personnel from the California National Guard and Colorado National Guard, to aggregate, analyze, and assess multi-source remote sensing information for interagency partnerships in the initial detection and monitoring of wildfires across the United States.

(b) NOTICE AND WAIT REQUIREMENT AFTER FISCAL YEAR 2028.—Beginning on October 1, 2028, the Secretary of Defense may not reduce the support described under subsection (a), or transfer responsibility for such support to an interagency partner, until 30 days after the date on which the Secretary submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives written notice of the proposed change, and reasons for the change.

**SEC. 516. INCLUSION OF UNITED STATES NAVAL SEA CADET CORPS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.**

Section 508(d) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph:

“(14) The United States Naval Sea Cadet Corps.”.

**Subtitle C—General Service Authorities and Military Records**

**SEC. 521. MODERNIZATION OF THE SELECTIVE SERVICE SYSTEM.**

(a) REFERENCE.—Except as expressly provided otherwise, any reference in this section to a section or other provision shall be deemed to be a reference to that section or other provision of the Military Selective Service Act (50 U.S.C. 3801 et seq.).

(b) PURPOSE OF SELECTIVE SERVICE.—Subsection (b) of section 1 (50 U.S.C. 3801) is amended to read as follows:

“(b) The Congress declares that the security of the Nation requires that adequate military strength be achieved and maintained by ensuring a requisite number of personnel with the necessary capabilities to meet the diverse mobilization needs of the Department of Defense during a time of war.”.

(c) SOLEMNITY OF MILITARY SERVICE.—Section 3 (50 U.S.C. 3802) is amended by adding at the end the following:

“(c) Regulations prescribed pursuant to subsection (a) shall include methods to convey to every person required to register the solemn obligation for military service if called into training or service under this Act.”.

(d) EXPANDED REGISTRATION TO ALL AMERICANS.—

(1) Section 3(a) (50 U.S.C. 3802(a)) is amended—

(A) by striking “male citizen” and inserting “citizen”;

(B) by striking “male person” and inserting “person”;

(C) by striking “present himself” and inserting “appear”; and

(D) by striking “so long as he” and inserting “so long as such alien”.

(2) Section 4(e) (50 U.S.C. 3803(e)) is amended by striking “enlisted men” and inserting “enlisted persons”.

(3) Section 5 (50 U.S.C. 3805) is amended—

(A) in subsection (a)(1)—

(i) by striking “on account of race or color” and inserting “on any basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a))”; and

(ii) by striking “call for men” and inserting “call for persons”; and

(B) in subsection (b), by striking “men” each place it appears and inserting “persons”.

(4) Section 6 (50 U.S.C. 3806) is amended—

(A) in subsection (a)(1)—

(i) by striking “enlisted men” and inserting “enlisted persons”; and

(ii) by striking “accrue to him” and inserting “accrue to such alien”; and

(B) in subsection (h)—

(i) by striking “(other than wives alone, except in cases of extreme hardship)”; and

(ii) by striking “wives and children” and inserting “spouses and children”.

(5) Section 10(b)(3) (50 U.S.C. 3809(b)(3)) is amended by striking “the President is requested” and all that follows through “race or national origin” and inserting “the President is requested to appoint the membership of each local board so that each board has both male and female members and, to the maximum extent practicable, it is proportionately representative of those registrants within its jurisdiction in each applicable basis set forth in section 703(a) of the Civil Rights Act of 1964 (42 U.S.C. 2002e–2(a)), but no action by any board shall be declared invalid on the ground that such board failed to conform to such representation quota”.

(6) Section 16(a) (50 U.S.C. 3814(a)) is amended by striking “men” and inserting “persons”.

(e) MAINTAINING THE HEALTH OF THE SELECTIVE SERVICE SYSTEM.—Section 10(a) (50 U.S.C. 3809(a)) is amended by adding at the end the following new paragraph:

“(5) The Selective Service System shall conduct exercises periodically of all mobilization plans, systems, and processes to evaluate and test the effectiveness of such plans, systems, and processes. Once every 4 years, the exercise shall include the full range of internal and interagency procedures to ensure functionality and interoperability and may take place as part of the Department of Defense mobilization exercise under section 10208 of title 10, United States Code. The Selective Service System shall conduct a public awareness campaign in conjunction with each exercise to communicate the purpose of the exercise to the public.”

(f) TECHNICAL AND CONFORMING AMENDMENTS.—The Military Selective Service Act is amended—

(1) in section 4 (50 U.S.C. 3803)—

(A) in subsection (a) in the third undesignated paragraph—

(i) by striking “his acceptability in all respects, including his” and inserting “such person’s acceptability in all respects, including such person’s”; and

(ii) by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (c)—

(i) in paragraph (2), by striking “any enlisted member” and inserting “any person who is an enlisted member”; and

(ii) in paragraphs (3), (4), and (5), by striking “in which he resides” and inserting “in which such person resides”;

(C) in subsection (g), by striking “coordinate with him” and inserting “coordinate with the Director”; and

(D) in subsection (k)(1), by striking “finding by him” and inserting “finding by the President”;

(2) in section 5(d) (50 U.S.C. 3805(d)), by striking “he may prescribe” and inserting “the President may prescribe”;

(3) in section 6 (50 U.S.C. 3806)—

(A) in subsection (c)(2)(D), by striking “he may prescribe” and inserting “the President may prescribe”;

(B) in subsection (d)(3), by striking “he may deem appropriate” and inserting “the President considers appropriate”; and

(C) in subsection (h), by striking “he may prescribe” each place it appears and inserting “the President may prescribe”;

(4) in section 10 (50 U.S.C. 3809)—

(A) in subsection (b)—

(i) in paragraph (3)—

(I) by striking “He shall create” and inserting “The President shall create”; and

(II) by striking “upon his own motion” and inserting “upon the President’s own motion”;

(ii) in paragraph (4), by striking “his status” and inserting “such individual’s status”; and

(iii) in paragraphs (4), (6), (8), and (9), by striking “he may deem” each place it appears and inserting “the President considers”; and

(B) in subsection (c), by striking “vested in him” and inserting “vested in the President”;

(5) in section 13(b) (50 U.S.C. 3812(b)), by striking “regulation if he” and inserting “regulation if the President”;

(6) in section 15 (50 U.S.C. 3813)—

(A) in subsection (b), by striking “his” each place it appears and inserting “the registrant’s”; and

(B) in subsection (d), by striking “he may deem” and inserting “the President considers”;

(7) in section 16(g) (50 U.S.C. 3814(g))—

(A) in paragraph (1), by striking “who as his regular and customary vocation” and inserting “who, as such person’s regular and customary vocation,”; and

(B) in paragraph (2)—

(i) by striking “one who as his customary vocation” and inserting “a person who, as such person’s customary vocation,”; and

(ii) by striking “he is a member” and inserting “such person is a member”;

(8) in section 18(a) (50 U.S.C. 3816(a)), by striking “he is authorized” and inserting “the President is authorized”;

(9) in section 21 (50 U.S.C. 3819)—

(A) by striking “he is sooner” and inserting “sooner”;

(B) by striking “he” each subsequent place it appears and inserting “such member”; and

(C) by striking “his consent” and inserting “such member’s consent”;

(10) in section 22(b) (50 U.S.C. 3820(b)), in paragraphs (1) and (2), by striking “his” each place it appears and inserting “the registrant’s”; and

(11) except as otherwise provided in this section—

(A) by striking “he” each place it appears and inserting “such person”;

(B) by striking “his” each place it appears and inserting “such person’s”;

(C) by striking “him” each place it appears and inserting “such person”; and

(D) by striking “present himself” each place it appears in section 12 (50 U.S.C. 3811) and inserting “appear”.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that the amendments made by subsection (d) shall take effect 1 year after such date of enactment.

#### SEC. 522. PROHIBITION ON INDUCTION UNDER THE MILITARY SELECTIVE SERVICE ACT WITHOUT EXPRESS AUTHORIZATION.

Section 9 of the Military Selective Service Act (50 U.S.C. 3809) is amended by adding at the end the following new subsection:

“(i) No person shall be inducted for training and service in the Armed Forces under this title unless Congress first passes and there is enacted a law expressly authorizing such induction into service.”.

#### SEC. 523. EXTENSION OF TEMPORARY AUTHORITY FOR TARGETED RECRUITMENT INCENTIVES.

Section 522(h) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 503) is amended—

(1) by striking the semicolon and inserting a comma; and

(2) by striking “2020” and inserting “2025”.

#### SEC. 524. HOME LEAVE DEMONSTRATION PROGRAM.

(a) IN GENERAL.—During the period specified in subsection (f), the Secretary of a military department may reimburse an eligible member of the armed forces for the cost of airfare for that member to travel to the home of record of the member.

(b) ELIGIBLE MEMBERS.—A member of the armed forces is eligible for a reimbursement under subsection (a) with respect to travel described in that subsection if—

(1) the member—

(A) is assigned to a duty location in Alaska; and

(B) as of any date during the period specified in subsection (f), has been assigned to a duty location in Alaska for a period of one year or more;

(2) after an evaluation of the member by a mental health provider, that provider recommends, in writing, that the member use leave to which the member is entitled under section 704 of title 10, United States Code, to travel away from Alaska for the health and well-being of the member; and

(3) an officer with the grade of O–6 or higher in the chain of command of the member authorizes the travel of the member.

(c) TREATMENT OF TIME AS LEAVE.—The time during which a member who receives a reimbursement under subsection (a) with respect to travel described in that subsection is absent from duty for such travel shall be treated as leave for purposes of section 704 of title 10, United States Code.

(d) AUTHORIZED DESTINATION.—Reimbursement under subsection (a) is authorized only for the cost of airfare for a member to travel to the home of record of the member. If a member travels to any other location pursuant to an authorization under subsection (b), the amount the member is reimbursed under subsection (a) may not exceed the cost the member would have incurred for airfare if the member had traveled to the home of record of the member.

(e) BRIEFING REQUIRED.—Not later than February 1, 2024, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the use and effectiveness of reimbursements authorized by subsection (a).

(f) PERIOD SPECIFIED.—The period specified in this subsection is the period—

(1) beginning on the date of the enactment of this Act; and

(2) ending on December 31, 2023.

(g) MENTAL HEALTH PROVIDER DEFINED.—In this section, the term “mental health provider” means—

(1) a health care provider of the Department of the Defense at a facility of the Department; or

(2) a non-Departmental health care provider (as defined in section 717 of the National Defense Authorization Act for Fiscal

Year 2016 (Public Law 114-92; 129 Stat 868; 10 U.S.C. 1073 note)).

**SEC. 525. PROHIBITION ON CONSIDERING STATE LAWS AND REGULATIONS WHEN DETERMINING INDIVIDUAL DUTY ASSIGNMENTS.**

The Secretary of Defense may not use the agreement or disagreement of a member of the Armed Forces with the State laws and regulations applicable to any duty station when determining the duty assignment of the member.

**SEC. 526. MODIFICATION TO LIMITATIONS ON DISCHARGE OR RELEASE FROM ACTIVE DUTY.**

Section 1168(a) of title 10, United States Code, is amended by striking “A member of an armed force” and inserting “A member of an active or reserve component of an armed force”.

**SEC. 527. SEX-NEUTRAL HIGH FITNESS STANDARDS FOR ARMY COMBAT MILITARY OCCUPATIONAL SPECIALTIES.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall—

(1) establish sex-neutral fitness standards for combat Military Occupational Specialties (MOSs) that are higher than those for non-combat MOSs; and

(2) provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives describing—

(A) the list of combat MOSs established for purposes of paragraph (1); and

(B) the methodology used to determine whether to include a MOS on such list.

**Subtitle D—Military Justice and Other Legal Matters**

**SEC. 541. BRIEFING AND REPORT ON RESOURCING REQUIRED FOR IMPLEMENTATION OF MILITARY JUSTICE REFORM.**

(a) BRIEFING AND REPORT REQUIRED.—

(1) BRIEFING.—Not later than March 1, 2023, and no less frequently than once every 180 days thereafter through December 31, 2024, each Secretary concerned shall provide to the appropriate congressional committees a briefing that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that details the resourcing necessary to implement subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(3) FORM OF BRIEFING AND REPORT.—The Secretaries concerned may provide the briefings and report required under paragraphs (1) and (2) jointly, or separately, as determined appropriate by such Secretaries.

(b) ELEMENTS.—The briefing and report required under subsection (a) shall address the following:

(1) The number of personnel and personnel authorizations (military and civilian) required by the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(2) The basis for the numbers provided pursuant to paragraph (1), including the following:

(A) A description of the organizational structure in which such personnel or groups of personnel are or will be aligned.

(B) The nature of the duties and functions to be performed by any such personnel or

groups of personnel across the domains of policy-making, execution, assessment, and oversight.

(C) The optimum caseload goal assigned to the following categories of personnel who are or will participate in the military justice process: criminal investigators of different levels and expertise, laboratory personnel, defense counsel, special trial counsel, military defense counsel, military judges, military magistrates, and paralegals.

(D) Any required increase in the number of personnel currently authorized in law to be assigned to the Armed Force concerned.

(3) The nature and scope of any contract required by the Armed Force concerned to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(4) The amount and types of additional funding required by the Armed Force concerned to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(5) Any additional authorities required to implement the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(6) Any additional information the Secretary concerned determines is necessary to ensure the manning, equipping, and resourcing of the Armed Forces to implement and execute the provisions of subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) and the amendments made by that subtitle.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” has the meaning given that term in section 101(a) of title 10, United States Code.

**SEC. 542. RANDOMIZATION OF COURT-MARTIAL PANELS.**

(a) IN GENERAL.—Section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), is amended by adding at the end the following new paragraph:

“(4) When convening a court-martial, the convening authority shall detail as members thereof members of the armed forces under such regulations as the President may prescribe for the randomized selection of qualified personnel, to the maximum extent practicable.”.

(b) REGULATIONS.—Not later than 2 years after the date of the enactment of this Act, the President shall prescribe regulations implementing the requirement under paragraph (4) of section 825(e) of title 10, United States Code (article 25(e) of the Uniform Code of Military Justice), as added by subsection (a).

**SEC. 543. MATTERS IN CONNECTION WITH SPECIAL TRIAL COUNSEL.**

(a) DEFINITION OF COVERED OFFENSE.—

(1) IN GENERAL.—Paragraph (17)(A) of section 801 of title 10, United States Code (article 1 of the Uniform Code of Military Justice), as added by section 533 of the National

Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1695), is amended—

(A) by striking “section 920 (article 120)” and inserting “section 919a (article 119a), section 919b (article 119b), section 920 (article 120), section 920a (article 120a)”;

(B) by striking “the standalone offense of child pornography” and inserting “the standalone offenses of child pornography, indecent conduct, indecent language to a child under the age of 16, and pandering and prostitution”.

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

(A) take effect on the date that is two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(B) apply with respect to any offenses that occur after that date.

(b) RESIDUAL PROSECUTORIAL DUTIES AND OTHER JUDICIAL FUNCTIONS OF CONVENING AUTHORITIES IN COVERED CASES.—The President shall prescribe regulations to ensure that residual prosecutorial duties and other judicial functions of convening authorities, including but not limited to granting immunity, ordering depositions, and hiring experts, with respect to charges and specifications over which a special trial counsel exercises authority pursuant to section 824a of title 10, United States Code (article 24a of the Uniform Code of Military Justice), are transferred to the military judge, the special trial counsel, or other authority as appropriate in such cases by no later than the effective date established in section 539C of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 801 note), in consideration of due process for all parties involved in such a case.

(c) AMENDMENT TO THE RULES FOR COURTS-MARTIAL.—The President shall prescribe in regulation such modifications to Rule 813 of the Rules for Courts-Martial and other Rules as appropriate to ensure that at the beginning of each court-martial convened, the presentation of orders does not in open court specify the name, rank, or position of the convening authority convening such court, unless such convening authority is the Secretary concerned, the Secretary of Defense, or the President.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the progress of the Department of Defense in implementing this section, including an identification of—

(1) the duties to be transferred under subsection (b);

(2) the positions to which those duties will be transferred; and

(3) any provisions of law or Rules for Courts Martial that must be amended or modified to fully complete the transfer.

(e) ADDITIONAL REPORTING RELATIVE TO IMPLEMENTATION OF SUBTITLE D OF TITLE V OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2022.—Not later than February 1, 2025, and annually thereafter for five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing the holistic effect of the reforms contained in subtitle D of title V of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) on the military justice system. The report shall include the following elements:

(1) An overall assessment of the effect such reforms have had on the military justice system and the maintenance of good order and discipline in the ranks.

(2) The percentage of caseload and courts-martial assessed as meeting, or having been

assessed as potentially meeting, the definition of “covered offense”, disaggregated by offense and military service where possible.

(3) An assessment of prevalence and data concerning disposition of cases by commanders after declination of prosecution by special trial counsel, disaggregated by offense and military service when possible.

(4) Assessment of the effect, if any, the reforms contained in such subtitle have had on non-judicial punishment concerning covered and non-covered offenses.

(5) A description of the resources and personnel required to maintain and execute the reforms made by such subtitle during the reporting period relative to fiscal year 2022.

(6) A description of any other factors or matters considered by the Secretary to be important to a holistic assessment of these reforms on the military justice system.

#### SEC. 544. JURISDICTION OF COURTS OF CRIMINAL APPEALS.

(a) JURISDICTION.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) in subsection (b)(1), by striking “shall have jurisdiction over” and all that follows through the period at the end of subparagraph (D) and inserting the following: “shall have jurisdiction over—

“(A) a timely appeal from the judgment of a court-martial, entered into the record under section 860(c) of this title (article 60c(a)), that includes a finding of guilty; and

“(B) a summary court-martial case in which the accused filed an application for review with the Court under section 869(d)(1)(B) of this title (article 69(d)(1)(B)) and for which the application has been granted by the Court.”; and

(2) in subsection (c), by striking “is timely if” and all that follows through the period at the end of paragraph (2) and inserting the following: “is timely if—

“(1) in the case of an appeal under subparagraph (A) of such subsection, it is filed before the later of—

“(A) the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)); and

“(B) the date set by the Court of Criminal Appeals by rule or order; and

“(2) in the case of an appeal under subparagraph (B) of such subsection, an application for review with the Court is filed not later than the earlier of the dates established under section 869(d)(2)(B) of this title (article 69(d)(2)(B)).”.

(b) REVIEW BY JUDGE ADVOCATE GENERAL.—Section 869 of title 10, United States Code (article 69 of the Uniform Code of Military Justice) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—Upon application by the accused or receipt of the record pursuant to section 864(c)(3) of this title (article 64(c)(3)) and subject to subsections (b), (c), and (d), the Judge Advocate General may—

“(1) with respect to a summary court-martial, modify or set aside, in whole or in part, the findings and sentence; or

“(2) with respect to a general or special court-martial, order such court-martial to be reviewed under section 866 of this title (article 66).”; and

(2) in subsection (b)—

(A) by inserting “(1)” before “To qualify”; and

(B) by striking “not later than one year after” and all that follows through the period at the end and inserting the following: “not later than—

“(A) for a summary court-martial, one year after the date of completion of review under section 864 of this title (article 64); or

“(B) for a general or special court-martial, one year after the end of the 90-day period beginning on the date the accused is provided notice of appellate rights under section 865(c) of this title (article 65(c)), unless the accused submitted a waiver or withdrawal of appellate review under section 861 of this title (article 61) before being provided notice of appellate rights, in which case the application must be submitted to the Judge Advocate General not later than one year after the entry of judgment under section 860c of this title (article 60c).

“(2) The Judge Advocate General may, for good cause shown, extend the period for submission of an application, but may not consider an application submitted more than three years after the completion date referred to in paragraph (1)(A).”;

(3) in subsection (c)—

(A) in paragraph (1)(A), by striking “section 864 or 865(b) of this title (article 64 or 65(b))” and inserting “section 864 of this title (article 64)”; and

(B) in paragraph (2), by striking “the Judge Advocate General shall order appropriate corrective action under rules prescribed by the President” and inserting “the Judge Advocate General shall send the case to the Court of Criminal Appeals”; and

(4) in subsection (d)(1), by striking “under subsection (c)—” and all that follows through “(B) in a case submitted” and inserting “under subsection (c)(1) in a case submitted”.

(c) WAIVER OF RIGHT TO APPEAL; WITHDRAWAL OF APPEAL.—Section 861(d) of title 10, United States Code (article 61(d) of the Uniform Code of Military Justice), is amended by striking “A waiver” and inserting “Except as provided by section 869(c)(2) of this title (article 69(c)(2)), a waiver”.

#### SEC. 545. SPECIAL TRIAL COUNSEL.

(a) TECHNICAL CORRECTIONS.—Section 824a(c)(3) of title 10, United States Code (article 24A(c)(3) of the Uniform Code of Military Justice), is amended—

(1) by striking “Subject to paragraph (4)” and inserting “Subject to paragraph (5)”; and

(2) in subparagraph (D), by striking “an ordered rehearing” and inserting “an authorized rehearing”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 531 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) as provided in section 539C of that Act.

#### SEC. 546. EXCLUSION OF OFFICERS SERVING AS LEAD SPECIAL TRIAL COUNSEL FROM LIMITATIONS ON AUTHORIZED STRENGTHS FOR GENERAL AND FLAG OFFICERS.

During the two-year period beginning on the date of the enactment of this Act, the limitations in section 526a(a) of title 10, United States Code, shall not apply to a general or flag officer serving in the position of lead special trial counsel pursuant to an appointment under section 1044f(a)(2) of such title.

#### SEC. 547. SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.

(a) IN GENERAL.—Section 1044f of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “The policies shall” and inserting “Subject to subsection (c), the policies shall”;

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

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

“(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF THE AIR FORCE.—In establishing policies under subsection (a), the Secretary of Defense shall—

“(1) in lieu of providing for separate offices for the Air Force and Space Force under subsection (a)(1), provide for the establishment of a single dedicated office from which office the activities of the special trial counsel of the Department of the Air Force shall be supervised and overseen; and

“(2) in lieu of providing for separate lead special trial counsels for the Air Force and Space Force under subsection (a)(2), provide for the appointment of one lead special trial counsel who shall be responsible for the overall supervision and oversight of the activities of the special trial counsel of the Department of the Air Force.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately after the coming into effect of the amendments made by section 532 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1694) as provided in section 539C of such Act (10 U.S.C. 801 note).

#### SEC. 548. RESTRICTED REPORTING OPTION FOR DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES CHOOSING TO REPORT EXPERIENCING ADULT SEXUAL ASSAULT.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

##### “§ 1599j. Restricted reports of incidents of adult sexual assault

“(a) RESTRICTED REPORTS.—The Secretary of Defense may provide a civilian employee of the Department of Defense an opportunity to submit to an individual described in subsection (d) a restricted report of an alleged incident of adult sexual assault for the purpose of assisting the employee in obtaining information and access to authorized victim support services provided by the Department.

“(b) RESTRICTIONS ON DISCLOSURES AND INITIATING INVESTIGATIONS.—Unless the Secretary determines that a disclosure is necessary to prevent or mitigate a serious and imminent safety threat to the employee submitting the report or to another person, a restricted report submitted pursuant to subsection (a) shall not—

“(1) be disclosed to the supervisor of the employee or any other management official; or

“(2) cause the initiation of a Federal civil or criminal investigation.

“(c) DUTIES UNDER OTHER LAWS.—The receipt of a restricted report submitted under subsection (a) shall not be construed as imputing actual or constructive knowledge of an alleged incident of sexual assault to the Department of Defense for any purpose.

“(d) INDIVIDUALS AUTHORIZED TO RECEIVE RESTRICTED REPORTS.—An individual described in this subsection is an individual who performs victim advocate duties under a program for one or more of the following purposes (or any other program designated by the Secretary):

“(1) Sexual assault prevention and response.

“(2) Victim advocacy.

“(3) Equal employment opportunity.

“(4) Workplace violence prevention and response.

“(5) Employee assistance.

“(6) Family advocacy.

“(e) DEFINITIONS.—In this section:

“(1) CIVILIAN EMPLOYEE.—The term ‘civilian employee’ has the meaning given the term ‘employee’ in section 2105 of title 5.

“(2) SEXUAL ASSAULT.—The term ‘sexual assault’ has the meaning given that term in Article 120, Uniform Code of Military Justice (10 U.S.C. 920), and includes penetrative offenses and sexual contact offenses.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is

amended by adding at the end the following new item:

“1599j. Restricted reports of incidents of adult sexual assault.”.

**SEC. 549. IMPROVEMENTS TO DEPARTMENT OF DEFENSE TRACKING OF AND RESPONSE TO INCIDENTS OF CHILD ABUSE, ADULT CRIMES AGAINST CHILDREN, AND SERIOUS HARMFUL BEHAVIOR BETWEEN CHILDREN AND YOUTH INVOLVING MILITARY DEPENDENTS ON MILITARY INSTALLATIONS.**

(a) **EXPANSION OF DATABASE.**—Section 549B(b)(2)(A) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1787) is amended—

(1) by striking “problematic sexual behavior in children and youth” and inserting “incidents”; and

(2) by striking “, regardless of whether the alleged offender was another child, an adult, or someone in a noncaregiving role at the time of the incident”.

(b) **RESPONSE PROCEDURES FOR INCIDENTS OF SERIOUS HARM TO CHILDREN.**—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking “REPORTED TO FAMILY ADVOCACY PROGRAMS”;

(2) by redesignating paragraph (1) as subparagraph (A) and moving such subparagraph, as so redesignated, 2 ems to the right;

(3) by inserting before subparagraph (A), as so redesignated, the following:

“(1) **RESPONSE GROUPS.**—”;

(4) by inserting after subparagraph (A), as so redesignated, the following new subparagraph:

“(B) **SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM.**—The Secretary of Defense shall establish guidance for each Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team, as defined in paragraph (8), on a military installation to address reported incidents of serious harmful behaviors between children and youth, as described in subsection (a)(2)(C).”;

(5) in paragraph (2)(A)—

(A) by striking “shall develop a standardized process by which the Family Advocacy Programs” and inserting the following: “shall develop standardized processes by which—

“(i) the Family Response Programs”;

(B) by inserting “under subsection (a)(2)(A) and (a)(2)(B)” after “reported covered incidents of serious harm to children”; and

(C) by striking “Incident Determination Committee.” and inserting the following: “Incident Determination Committee; and

“(ii) military departments screen incidents of serious harmful behavior between children and youth under subsection (a)(2)(C) to determine whether to convene the Serious Harmful Behavior Between Children and Youth Multidisciplinary Team.”;

(6) in paragraph (7), by inserting “, as described in subsection (a)(2)(A) and (a)(2)(B),” after “reported incidents of child abuse”; and

(7) by adding at the end the following new paragraph:

“(8) **SERIOUS HARMFUL BEHAVIORS BETWEEN CHILDREN AND YOUTH MULTIDISCIPLINARY TEAM DEFINED.**—In this subsection, the term ‘Serious Harmful Behaviors Between Children and Youth Multidisciplinary Team’ means a coordinated community response team on a military installation—

“(A) composed of designated members with the requisite experience, qualifications, and skills to address serious harmful behaviors between children and youth from a developmentally appropriate and trauma-informed perspective; and

“(B) with objectives that include development of procedures for information sharing, collaborative and coordinated response, restorative resolution, effective investigations and assessments, evidence-based clinical interventions and rehabilitation, and prevention of serious harmful behavior between children and youth.”.

**SEC. 550. PRIMARY PREVENTION.**

(a) **ANNUAL PRIMARY PREVENTION RESEARCH AGENDA.**—Section 549A(c) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

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

(2) by inserting after paragraph (1) the following new paragraphs:

“(2) include a focus on whether and to what extent sub-populations of the military community may be targeted for interpersonal violence more than others;

“(3) seek to identify factors that influence the prevention, perpetration, and victimization of interpersonal and self-directed violence;

“(4) seek to improve the collection and dissemination of data on hazing and bullying related to interpersonal and self-directed violence”; and

(3) in paragraph (6), as redesignated by paragraph (1) of this section, by amending the text to read as follows:

“(6) incorporate collaboration with other Federal departments and agencies, including the Department of Health and Human Services and the Centers for Disease Control and Prevention, State governments, academia, industry, Federally funded research and development centers, nonprofit organizations, and other organizations outside of the Department of Defense, including civilian institutions that conduct similar data-driven studies, collection, and analysis; and”.

(b) **PRIMARY PREVENTION WORKFORCE.**—Section 549B of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

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

“(3) **COMPTROLLER GENERAL REPORT.**—Not later than one year after the date of the enactment of this paragraph, the Comptroller General of the United States shall submit to the congressional defense committees a report comparing the sexual harassment and prevention training of the Department of Defense with similar programs at other Federal departments and agencies and including data collected by colleges and universities and other relevant outside entities.”; and

(2) by adding at the end the following new subsection:

“(e) **INCORPORATION OF RESEARCH AND FINDINGS.**—The Primary Prevention Workforce established under subsection (a) shall, on a regular basis, incorporate findings and conclusions from the primary prevention research agenda established under section 549A, as appropriate, into the work of the workforce.”.

**SEC. 551. DISSEMINATION OF CIVILIAN LEGAL SERVICES INFORMATION.**

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall ensure, through the Sexual Assault Prevention and Response Office, the coordinated distribution and referral of information on the availability of resources provided by civilian legal service organizations to military-connected sexual assault victims.

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

**SEC. 561. REVIEW OF CERTAIN SPECIAL OPERATIONS PERSONNEL POLICIES.**

(a) **REVIEW REQUIRED.**—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Defense shall require the military departments and the United States Special Operations Command to complete a review and appropriately update departmental guidance and processes consistent with section 167(e)(2)(J) of title 10, United States Code, with respect to the authority of the Commander of the United States Special Operations Command to monitor the promotions of special operations forces and coordinate with the military departments regarding the assignment, retention, training, professional military education, and special and incentive pays of special operations forces.

(b) **ELEMENTS OF REVIEW.**—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and the United States Special Operations Command with respect to—

(1) the recruiting, retention, professional military education, and promotion of special operations personnel;

(2) the sharing of personnel data between the military departments and the United States Special Operations Command; and

(3) any other matters the Secretary of Defense determines necessary.

(c) **REPORT REQUIRED.**—Not later than 90 days after the completion of the review and updates to departmental guidance and processes required under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the review and any resulting updates to departmental guidance and processes. The report shall also include any recommended changes to law or resources deemed appropriate by the Secretary.

**SEC. 562. EXPANDED ELIGIBILITY TO PROVIDE JUNIOR RESERVE OFFICERS' TRAINING CORPS (JROTC) INSTRUCTION.**

Section 2031 of title 10, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following new subsection:

“(f)(1) Instead of, or in addition to, detailing officers and noncommissioned officers on active duty under subsection (c)(1) and authorizing the employment of retired officers and noncommissioned officers who are in receipt of retired pay and members of the Fleet Reserve and Fleet Marine Corps Reserve under subsections (d) and (e), the Secretary of the military department concerned may authorize qualified institutions to employ as administrators and instructors in the program certain officers and noncommissioned officers who—

“(A)(i) are separated under honorable conditions within the past 5 years with at least 8 years of service, or

“(ii) are active participating members of the selected reserve at the time of application, for purposes of section 101(d) of this title, and have not yet reached retirement eligibility; and

“(B) are approved by the Secretary and the institution concerned and who request such employment.

“(2) Employment under this subsection shall be subject to the following conditions:

“(A) The Secretary concerned shall pay to the institution an amount equal to one-half of the Department's prescribed JROTC Instructor Pay Scale amount paid to the member by the institution for any period.

“(B) The Secretary concerned may pay to the institution more than one-half of the amount paid to the member by the institution if (as determined by the Secretary)—

“(i) the institution is in an educationally and economically deprived area; and

“(ii) the Secretary determines that such action is in the national interest.



“(C) Payments by the Secretary concerned under this subsection shall be made from funds appropriated for that purpose.

“(D) The Secretary concerned may require successful applicants to transfer to the Individual Ready Reserve (IRR).”

**SEC. 563. PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM.**

(a) **PRE-SERVICE EDUCATION DEMONSTRATION PROGRAM AUTHORIZED.**—The Secretary of each military department may establish and carry out a demonstration program to determine the advisability and feasibility of paying all or a portion of the charges of an education institution for the tuition of an individual who is enrolled in such educational institution for a technical or vocational degree, certificate, or certification program to meet a critical need in that military department.

(b) **ELIGIBILITY.**—The Secretary shall limit eligibility under the program to individuals who meet the following criteria:

- (1) Must be between the age of 17 and 25.
- (2) Must be a category I recruit.
- (3) Must sign a written agreement consenting to the requirements under subsection (c).

(c) **DEMONSTRATION PROGRAM REQUIREMENTS.**—Under regulations prescribed by the Secretary concerned, each demonstration program created under this section shall adhere to the following requirements:

(1) The educational program authorized under subsection (a) may not exceed a period of 3 years.

(2) Funds may not be provided under the program to an eligible individual unless the individual signs an enlistment contract for active duty military service upon the completion of the educational program for which the funds were provided.

(3) Individuals participating in the demonstration program shall be evaluated annually to ensure continued eligibility for military service.

(4) Individuals participating in the program shall be required to enroll in an ongoing, pre-service course of instruction in order to prepare such individuals for military service and ensure their continued fitness and eligibility for service. The course of instruction may be administered either remotely or in-person, as the Secretary shall direct. The pre-service instruction shall be concurrent with the degree program authorized pursuant to subsection (a).

(5) Individuals who do not maintain eligibility for military service may be required to repay any funds provided by the Secretary concerned under this program, as the Secretary shall direct.

(d) **REPORT.**—For any demonstration programs initiated under this section, the Secretary concerned shall submit an annual report to the Committees on Armed Services of the Senate and the House of Representatives that includes—

- (1) a description of the demonstration program;
- (2) a statement of the goals or anticipated outcomes of the demonstration program;
- (3) a description of the method and metrics used to evaluate the effectiveness of this demonstration program; and
- (4) any other matters the Secretary concerned determines relevant.

(e) **SUNSET.**—The authority under this section expires on October 1, 2028.

**Subtitle F—Military Family Readiness and Dependents' Education**

**SEC. 571. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MILITARY AND CIVILIAN PERSONNEL.**

(a) **CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT**

**DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.**—

(1) **ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.**—Of the amount authorized to be appropriated for fiscal year 2023 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 20 U.S.C. 7703b).

(2) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In this subsection, the term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(b) **IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.**—

(1) **IN GENERAL.**—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-77; 20 U.S.C. 7703a).

(2) **ADDITIONAL AMOUNT.**—Of the amount authorized to be appropriated for fiscal year 2023 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, \$10,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(3) **REPORT.**—Not later than March 31, 2023, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

**SEC. 572. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.**

(a) **ASSISTANCE AUTHORIZED.**—To assist communities in making adjustments resulting from changes in the size or location of the Armed Forces, the Secretary of Defense shall provide financial assistance to an eligible local educational agency described in subsection (b) if, during the period between the end of the school year preceding the fiscal year for which the assistance is authorized and the beginning of that school year immediately preceding that school year, the local educational agency—

(1) had (as determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase or reduction of—

(A) not less than five percent in the average daily attendance of military dependent students in the schools of the local educational agency; or

(B) not less than 500 military dependent students in average daily attendance in the schools of the local educational agency; or

(2) is projected to have an overall increase, between fiscal years 2023 and 2028, of not less than 500 military dependent students in av-

erage daily attendance in the schools of the local educational agency as the result of a signed record of decision.

(b) **ELIGIBLE LOCAL EDUCATIONAL AGENCIES.**—A local educational agency is eligible for assistance under subsection (a) for a fiscal year if—

(1) 20 percent or more of students enrolled in schools of the local educational agency are military dependent students; and

(2) in the case of assistance described in subsection (a)(1), the overall increase or reduction in military dependent students in schools of the local educational agency is the result of one or more of the following:

(A) The global rebasing plan of the Department of Defense.

(B) The official creation or activation of one or more new military units.

(C) The realignment of forces as a result of the base closure process.

(D) A change in the number of housing units on a military installation.

(E) A signed record of decision.

(c) **CALCULATION OF AMOUNT OF ASSISTANCE.**—

(1) **PRO RATA DISTRIBUTION.**—The amount of the assistance provided under subsection (a) to a local educational agency that is eligible for such assistance for a fiscal year shall be equal to the product obtained by multiplying—

(A) the per-student rate determined under paragraph (2) for that fiscal year; by

(B) the net of the overall increases and reductions in the number of military dependent students in schools of the local educational agency, as determined under subsection (a).

(2) **PER-STUDENT RATE.**—For purposes of paragraph (1)(A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(A) the total amount of funds made available for that fiscal year to provide assistance under subsection (a); by

(B) the sum of the overall increases and reductions in the number of military dependent students in schools of all eligible local educational agencies for that fiscal year under that subsection.

(3) **MAXIMUM AMOUNT OF ASSISTANCE.**—A local educational agency may not receive more than \$15,000,000 in assistance under subsection (a) for any fiscal year.

(d) **DURATION.**—Assistance may not be provided under subsection (a) after September 30, 2028.

(e) **NOTIFICATION.**—Not later than June 30, 2023, and June 30 of each fiscal year thereafter for which funds are made available to carry out this section, the Secretary of Defense shall notify each local educational agency that is eligible for assistance under subsection (a) for that fiscal year of—

(1) the eligibility of the local educational agency for the assistance; and

(2) the amount of the assistance for which the local educational agency is eligible.

(f) **DISBURSEMENT OF FUNDS.**—The Secretary of Defense shall disburse assistance made available under subsection (a) for a fiscal year not later than 30 days after the date on which notification to the eligible local educational agencies is provided pursuant to subsection (e) for that fiscal year.

(g) **BRIEFING REQUIRED.**—Not later than March 1, 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on the estimated cost of providing assistance to local educational agencies under subsection (a) through September 30, 2028.

(h) **FUNDING FOR FISCAL YEAR 2023.**—Of the amount authorized to be appropriated by this Act for operation and maintenance for Defense-wide activities \$15,000,000 shall be available only for the purpose of providing

assistance to local educational agencies under subsection (a).

(i) **ELIGIBLE USES.**—Amounts disbursed to a local education agency under subsection (f) may be used by such local educational agency for—

- (1) general fund purposes;
- (2) special education;
- (3) school maintenance and operation;
- (4) school expansion; or
- (5) new school construction.

(j) **DEFINITIONS.**—In this section:

(1) **BASE CLOSURE PROCESS.**—The term “base closure process” means any base closure and realignment process conducted after the date of the enactment of this Act under section 2687 of title 10, United States Code, or any other similar law enacted after that date.

(2) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

(3) **MILITARY DEPENDENT STUDENTS.**—The term “military dependent students” means—

(A) elementary and secondary school students who are dependents of members of the Armed Forces; and

(B) elementary and secondary school students who are dependents of civilian employees of the Department of Defense.

(4) **STATE.**—The term “State” means each of the 50 States and the District of Columbia.

**SEC. 573. PILOT PROGRAM ON HIRING OF SPECIAL EDUCATION INCLUSION COORDINATORS FOR DEPARTMENT OF DEFENSE CHILD DEVELOPMENT CENTERS.**

(a) **IN GENERAL.**—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall carry out a pilot program to hire special education inclusion coordinators at child development centers selected by the Secretary under subsection (b).

(b) **SELECTION OF CENTERS.**—The Secretary of Defense shall select the child development centers at which the pilot program required by subsection (a) will be carried out based on—

(1) the number of dependent children enrolled in the Exceptional Family Member Program at the military installation on which the center is located;

(2) the number of children with special needs enrolled in the center; and

(3) such other considerations as the Secretary, in consultation with the Secretaries of the military departments, considers appropriate.

(c) **FUNCTIONS.**—Each special education inclusion coordinator assigned to a child development center under the pilot program required by subsection (a) shall—

(1) coordinate intervention and inclusion services at the center;

(2) provide direct classroom support; and

(3) provide guidance and assistance relating to the increased complexity of working with the behaviors of children with special needs.

(d) **BRIEFINGS REQUIRED.**—

(1) **BRIEFING ON ANTICIPATED COSTS.**—Not later than March 1, 2023, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the anticipated costs for the pilot program required by subsection (a).

(2) **BRIEFING ON EFFECTIVENESS OF PROGRAM.**—Not later than September 30, 2025, the Secretary of Defense shall submit provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the pilot program required by subsection (a) that includes—

(A) the number of special education inclusion coordinators hired under the pilot program;

(B) a description of any issues relating to the retention of those coordinators;

(C) a recommendation with respect to whether the pilot program should be made permanent or expanded to other military installations; and

(D) an assessment of the amount of funding required to make the pilot program permanent or expand the pilot program to other military installations, as the Secretary recommends under subparagraph (C).

(e) **DURATION OF PILOT PROGRAM.**—The pilot program required by subsection (a) shall—

(1) commence not later than January 1, 2024; and

(2) terminate on December 31, 2026.

(f) **CHILD DEVELOPMENT CENTER DEFINED.**—In this section, the term “child development center” has the meaning given that term in section 2871(2) of title 10, United States Code, and includes a facility identified as a child care center or day care center.

**SEC. 574. EXTENSION OF AND REPORT ON PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.**

(a) **IN GENERAL.**—Section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 2164 note) is amended by striking “four years after the date of the enactment of this Act” and inserting “on July 1, 2029”.

(b) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than December 31, 2028, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the conduct of the pilot program under section 589C(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 2164 note).

(2) **ELEMENTS.**—The report required by paragraph (1) shall include a description of—

(A) the locations at which the pilot program described in paragraph (1) is carried out;

(B) the number of students participating in the program for each academic year by location; and

(C) the outcome measures used to gauge the value of the program to the Department of Defense.

**Subtitle G—Decorations and Awards, Miscellaneous Reports, and Other Matters**

**SEC. 581. TEMPORARY EXEMPTION FROM END STRENGTH GRADE RESTRICTIONS FOR THE SPACE FORCE.**

Sections 517 and 523 of title 10, United States Code, shall not apply to the Space Force until January 1, 2024.

**SEC. 582. REPORT ON OFFICER PERSONNEL MANAGEMENT AND THE DEVELOPMENT OF THE PROFESSIONAL MILITARY ETHIC IN THE SPACE FORCE.**

(a) **REPORT REQUIRED.**—Not later than June 1, 2023, the Secretary of the Air Force shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on officer personnel management and the development of the professional military ethic in the Space Force.

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

(1) A description of issues related to officer development in the Space Force, including—

(A) the professional military education (PME) model for professional education and continual learning of officers in the Space Force;

(B) the career development model for officers in the Space Force, including key knowledge, skills, and attributes expected of Space Force officers at each of the company grade, field grade, and general officer levels;

(C) desired career trajectories for Space Force officers, including key assignments throughout identified Space Force career tracks and how the flexibilities in the Space Force Component proposal will be used to achieve these desired career paths;

(D) how proposed constructive credit for civilian education and non-military experience in related space industry or government sectors will fit in with the proposed PME and career development models; and

(E) how the Space Force Component proposal will enable officers to achieve joint qualifications required for promotion to general officer.

(2) A description of issues related to officer accessions in the Space Force, including—

(A) the expected sources of commissioning for officers in the Space Force, including the desired proportions of officer assessments from the Reserve Officer Training Corps (ROTC), Service Academies, Officer Training School (OTS), and direct commissionees at each grade above second lieutenant;

(B) the role of proposed constructive credit for civilian education and non-military experience in accessing officers at each grade higher than second lieutenant and the extent to which the Space Force plans to grant constructive credit in determining an officer's entry grade at each grade above second lieutenant; and

(C) the role of targeted recruiting as described in the Guardian Ideal in officer accessions, including how it will work, how frequently it will be used, for what positions, and how it will fit into overall officer accessions.

(3) A description of issues related to the professional military ethic in the Space Force, including—

(A) how the proposed talent management system, career development model, PME model, and proposed Space Force Component structure will affect the development of a uniquely military culture in the Space Force as a military service with Space as a warfighting domain;

(B) the role of the professional military ethic in the Space Force, including expectations of commissioned officers as public servants and military leaders;

(C) the expected role of Space Force civilians in the development and stewardship of the Space Force as a professional military service and how those are distinct from military members in the Space Force;

(D) the ethical implications of creating a force that is designed to “partner effectively with other space interested entities,” as described in the Guardian Ideal, and how the Space Force intends to address any ethical conflicts arising from its desired close partnership with non-military and non-government entities in private industry; and

(E) the specific barriers between officers, enlisted, and civilian guardians that are described as “unnecessary” in the Guardian Ideal, how and why such barriers are unnecessary for the Space Force, and any statutory or policy changes the Space Force proposes to remove such barriers, including any proposed changes to the Uniform Code of Military Justice.

(4) Any other issues related to personnel management and professional development of officers in the Space Force that the Secretary concerned determines relevant.

**SEC. 583. REPORT ON INCIDENCE OF SUICIDE BY MILITARY JOB CODE IN THE DEPARTMENT OF DEFENSE.**

(a) **REPORT.**—Not later than December 31, 2023, the Secretary of Defense shall conduct

a review and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the rates of suicides in the Armed Forces, beginning after September 11, 2001, disaggregated by year, military job code (Air Force Specialty Code (AFSC), Army Military Occupational Specialty (MOS), Navy Enlisted Classification (NEC)/Billet, and Coast Guard Ratings), and status as active duty, guard, and reserve (as applicable per service).

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

(1) A compilation of suicide data by military job code to determine which military career fields have a higher per capita suicide rate compared to—

(A) other military career fields for the same period;

(B) the overall suicide rate for each service for the same period;

(C) the overall suicide rate for the Department of Defense for the same period; and

(D) the national suicide rate for the same period.

(2) A disaggregation of suicide data by age categories consistent with the Department of Defense Annual Suicide Report age categories.

(c) INTERIM BRIEFING.—Not later than June 1, 2023, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the preliminary findings of the review conducted under this section.

**SEC. 584. WAIVER OF TIME LIMITATIONS FOR ACT OF VALOR DURING WORLD WAR II.**

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Master Sergeant Roderick W. Edmonds for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of Master Sergeant Roderick W. Edmonds on January 27, 1945, as a prisoner of war and member of the Army serving in Germany in support of the Battle of the Bulge, for which he has never been recognized by the United States Army.

**SEC. 585. AUTHORIZATION TO AWARD MEDAL OF HONOR TO SERGEANT MAJOR DAVID R. HALBRUNER FOR ACTS OF VALOR IN SUPPORT OF AN UNNAMED OPERATION IN 2012.**

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Sergeant Major David R. Halbruner for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of then-Master Sergeant Halbruner for his valorous actions on September 11–12, 2012, in support of an unnamed operation.

**SEC. 586. RECOGNITION OF SERVICE OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS.**

(a) FINDINGS.—The Senate makes the following findings:

(1) Lieutenant General Frank Maxwell Andrews was born in Nashville, Tennessee, in 1884, and graduated from the United States Military Academy, West Point, in 1906, where he received a commission in the cavalry.

(2) In 1917, Lieutenant General Andrews was transferred to the aviation section of the Army Signal Corps, where he commanded various airfields around the United States, serving in a number of leadership positions, including—

(A) Commander of the Advanced Flying School at Kelly Field in Texas;

(B) Commander of the 1st Pursuit Group at Selfridge Field in Michigan; and

(C) Chief of the Army Air Corps' Training and Operations Division.

(3) Following World War I, Lieutenant General Andrews served as the Air Officer for the Army of Occupation in Germany.

(4) In 1935, Lieutenant General Andrews was selected to command the new General Headquarters Aviation, where he had oversight of all Air Corps units and led the development of the Army Air Force.

(5) In 1939, Lieutenant General Andrews was chosen as Army G3, the Assistant Chief of Staff for Operations and Training, making him responsible for preparing operational plans for the entire Army for the impending war.

(6) During World War II, Lieutenant General Andrews led a number of global critical commands, the only general to command 3 theaters of operations during the war, serving as commander of—

(A) the Caribbean Defense Command, which held responsibility for defending the United States' southern borders;

(B) all United States forces in the Middle East, where he helped to defeat Rommel's Afrika Corps; and

(C) all United States troops in the European Theater of Operation, where he succeeded General Dwight D. Eisenhower and oversaw plans for the future invasion of Western Europe.

(7) Lieutenant General Andrews was killed in an B-24 bomber crash during an inspection tour of Iceland.

(8) A number of Lieutenant General Andrews' colleagues and subordinates have been posthumously promoted to the rank of four-star general for their contributions during World War II.

(9) Lieutenant General Andrews was considered one of General Douglas MacArthur's "great captains" due to his strong leadership capabilities, which empowered future leaders to lead United States ground and air forces to victory during World War II.

(10) Joint Base Andrews, a United States military base previously known as Andrews Air Force Base, was named for Lieutenant General Andrews on February 7, 1945, for his leadership as commander of the Air Force General Headquarters and Commanding General of the United States forces in the European Theater of Operations.

(11) In addition to Joint Base Andrews, additional military facilities and installations were named after Lieutenant General Andrews for his contribution to the United States forces, including—

(A) Royal Air Force (RAF) Andrews Field, a former RAF station, in England;

(B) Andrews Avenue, a major road leading to the Philippines' International Airport in Metro Manila, Philippines; and

(C) Andrews Theater, a theater previously serving the Naval Air Station Keflavik in Iceland.

(12) Lieutenant General Andrews is considered one of the founders of the United States Army Air Forces, known today as the United States Air Force, due to his efforts to pursue and empower a separate and independent Air Force.

(13) Lieutenant General Andrews served honorably in the United States military for over 37 years.

(14) Lieutenant General Andrews is considered one of the United States' key military commanders of World War II.

(b) RECOGNITION OF SERVICE.—The Senate honors and recognizes Lieutenant General Frank Maxwell Andrews for—

(1) his 37 years of loyal service to the United States Army and Army Air Corps;

(2) his heroic leadership during World War I and World War II; and

(3) his lasting legacy and selfless sacrifice on behalf of the United States.

**SEC. 587. POSTHUMOUS APPOINTMENT OF ULYSSES S. GRANT TO GRADE OF GENERAL OF THE ARMIES OF THE UNITED STATES.**

The President is authorized to appoint Ulysses S. Grant posthumously to the grade of General of the Armies of the United States equivalent to the rank and precedence held by General John J. Pershing pursuant to the Act entitled "An Act Relating to the creation of the office of General of the Armies of the United States", approved September 3, 1919 (41 Stat. 283, chapter 56).

**SEC. 588. MODIFICATION TO NOTIFICATION ON MANNING OF AFLOAT NAVAL FORCES.**

(a) CREWING REQUIREMENT.—Subsection (e) of section 597 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 8013 note) is amended to read as follows:

"(e) SURFACE COMBATANT CREWING REQUIREMENT.—Beginning October 1, 2025, the Secretary of the Navy may not assign more than one crew to a covered surface combatant vessel if any surface combatant vessel is included on a report required under subsection (a) in the most recent 12 months."

(b) SURFACE COMBATANT VESSEL DEFINITION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(4) SURFACE COMBATANT VESSEL.—The term 'surface combatant vessel' means any littoral combat ship (including the LCS–1 and LCS–2 classes), frigate (including the FFG–62 class), destroyer (including the DDG–51 and DDG–1000 classes), or cruiser (including the CG–47 class)."

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

**Subtitle A—Pay and Allowances**

**SEC. 601. TEMPORARY CONTINUATION OF BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.**

(a) IN GENERAL.—Section 403 of title 37, United States Code, is amended—

(1) by redesignating subsections (m) through (p) as subsections (n) through (q), respectively; and

(2) by inserting after subsection (l) the following new subsection (m):

"(m) TEMPORARY CONTINUATION OF ALLOWANCE FOR MEMBERS WHOSE SOLE DEPENDENT DIES WHILE RESIDING WITH THE MEMBER.—(1) Notwithstanding subsection (a)(2) or any other provision of law, the Secretary of Defense, or the Secretary of Homeland Security in the case of the Coast Guard when not operating as a service in the Navy, may continue to pay to a member described in paragraph (2) for the period described in paragraph (3) a basic allowance for housing at the rate to which the member was entitled on the day before the date of the death of the dependent of the member.  
 "(2) A member described in this paragraph is a member of the uniformed services whose sole dependent dies while—  
 "(A) the member is on active duty; and  
 "(B) the dependent resides with the member, unless separated—  
 "(i) by the necessity of military service;

“(ii) to receive institutional care as a result of disability or incapacitation; or

“(iii) under such other circumstances as the Secretary concerned may by regulation prescribe.

“(3)(A) Except as provided by subparagraph (B), the period described in this paragraph is the 365-day period beginning on the date of the death of the dependent of a member described in paragraph (2).

“(B) A member described in paragraph (2) who receives, during the 365-day period described in subparagraph (A), an order for a permanent change of station or permanent change of assignment with movement of personal property and household goods authorized under section 453(c) may not continue to receive a basic allowance for housing at the rate provided for under paragraph (1) after the permanent change of station or permanent change of assignment.”.

(b) **CONFORMING AMENDMENT.**—Section 2881a(c)(1) of title 10, United States Code, is amended by striking “section 403(n)” and inserting “section 403(o)”.

**SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR MEMBERS WITHOUT DEPENDENTS WHEN HOME PORT CHANGE WOULD FINANCIALLY DISADVANTAGE MEMBER.**

Subsection (p) of section 403 of title 37, United States Code, as redesignated by section 601(a)(1), is further amended—

(1) in the subsection heading, by striking “LOW-COST AND NO-COST” and inserting “CERTAIN”;

(2) by inserting “(1)” before “In the case of a member who is assigned”;

(3) by adding at the end the following new paragraph:

“(2)(A) In the case of a member without dependents who is assigned to a unit that undergoes a change of home port or a change of permanent duty station, if the Secretary concerned determines that it would be inequitable to base the member’s entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station, the Secretary concerned may—

“(i) waive the requirement to base the member’s entitlement to, and amount of, a basic allowance for housing on the new home port or permanent duty station member; and

“(ii) treat that member for the purposes of this section as if the unit to which the member is assigned did not undergo such a change.

“(B) The Secretary concerned may grant a waiver under subparagraph (A) to not more than 100 members in a calendar year.

“(C) Not later than March 1 of each calendar year, the Secretary concerned shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives on the use of the authority provided by subparagraph (A) during the preceding calendar year that includes—

“(i) the number of members granted a waiver under subparagraph (A) during that year; and

“(ii) for each such waiver, an identification of—

“(I) the grade of the member;

“(II) the home port or permanent duty station of the unit to which the member is assigned before the change described in subparagraph (A); and

“(III) the new home port or permanent duty station of that unit.

“(D) This paragraph shall cease to be effective on December 31, 2027.”.

**SEC. 603. EXTENSION OF AUTHORITY TO TEMPORARILY ADJUST BASIC ALLOWANCE FOR HOUSING IN CERTAIN AREAS.**

Section 403(b)(8)(C) of title 37, United States Code, is amended by striking “2022” and inserting “2024”.

**SEC. 604. INCREASE IN INCOME FOR PURPOSES OF ELIGIBILITY FOR BASIC NEEDS ALLOWANCE.**

(a) **IN GENERAL.**—Section 402b(b) of title 37, United States Code, is amended by striking “130 percent” both places it appears and inserting “150 percent”.

(b) **IMPLEMENTATION.**—Not later than January 1, 2024, the Secretary concerned (as defined in section 101 of title 37, United States Code) shall modify the calculation of the basic needs allowance under section 402b of title 37, United States Code, to implement the amendment made by subsection (a).

**SEC. 605. CONFORMING AMENDMENTS TO UPDATE REFERENCES TO TRAVEL AND TRANSPORTATION AUTHORITIES.**

(a) **BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.**—Section 256(g)(2)(B)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 906(g)(2)(B)(ii)) is amended by striking “sections 403a and 475” and inserting “sections 403b and 405”.

(b) **TITLE 5.**—Title 5, United States Code, is amended—

(1) in section 4109(a)(2)—

(A) in subparagraph (A), by striking “sections 474 and 475” and inserting “sections 405 and 452”; and

(B) in subparagraph (B), by striking “sections 476 and 479” and inserting “sections 452 and 453(c)”;

(2) in section 5725(c)(2)(B), by striking “section 476(b)(1)(H)(iii)” and inserting “subsections (c) and (d) of section 453”; and

(3) in section 5760—

(A) in subsection (c), by striking “section 481h(b)” and inserting “section 451(a)”;

(B) in subsection (d)—

(i) in paragraph (2), by striking “section 474(d)” and inserting “section 464”; and

(ii) in paragraph (3), by striking “section 481h(d)(1)” and inserting “section 452(d)”.

(c) **TITLE 10.**—Title 10, United States Code, is amended—

(1) in section 710—

(A) in subsection (f)(4)(A), in the matter preceding clause (i), by striking “section 474” and inserting “section 452”; and

(B) in subsection (h)(4), by striking “section 481f” and inserting “section 453(f)”;

(2) in section 1174a(b)(2)(B), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(3) in section 1175(j), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(4) in section 1175a(e)(2)(B), by striking “sections 474 and 476” and inserting “sections 452 and 453(c)”;

(5) in section 1491(d)(3), by striking “section 495(a)(2)” and inserting “section 435(a)(2)”;

(6) in section 2013(b)(2)—

(A) in subparagraph (A), by striking “sections 474 and 475” and inserting “sections 405 and 452”; and

(B) in subparagraph (B), by striking “sections 476 and 479” and inserting “sections 452 and 453(c)”;

(7) in section 2493(a)(4)(B)(ii), by striking “section 481f(d)” and inserting “section 453(f)”;

(8) in section 2613(g), by striking “section 481h(b)” and inserting “section 451(a)”;

(9) in section 12503—

(A) in subsection (a), in the second sentence, by striking “sections 206 and 495” and inserting “sections 206 and 435”;

(B) in subsection (b)(2)(A), by striking “section 495” and inserting “section 435”; and

(C) in subsection (c), by striking “chapter 7” and inserting “section 452”.

(d) **TITLE 14.**—Section 2764 of title 14, United States Code, is amended, in the first and third sentences, by striking “subsection

(b) of section 476” and inserting “section 453(c)”.

(e) **TITLE 32.**—Section 115 of title 32, United States Code, is amended—

(1) in subsection (a), in the third sentence, by striking “sections 206 and 495” and inserting “sections 206 and 435”;

(2) in subsection (b)(2)(A), by striking “section 495” and inserting “section 435”; and

(3) in subsection (c), by striking “chapter 7” and inserting “section 452”.

(f) **NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.**—Section 236(f)(4)(A) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3036(f)(4)(A)) is amended, in the matter preceding clause (i), by striking “section 474” and inserting “section 452”.

(g) **TITLE 36.**—Section 2101(b)(2) of title 36, United States Code, is amended by striking “section 475” and inserting “section 405”.

(h) **TITLE 37.**—Title 37, United States Code, is amended—

(1) in section 403—

(A) in subsection (d)(2)(A), by striking “section 476” and inserting “section 452”; and

(B) in subsection (g)—

(i) in paragraph (2), in the second sentence, by striking “section 474” and inserting “section 452”; and

(ii) in paragraph (3), by striking “section 476” and inserting “section 453(c)”;

(2) in section 420(b), by striking “sections 474–481” and inserting “section 452”;

(3) in section 422(a), by striking “section 480” and inserting “section 452”;

(4) in section 427—

(A) in subsection (a)(1)(A), by striking “section 476” and inserting “section 452”; and

(B) in subsection (c)(1), by striking “section 476” and inserting “section 452”;

(5) in section 433(b), by striking “section 474(d)(2)(A)” and inserting “section 452”;

(6) in section 451(a)(2)(H)—

(A) in clause (i), by striking “section 481f” and inserting “section 453(f)”;

(B) in clause (ii), by striking “section 481h” and inserting “section 452(b)(12)”;

(C) in clause (iii), by striking “section 481j” and inserting “section 452(b)(13)”;

(D) in clause (iv), by striking “section 481k” and inserting “section 452(b)(14)”;

(E) in clause (v), by striking “section 481l” and inserting “section 452(b)(15)”;

(7) in section 1002(b)(1), by striking “section 474(a)–(d), and (f),” and inserting “section 452”;

(8) in section 1003, by striking “sections 402–403b, 474–477, 479–481, and 414” and inserting “sections 402 through 403b, 405, 414, 452, and 453”; and

(9) in section 1006(g)—

(A) by striking “section 477” and inserting “section 452(c)(2)”;

(B) by striking “section 475a(a)” and inserting “section 452(b)(11)”.

(i) **CHILD NUTRITION ACT OF 1966.**—Section 17(d)(2)(B)(ii) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)(B)(ii)) is amended by striking “section 475” and inserting “section 405”.

**Subtitle B—Bonus and Incentive Pays**

**SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.**

(a) **AUTHORITIES RELATING TO RESERVE FORCES.**—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service, is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking “December 31, 2022” and inserting “December 31, 2023”:

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking “December 31, 2022” and inserting “December 31, 2023”:

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 352(g), relating to assignment pay or special duty pay.

(7) Section 353(i), relating to skill incentive pay or proficiency bonus.

(8) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY ADJUSTMENTS IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b) of title 37, United States Code, is amended—

(1) in paragraph (7)(E), by striking “December 31, 2022” and inserting “December 31, 2023”; and

(2) in paragraph (8)(C), by striking “September 30, 2022” and inserting “December 31, 2023”.

**SEC. 612. REPEAL OF SUNSET OF HAZARDOUS DUTY PAY.**

Subsection (h) of section 351 of title 37, United States Code, is repealed.

**SEC. 613. AUTHORIZATION OF ASSIGNMENT PAY OR SPECIAL DUTY PAY BASED ON CLIMATE IN WHICH A MEMBER'S DUTIES ARE PERFORMED.**

Section 352(a)(2) of title 37, United States Code, is amended by inserting “climate,” after “location.”

**Subtitle C—Leave**

**SEC. 621. MODIFICATION OF AUTHORITY TO ALLOW MEMBERS OF THE ARMED FORCES TO ACCUMULATE LEAVE IN EXCESS OF 60 DAYS.**

(a) IN GENERAL.—Section 701(f) of title 10, United States Code, is amended to read as follows:

“(f)(1) The Secretary concerned, under uniform regulations to be prescribed by the Secretary of Defense, may authorize a member described in paragraph (2) who, except for this subsection, would lose at the end of the fiscal year any accumulated leave in excess of the number of days of leave authorized to be accumulated under subsection (b), to retain an accumulated total of 90 days leave.

“(2) This subsection applies to a member who—

“(A) serves on active duty for a continuous period of at least 120 days in an area in which the member is entitled to special pay under section 310(a) of title 37;

“(B) is assigned to a deployable ship or mobile unit or to other duty designated for the purpose of this section; or

“(C) serves on active duty in a duty assignment in support of a contingency operation.

“(3) Leave accumulated by a member under this subsection in excess of the number of days of such leave authorized under subsection (b) is forfeited unless it is used by the member before the end of the second fiscal year after the fiscal year in which the service or assignment described in paragraph (B) of the member terminated.”.

(b) TRANSITION RULE.—Notwithstanding paragraph (3) of section 701(f) of title 10, United States Code, as amended by subsection (a), leave in excess of 90 days accumulated by a member under section 701(f) of title 10, United States Code, on or before September 30, 2022, is forfeited unless it is used by the member on or before September 30, 2025, or the retention of such leave is authorized under another provision of law.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on January 1, 2023.

**SEC. 622. TECHNICAL AMENDMENTS TO LEAVE ENTITLEMENT AND ACCUMULATION.**

(a) REPEAL OF OBSOLETE AUTHORITY.—Section 701 of title 10, United States Code, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) through (m) as subsections (d) through (l).

(b) CONFORMING AMENDMENTS TO SECTION 701 OF TITLE 10.—Section 701 of title 10, United States Code, is amended—

(1) in subsection (b), by striking “subsections (d), (f), and (g)” and inserting “subsections (e) and (f)”;

(2) in subsection (f), as redesignated by subsection (a)(2), in the first sentence, by striking “subsections (b), (d), and (f)” and inserting “subsections (b) and (e)”;

(3) in subsection (i), as so redesignated, in the first sentence, by striking “subsections (b), (d), and (f)” and inserting “subsections (b) and (e)”.

(c) CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.—

(1) TITLE 14.—Section 2508(a) of title 14, United States Code, is amended by striking “section 701(f)(2)” and inserting “section 701(e)”.

(2) TITLE 37.—Title 37, United States Code, is amended—

(A) in section 501—

(i) in subsection (b)(6), by striking “120 days of leave under section 701(f)(1)” and inserting “90 days of leave under section 701(e)”;

(ii) in subsection (h), by striking “section 701(g)” and inserting “section 701(f)”;

(B) in section 502(b), by striking “section 701(h)” and inserting “section 701(g)”.

(d) EFFECTIVE DATE.—The amendments made by this section take effect on January 1, 2023.

**SEC. 623. CONVALESCENT LEAVE FOR MEMBERS OF THE ARMED FORCES.**

(a) IN GENERAL.—Section 701 of title 10, United States Code, as amended by section 622(a), is further amended by adding at the end the following new subsection:

“(m)(1) Except as provided by subsection (h)(3), and under regulations prescribed by the Secretary of Defense, a member of the armed forces diagnosed with a medical condition is allowed convalescent leave if—

“(A) the medical or behavioral health provider of the member—

“(i) determines that the member is not yet fit for duty as a result of that condition; and

“(ii) recommends such leave for the member to provide for the convalescence of the member from that condition; and

“(B) the commanding officer of the member or the commander of the military medical treatment facility authorizes such leave for the member.

“(2) A member may take not more than 30 days of convalescent leave under paragraph (1) with respect to a condition described in that paragraph unless—

“(A) such leave in excess of 30 days is authorized by—

“(i) the Secretary concerned; or

“(ii) an individual at the level designated by the Secretary concerned, but not below the grade of O-5 or the civilian equivalent; or

“(B) the member is authorized to receive convalescent leave under subsection (h)(3) in conjunction with the birth of a child.

“(3)(A) Convalescent leave may be authorized under paragraph (1) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.

“(B) In authorizing convalescent leave for a member under paragraph (1) with respect to a condition described in that paragraph, the commanding officer of the member or the commander of the military medical treatment facility, as the case may be, shall—

“(i) limit the duration of such leave to the minimum necessary in relation to the diagnosis, prognosis, and probable final disposition of the condition of the member; and

“(ii) authorize leave tailored to the specific medical needs of the member rather than (except for convalescent leave provided for under subsection (h)(3)) authorizing leave based on a predetermined formula.

“(4) A member taking convalescent leave under paragraph (1) shall not have the member's leave account reduced as a result of taking such leave.

“(5) In this subsection, the term ‘military medical treatment facility’ means a facility described in subsection (b), (c), or (d) of section 1073d.”.

(b) TREATMENT OF CONVALESCENT LEAVE FOR BIRTH OF CHILD.—Paragraph (3) of subsection (h) of such section, as redesignated by section 622(a), is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by inserting “(A)” after “(3)”;

(3) by adding at the end the following new subparagraph:

“(B) Convalescent leave may be authorized under subparagraph (A) only for a medical condition of a member and may not be authorized for a member in connection with a condition of a dependent or other family member of the member.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2023.

**Subtitle D—Other Matters**

**SEC. 631. AIR FORCE RATED OFFICER RETENTION DEMONSTRATION PROGRAM.**

(a) PROGRAM REQUIREMENT.—The Secretary shall establish and carry out within the Department of the Air Force a demonstration program to assess and improve retention on active duty in the Air Force of rated officers described in subsection (b).

(b) RATED OFFICERS DESCRIBED.—Rated officers described in this subsection are rated officers serving on active duty in the Air Force, excluding rated officers with a reserve appointment in the Air National Guard or Air Force Reserve—

(1) whose continued service on active duty would be in the best interest of the Department of the Air Force, as determined by the Secretary; and

(2) who have not more than three years and not less than one year remaining on an active duty service obligation under section 653 of title 10, United States Code.

(c) WRITTEN AGREEMENT.—

(1) IN GENERAL.—Under the demonstration program required under subsection (a), the Secretary shall offer retention incentives under subsection (d) to a rated officer described in subsection (b) who executes a written agreement to remain on active duty in a regular component of the Air Force for not less than four years after the completion of the active duty service obligation of the officer under section 653 of title 10, United States Code.

(2) EXCEPTION.—If the Secretary of the Air Force determines that an assignment previously guaranteed under subsection (d)(1) to a rated officer described in subsection (b) cannot be fulfilled, the agreement of the officer under paragraph (1) to remain on active duty shall expire not later than one year after that determination.

(d) RETENTION INCENTIVES.—

(1) GUARANTEE OF FUTURE ASSIGNMENT LOCATION.—Under the demonstration program required under subsection (a), the Secretary may offer to a rated officer described in subsection (b) a guarantee of future assignment locations based on the preference of the officer.

(2) AVIATION BONUS.—Under the demonstration program required under subsection (a), notwithstanding section 334(c) of title 37, United States Code, the Secretary may pay to a rated officer described in subsection (b) an aviation bonus not to exceed an average annual amount of \$50,000 (subject to paragraph (3)(B)).

(3) COMBINATION OF INCENTIVES.—The Secretary may offer to a rated officer described in subsection (b) a combination of incentives under paragraphs (1) and (2).

(e) ANNUAL BRIEFING.—Not later than December 31, 2023, and annually thereafter until the termination of the demonstration program required under subsection (a), the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing describing the use of such demonstration program and its effects on the retention on active duty in the Air Force of rated officers described in subsection (b).

(f) DEFINITIONS.—In this section:

(1) RATED OFFICER.—The term “rated officer” means an officer specified in section 9253 of title 10, United States Code.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Air Force.

(g) TERMINATION.—This section shall terminate on December 31, 2028.

## TITLE VII—HEALTH CARE PROVISIONS

### Subtitle A—TRICARE and Other Health Care Benefits

#### SEC. 701. IMPROVEMENTS TO THE TRICARE DENTAL PROGRAM.

(a) IN GENERAL.—Section 1076a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “The plans” and inserting the following:

“(1) IN GENERAL.—The plans”; and

(B) by adding at the end the following new paragraph:

“(2) PREMIUM SHARING PLANS.—The regulations required by paragraph (1) shall include, with respect to premium sharing plans referred to in subsection (d)(1), the following elements:

“(A) A third party administrator shall manage the administrative features of such plans, including eligibility, enrollment, plan change and premium payment processes, submission of qualifying life events changes, and address changes.

“(B) Such plans shall include the following three enrollment options:

“(i) Self.

“(ii) Self plus one.

“(iii) Family.

“(C) In the United States, to the extent practicable, individuals eligible to enroll in such a plan shall be offered options to enroll in plans of not fewer than four national dental insurance carriers.

“(D) To the extent practicable, each carrier described in subparagraph (C)—

“(i) shall manage dental care delivery matters, including claims adjudication (with required electronic submission of claims), coordination of benefits, covered services, enrollment verification, and provider networks;

“(ii) shall, in addition to offering a standard option plan consistent with the requirements of this section, offer a high option plan that provides more covered services;

“(iii) may offer an additional plan managed as a dental health maintenance organization plan;

“(iv) shall establish and operate dental provider networks that provide—

“(I) accessible care with a prevention or wellness focus;

“(II) continuity of care;

“(III) coordinated care (including appropriate dental and medical referrals);

“(IV) patient-centered care (including effective communications, individualized care, and shared decision-making); and

“(V) high-quality, safe care;

“(v) shall develop and implement adult and pediatric dental quality measures, including effective measurements for—

“(I) access to care;

“(II) continuity of care;

“(III) cost;

“(IV) adverse patient events;

“(V) oral health outcomes; and

“(VI) patient experience; and

“(vi) shall conduct in their provider networks, to the extent practicable, pilot programs on the development of a model of care based on the model of care referred to as patient-centered dental homes.”;

(2) in subsection (d)(1)—

(A) in subparagraph (B), by striking the second sentence;

(B) by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) The amount of the premium required under subparagraph (A)—

“(i) for standard option plans described in subsection (b)(2)(C)(ii), shall be established by the Secretary annually such that in the aggregate (taking into account the adjustments under subparagraph (D) and subsection (e)(2)(C)), the Secretary’s share of each premium is 60 percent of the premium for each enrollment category (self, self plus one, and family) of each standard option plan; and

“(ii) for non-standard option plans described in clauses (ii) and (iii) of subsection (b)(2)(C), shall be equal to the amount determined under clause (i) plus 100 percent of the additional premium amount applicable to such non-standard option plan.”; and

(C) by striking subparagraph (D) and inserting the following new subparagraph (D):

“(D) The Secretary of Defense shall reduce the monthly premium required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4.”;

(3) in subsection (e), by adding at the end the following new paragraph:

“(3) The Secretary of Defense shall reduce copayments required to be paid under paragraph (1) in the case of enlisted members in pay grade E-1, E-2, E-3, or E-4.”; and

(4) in subsection (j), by striking “plan established under this section” and inserting “standard option plan described in subsection (b)(2)(C)(i).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2025.

(c) RULE MAKING AUTHORITY.—

(1) IN GENERAL.—In order to implement the dental program improvements on the date specified in subsection (b), the Secretary of Defense shall, not later than January 1, 2024, issue an interim final regulation consistent with the provisions of section 1076a of title 10, United States Code, as amended by subsection (a), that will be in effect on the date specified in subsection (b).

(2) MAINTENANCE OF COVERED SERVICES.—The regulation required by paragraph (1) shall ensure that covered services under standard option plans described in subsection (b)(2)(C)(ii) of section 1076a of title 10, United States Code, as added by subsection (a), shall be no less than those services under the premium sharing plans under such section in effect as of the date of the enactment of this Act.

#### SEC. 702. HEALTH BENEFITS FOR MEMBERS OF THE NATIONAL GUARD FOLLOWING REQUIRED TRAINING OR OTHER DUTY TO RESPOND TO A NATIONAL EMERGENCY.

(a) TRANSITIONAL HEALTH CARE.—Subsection (a)(2) of section 1145 of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A member of the National Guard who is separated from full-time National Guard Duty to which called or ordered under section 502(f) of title 32 for a period of active service of more than 30 days to perform duties that are authorized by the President or the Secretary of Defense for the purpose of responding to a national emergency declared by the President and supported by Federal funds.”.

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

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “active duty” and inserting “active service”;

(B) in paragraph (3), by striking “paragraph (2)(B)” and inserting “subparagraph (B) or (G) of paragraph (2)”;

(C) in paragraph (4)—

(i) by striking “active duty” each place it appears and inserting “active service”; and

(ii) in the second sentence, by striking “or (D)” and inserting “(D), or (G)”;

(D) in paragraph (5), in subparagraphs (A) and (B), by striking “active duty” each place it appears and inserting “active service”; and

(E) in paragraph (7)(A)—

(i) by striking “service on active duty” and inserting “active service”; and

(ii) by striking “active duty for” and inserting “active service for”;

(2) in subsection (b)(1), by striking “active duty” and inserting “active service”; and

(3) in subsection (d)(1)(A), by striking “active duty” and inserting “active service”.

#### SEC. 703. CONFIDENTIALITY REQUIREMENTS FOR MENTAL HEALTH CARE SERVICES FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—In order to reinforce the policies of eliminating stigma in obtaining mental health care services and further encouraging help-seeking behavior by members of the Armed Forces, not later than July 1, 2023, the Secretary of Defense shall—

(1) update and reissue Department of Defense Instruction 6490.08, entitled “Command Notification Requirements to Dispel Stigma in Providing Mental Health Care to Service Members” and issued on August 17, 2011, taking into account—

(A) experience implementing the Instruction; and

(B) opportunities to more effectively dispel stigma in obtaining mental health care services and encourage help-seeking behavior; and

(2) develop standards within the Department of Defense that—



(A) ensure, except in cases in which there are exigent circumstances, confidentiality of mental health care services provided to members who voluntarily seek such services; and

(B) in cases in which there are exigent circumstances, prevent health care providers from disclosing more than the minimum amount of information necessary to address the exigent circumstances.

(b) ELEMENTS.—The standards required by subsection (a)(2) shall include the following elements:

(1) Requirements for confidentiality regarding the request and receipt by a member of the Armed Forces of mental health care services under the self-initiated referral process under section 1090a(e) of title 10, United States Code.

(2) Requirements for confidentiality regarding the results of any drug testing incident to mental health care services.

(3) Procedures that reflect best practices of the mental health profession with respect to suicide prevention.

(4) Prohibition on retaliating against a member of the Armed Forces who requests mental health care services.

(5) Such other elements as the Secretary determines will most effectively support the policies of—

(A) eliminating stigma in obtaining mental health care services; and

(B) encouraging help-seeking behavior by members of the Armed Forces.

(c) JOINT POLICY WITH THE SECRETARY OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not later than July 1, 2023, the Secretary of Defense and the Secretary of Veterans Affairs shall issue a joint policy that provides, except in the case of exigent circumstances, for confidentiality of mental health care services provided by the Department of Veterans Affairs to members of the Armed Forces, including members of reserve components of the Armed Forces, under sections 1712A, 1720F, 1720H, and 1789 of title 38, United States Code, and other applicable law.

(2) ELEMENTS.—The joint policy issued under paragraph (1) shall, to the extent practicable, establish standards comparable to the standards developed under subsection (a)(2).

(d) REPORT.—Not later than July 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the standards developed under subsection (a)(2) and the joint policy issued under subsection (c).

(e) EXIGENT CIRCUMSTANCE DEFINED.—In this section, the term “exigent circumstance” means a circumstance in which the Secretary of Defense determines the need to prevent serious harm to individuals or essential military functions clearly outweighs the need for confidentiality of information obtained by a health care provider incident to mental health care services voluntarily sought by a member of the Armed Forces.

**SEC. 704. IMPROVEMENT OF REFERRALS FOR SPECIALTY CARE UNDER TRICARE PRIME DURING PERMANENT CHANGES OF STATION.**

(a) IN GENERAL.—Section 714 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 1095f) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection (e):

“(e) IMPROVEMENT OF SPECIALTY CARE REFERRALS DURING PERMANENT CHANGES OF STATION.—In conducting evaluations and improvements under subsection (d) to the referral process described in subsection (a), the

Secretary shall ensure beneficiaries enrolled in TRICARE Prime who are undergoing a permanent change of station receive referrals from their primary care manager to such specialty care providers in the new location as the beneficiary may need before undergoing the permanent change of station.”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the contractual and technical barriers preventing record sharing between civilian provider networks under the TRICARE program that lead to increased wait times for care for members of the Armed Forces and their dependents undergoing permanent changes of station across provider network regions.

**SEC. 705. STUDY ON PROVIDING BENEFITS UNDER TRICARE RESERVE SELECT AND TRICARE DENTAL PROGRAM TO MEMBERS OF THE SELECTED RESERVE AND THEIR DEPENDENTS.**

(a) STUDY.—The Secretary of Defense may conduct a study on the feasibility, potential cost effects to the budget of the Department of Defense, changes in out-of-pocket costs to beneficiaries, and effects on other Federal programs of expanding eligibility for TRICARE Reserve Select and the TRICARE dental program to include all members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(b) SPECIFICATIONS.—If the Secretary conducts the study under subsection (a), the Secretary shall include in the study an assessment of the following:

(1) Cost-shifting to the Department of Defense to support the expansion of TRICARE Reserve Select and the TRICARE dental program from—

(A) health benefit plans under chapter 89 of title 5, United States Code;

(B) employer-sponsored health insurance;

(C) private health insurance;

(D) insurance under a State health care exchange; and

(E) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(2) New costs for the Department of Defense to enroll in TRICARE Reserve Select and the TRICARE dental program members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces who were previously uninsured.

(3) The resources needed to implement TRICARE Reserve Select and the TRICARE dental program for all such members, their dependents, and their non-dependent children under the age of 26.

(4) Cost-savings, if any, resulting from the expansion of TRICARE Reserve Select and the TRICARE dental program with regard to increased training days performed in support of mass medical events during battle assemblies of the reserve components, including an assessment of the impact of such expansion on—

(A) medical readiness;

(B) overall deployability rates;

(C) deployability timelines;

(D) fallout rates at mobilization sites;

(E) cross-leveling of members of the reserve components to backfill medical fallouts at mobilization sites; and

(F) any other readiness metrics affected by such expansion.

(5) Any impact of such expansion on recruitment and retention of members of the Armed Forces, including members of the Ready Reserve of the reserve components of the Armed Forces.

(6) Cost-savings, if any, in contracts that implement the Reserve Health Readiness Program of the Department of Defense.

(c) DETERMINATION OF COST EFFECTS.—If the Secretary of Defense studies the potential cost effects to the budget of the Department of Defense under subsection (a), the Secretary shall study the cost effects for the following scenarios of expanded eligibility for TRICARE Reserve Select and the TRICARE dental program:

(1) Premium free for members of the Selected Reserve of the Ready Reserve of a reserve component of the Armed Forces, their dependents, and their non-dependent children under the age of 26.

(2) Premium free for such members and subsidized premiums for such dependents and non-dependent children.

(3) Subsidized premiums for such members, dependents, and non-dependent children.

(d) USE OF A FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—The Secretary may contract with a federally funded research and development center that is qualified and appropriate to conduct the study under subsection (a).

(e) BRIEFING; REPORT.—

(1) BRIEFING.—If the Secretary conducts the study under subsection (a), not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the methodology and approach of the study.

(2) REPORT.—If the Secretary conducts the study under subsection (a), not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study.

(f) DEFINITIONS.—In this section:

(1) TRICARE DENTAL PROGRAM.—The term “TRICARE dental program” means dental benefits under section 1076a of title 10, United States Code.

(2) TRICARE RESERVE SELECT.—The term “TRICARE Reserve Select” means health benefits under section 1076d of such title.

**Subtitle B—Health Care Administration**

**SEC. 721. IMPROVEMENTS TO ORGANIZATION OF MILITARY HEALTH SYSTEM.**

(a) FEASIBILITY STUDY FOR SUPERSEDING ORGANIZATION FOR DEFENSE HEALTH AGENCY.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense (referred to in this section as the “Secretary”) shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on a study, conducted by the Secretary for purposes of the report, of the feasibility of and requirements for the establishment of a defense health and medical readiness command (referred to in this subsection as the “command”) as a superseding organization to the Defense Health Agency.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following:

(A) A description of the responsibilities of the commander of the command.

(B) A description of any organizations that support the Defense Health Agency, such as the medical departments and medical logistics organizations of each military department.

(C) A description of any authorities required for the leadership and direction of the command.

(D) A description of the organizational structure of the command, including any subordinate commands.

(E) A description of resourcing executive leadership of the command.

(F) A description of the location or locations of headquarters elements of the command.

(G) A description of how the current Defense Health Agency functions as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(H) A description of how the command may further serve as a provider of optimally trained, clinically proficient health care professionals to support combatant commands.

(I) A description of the relationship of the command to the military departments, the combatant commands, and the Joint Staff.

(J) A timeline for the establishment of the command.

(K) A description of additional funding required to establish the command.

(L) A description of any additional legislative action required for the establishment of the command.

(M) Any other matters in connection with the establishment, operations, and activities of the command that the Secretary considers appropriate.

(b) ESTABLISHMENT OF MILITARY HEALTH SYSTEM EDUCATION AND TRAINING DIRECTORATE.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization, to be called the Military Health System Education and Training Directorate (referred to in this subsection as the “Directorate”).

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

(A) A description of any authorities required for the leadership and direction of the Directorate.

(B) A description of the organizational structure of the Directorate, including any subordinate organizations.

(C) A description of resourcing executive leadership of the Directorate.

(D) A description of the location or locations of elements of the Directorate.

(E) A description of the ability of the Directorate to address the training requirements of the military departments, the combatant commands, and the Joint Staff.

(F) A description of additional funding required to establish the Directorate.

(G) A description of any additional legislative action required for the establishment of the Directorate.

(H) Any other matters in the connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(3) ESTABLISHMENT.—

(A) IN GENERAL.—Not later than one year after the submission of the plan required under paragraph (1), the Secretary shall establish the Directorate within the Defense Health Agency.

(B) LEADERSHIP.—The Directorate shall be led by the President of the Uniformed Services University of the Health Sciences.

(C) STRUCTURE.—The Directorate shall be composed of the following:

(i) The Medical Education and Training Campus.

(ii) The College of Allied Health Sciences.

(iii) The Uniformed Services University of the Health Sciences.

(iv) The medical education and training commands and organizations of the military departments.

(v) Training programs of military departments affiliated with civilian academic institutions.

(vi) Such other elements, facilities, and commands of the Department of Defense as the Secretary considers appropriate.

**SEC. 722. INCLUSION OF LEVEL THREE TRAUMA CARE CAPABILITIES IN REQUIREMENTS FOR MEDICAL CENTERS.**

Section 1073d(b)(3) of title 10, United States Code, is amended by striking “or level two” and inserting “, level two, or level three”

**SEC. 723. EXTENSION OF ACCOUNTABLE CARE ORGANIZATION DEMONSTRATION AND ANNUAL REPORT REQUIREMENT.**

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall extend the duration of the Accountable Care Organization demonstration carried out by the Secretary, notice of which was published in the Federal Register on August 16, 2019 (84 Fed. Reg. 41974), (in this section referred to as the “Demonstration”) through December 31, 2028.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1 of each year during which the Demonstration is carried out, beginning in 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that describes the conduct of the Demonstration for the one-year period preceding the date of the report.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of how the Demonstration delivered performance of better health, better care, and lower cost.

(B) A description of the results of the Demonstration with respect to the following outcome measures:

- (i) Clinical performance.
- (ii) Utilization improvement.
- (iii) Beneficiary engagement.
- (iv) Membership growth and retention.
- (v) Case management.
- (vi) Continuity of care.
- (vii) Telehealth utilization.

(C) A description of how the Demonstration shifted financial risk from the TRICARE program to health care providers.

(D) A description of how investment in the Demonstration serves as a bridge to competitive demonstrations by the Department of Defense with accountable care organizations in the future.

(E) A detailed description of locations for future competitive demonstrations by the Department with accountable care organizations.

(3) TRICARE PROGRAM DEFINED.—In this subsection, the term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

**SEC. 724. MODIFICATION OF REQUIREMENT TO TRANSFER PUBLIC HEALTH FUNCTIONS TO DEFENSE HEALTH AGENCY.**

(a) TEMPORARY RETENTION OF PUBLIC HEALTH FUNCTIONS.—At the determination of the Secretary of Defense, a military department may retain, until not later than September 30, 2023, a public health function that would otherwise become part of the Defense Health Agency of Public Health under section 1073c(e)(2)(B) of title 10, United States Code, if such function—

(1) addresses a need that is unique to the military department; and

(2) is in direct support of operating forces and necessary to execute strategies relating to national security and defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on public health functions that the

Secretary has determined may be retained by a military department pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of each public health function that the Secretary has determined may be retained by a military department pursuant to subsection (a).

(B) The rationale for each such determination.

(C) Recommendations for amendments to section 1073c of title 10, United States Code, to permit ongoing retention of public health functions by military departments.

(c) MODIFICATION TO NAMES OF PUBLIC HEALTH COMMANDS.—Section 1073c(e)(2)(B) of title 10, United States Code, is amended by striking “Army Public Health Command, the Navy–Marine Corps Public Health Command” and inserting “Army Public Health Center, the Navy–Marine Corps Public Health Center”.

**SEC. 725. ESTABLISHMENT OF MILITARY HEALTH SYSTEM MEDICAL LOGISTICS DIRECTORATE.**

(a) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to establish within the Defense Health Agency a subordinate organization to be called the Military Health System Medical Logistics Directorate (in this section referred to as the “Directorate”).

(b) ELEMENTS.—The plan required under subsection (a) shall include the following:

(1) A description of any authorities required for the leadership and direction of the Directorate.

(2) A description of the organizational structure of the Directorate, including any subordinate organizations, to include incorporation into the Directorate of existing organizations of the military departments that provide operational theater medical materiel support.

(3) A description of resourcing by the Secretary of the executive leadership of the Directorate.

(4) A description of the location or locations of elements of the Directorate.

(5) A description of how the medical research and development organization within the Defense Health Agency will coordinate with the Directorate.

(6) A description of the ability of the Directorate to address the medical logistics requirements of the military departments, the combatant commands, and the Joint Staff.

(7) A description of additional funding required to establish the Directorate.

(8) A description of any additional legislative action required for the establishment of the Directorate.

(9) Any other matters in connection with the establishment, operations, and activities of the Directorate that the Secretary considers appropriate.

(c) ESTABLISHMENT.—Not later than one year after the submission of the plan required under subsection (a), the Secretary shall establish the Directorate within the Defense Health Agency.

**SEC. 726. ESTABLISHMENT OF CENTERS OF EXCELLENCE FOR SPECIALTY CARE IN THE MILITARY HEALTH SYSTEM.**

(a) CENTERS OF EXCELLENCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish regional centers of excellence for the provision of military specialty care to eligible beneficiaries at existing major medical centers of the Department of Defense.

(2) SATELLITE CENTERS.—The Secretary may establish satellite centers of excellence

to provide specialty care for certain conditions, such as—

- (A) post-traumatic stress;
- (B) traumatic brain injury; and
- (C) such other conditions as the Secretary considers appropriate.

(3) **READINESS AND IMPROVEMENT OF CARE.**—Centers of excellence established under this subsection shall—

(A) ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(B) improve the quality of health care received by eligible beneficiaries from the Department; and

(C) improve health outcomes for eligible beneficiaries.

(b) **TYPES OF CENTERS OF EXCELLENCE.**—

(1) **IN GENERAL.**—Centers of excellence shall be established under subsection (a) for the following areas of specialty care:

- (A) Oncology.
- (B) Burn injuries and wound care.
- (C) Rehabilitation medicine.
- (D) Psychological health and traumatic brain injury.
- (E) Amputations and prosthetics.
- (F) Neurosurgery.
- (G) Orthopedic care.
- (H) Substance abuse.
- (I) Transplants.
- (J) Cardiothoracic surgery.
- (K) Such other areas of specialty care as the Secretary considers appropriate to ensure the military medical force readiness of the Department and the medical readiness of the Armed Forces.

(2) **MULTIPLE SPECIALTIES.**—A major medical center of the Department may be established as a center of excellence for more than one area of specialty care.

(c) **PRIMARY SOURCE FOR SPECIALTY CARE.**—

(1) **IN GENERAL.**—Centers of excellence established under subsection (a) shall be the primary source within the military health system for the receipt by eligible beneficiaries of specialty care.

(2) **REFERRAL.**—Eligible beneficiaries seeking specialty care services through the military health system shall be referred to a center of excellence established under subsection (a) or to an appropriate specialty care provider in the private sector if health care services at such a center are unavailable.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that sets forth a plan for the Department to establish centers of excellence under this section.

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A list of the centers of excellence to be established under this section and the locations of such centers.

(B) A description of the specialty care services to be provided at each such center and a staffing plan for each such center.

(C) A description of how each such center will improve—

(i) the military medical force readiness of the Department and the medical readiness of the Armed Forces;

(ii) the quality of care received by eligible beneficiaries; and

(iii) the health outcomes of eligible beneficiaries.

(D) A comprehensive plan to refer eligible beneficiaries for specialty care services at centers of excellence established under this section and centers of excellence in the private sector.

(E) A plan to assist eligible beneficiaries with travel and lodging, if necessary, in con-

nection with the receipt of specialty care services at centers of excellence established under this section or centers of excellence in the private sector.

(F) A plan to transfer specialty care providers of the Department to centers of excellence established under this section, in a number as determined by the Secretary to be required to provide specialty care services to eligible beneficiaries at such centers.

(G) A plan to monitor access to care, beneficiary satisfaction, experience of care, and clinical outcomes to understand better the impact of such centers on the health care of eligible beneficiaries.

(e) **NOTIFICATION.**—The Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 90 days prior to the establishment of a center of excellence under this section.

(f) **ELIGIBLE BENEFICIARY DEFINED.**—In this section, the term “eligible beneficiary” means a beneficiary under chapter 55 of title 10, United States Code.

**SEC. 727. REQUIREMENT TO ESTABLISH ACADEMIC HEALTH SYSTEM.**

Section 2113b(a) of title 10, United States Code, is amended by striking “may” and inserting “shall”.

**SEC. 728. ADHERENCE TO POLICIES RELATING TO MILD TRAUMATIC BRAIN INJURY AND POST-TRAUMATIC STRESS DISORDER.**

Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall—

(1) direct the Secretary of the Navy and the Secretary of the Air Force to address inconsistencies between the policies of the Department of Defense, the Department of the Navy, and the Department of the Air Force relating to the training of members of the Armed Forces on the identification of symptoms of mild traumatic brain injury in deployed locations; and

(2) ensure the Secretary of each military department routinely monitors the adherence of members of the Armed Forces under the jurisdiction of such Secretary to policies of the Department of Defense relating to post-traumatic stress disorder and traumatic brain injury, including policies related to—

(A) screening certain members of the Armed Forces for post-traumatic stress disorder and traumatic brain injury prior to any separation of such a member from the Armed Forces for misconduct; and

(B) providing counseling to members of the Armed Forces during the process of such separation regarding services and benefits that may be provided by the Department of Veterans Affairs to members after such separation.

**SEC. 729. POLICY ON ACCOUNTABILITY FOR WOUNDED WARRIORS UNDERGOING DISABILITY EVALUATION.**

(a) **IN GENERAL.**—Not later than April 1, 2023, the Secretary of Defense shall establish a policy to ensure accountability for actions taken under the authorities of the Defense Health Agency and the military departments concerning wounded, ill, and injured members of the Armed Forces during the integrated disability evaluation system process of the Department of Defense.

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

(1) A requirement that determination of fitness for duty under chapter 61 of title 10, United States Code, of a member of the Armed Forces falls under the jurisdiction of the Secretary of the military department concerned.

(2) A requirement that medical evaluation provided under the authority of the Defense Health Agency shall—

(A) comply with applicable law and regulations of the Department of Defense; and

(B) be considered by the Secretary of the military department concerned in determining fitness for duty under chapter 61 of such title.

(3) A requirement that wounded, ill, and injured members of the Armed Forces shall not be denied the protections, privileges, or right to due process afforded under applicable law and regulations of the Department of Defense and the military department concerned.

(c) **CLARIFICATION OF RESPONSIBILITIES REGARDING MEDICAL EVALUATION BOARDS.**—Section 1073c of title 10, United States Code, is amended by—

(1) redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following new subsection (h):

“(h) **AUTHORITIES RESERVED TO THE SECRETARIES OF THE MILITARY DEPARTMENTS CONCERNING THE DISABILITY EVALUATION SYSTEM.**—

“(1) **IN GENERAL.**—Notwithstanding the responsibilities and authorities of the Director of the Defense Health Agency with respect to the administration of military medical treatment facilities as set forth in this section, including medical evaluations of members of the armed forces, the Secretary of each military department shall maintain personnel authority over and responsibility for any member of the armed forces under the jurisdiction of the Secretary concerned while the member is being considered by a medical evaluation board.

“(2) **RESPONSIBILITY DESCRIBED.**—The responsibility of the Secretary of a military department described in paragraph (1) shall include the following:

“(A) Responsibility for administering the morale and welfare of members of the armed forces under the jurisdiction of the Secretary concerned.

“(B) Responsibility for determinations of fitness for duty of such members under chapter 61 of this title.”.

**Subtitle C—Reports and Other Matters**

**SEC. 741. THREE-YEAR EXTENSION OF AUTHORITY TO CONTINUE DOD-VA HEALTH CARE SHARING INCENTIVE FUND.**

Section 811(d)(3) of title 38, United States Code, is amended by striking “September 30, 2023” and inserting “September 30, 2026”.

**SEC. 742. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.**

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 715 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81), is amended by striking “September 30, 2023” and inserting “September 30, 2024”.

**SEC. 743. AUTHORIZATION OF PERMANENT PROGRAM TO IMPROVE OPIOID MANAGEMENT IN THE MILITARY HEALTH SYSTEM.**

Section 716 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1090 note), is amended—

(1) in subsection (a)(1), by striking “Beginning not” and inserting “Except as provided in subsection (e), beginning not”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

“(e) **ALTERNATIVE INITIATIVE TO IMPROVE OPIOID MANAGEMENT.**—As an alternative to the pilot program under this section, the Director of the Defense Health Agency, not later than January 1, 2023—

“(1) may implement a permanent program to improve opioid management for beneficiaries under the TRICARE program; and

“(2) if the Director decides to implement such a permanent program, shall submit to the Committees on Armed Services of the Senate and the House of Representatives the specifications and reasons for implementing such program.”.

**SEC. 744. CLARIFICATION OF MEMBERSHIP REQUIREMENTS AND COMPENSATION AUTHORITY FOR INDEPENDENT SUICIDE PREVENTION AND RESPONSE REVIEW COMMITTEE.**

Section 738 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1801) is amended—

(1) in subsection (b)(3), by inserting “(except for a former member of an Armed Force)” after “Armed Force”;

(2) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(3) by inserting after subsection (e) the following new subsection (f):

“(f) COMPENSATION.—

“(1) IN GENERAL.—The Secretary may compensate members of the committee established under subsection (a) for the work of such members for the committee.

“(2) TREATMENT OF COMPENSATION.—A member of the committee established under subsection (a) who receives compensation under paragraph (1) shall not be considered a civilian employee of the Department of Defense for purposes of subsection (b)(3).”.

**SEC. 745. TERMINATION OF VETERANS’ ADVISORY BOARD ON RADIATION DOSE RECONSTRUCTION.**

Section 601 of the Veterans Benefit Act of 2003 (Public Law 108-183; 38 U.S.C. 1154 note) is amended—

(1) in subsection (b), by striking “, including the establishment of the advisory board required by subsection (c)”;

and

(2) by striking subsection (c).

**SEC. 746. SCHOLARSHIP-FOR-SERVICE PILOT PROGRAM FOR CIVILIAN BEHAVIORAL HEALTH PROVIDERS.**

(a) IN GENERAL.—Commencing not later than two years after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which—

(1) the Secretary may provide—

(A) scholarships to cover tuition and related fees at an institution of higher education to an individual enrolled in a program of study leading to a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(B) student loan repayment assistance to a credentialed behavioral health provider who has a graduate degree in clinical psychology, social work, counseling, or a related field (as determined by the Secretary); and

(2) in exchange for such assistance, the recipient shall commit to work as a covered civilian behavioral health provider in the direct care component of the military health system in accordance with subsection (c).

(b) DURATION.—The Secretary of Defense shall carry out the pilot program under subsection (a) during the 10-year period beginning on the commencement of the pilot program.

(c) POST-AWARD EMPLOYMENT OBLIGATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), as a condition of receiving assistance under subsection (a), the recipient of such assistance shall enter into an agreement with the Secretary of Defense pursuant to which the recipient agrees to work on a full-time basis as a covered civilian behavioral health provider in the direct care component of the military health system for a period that is at

least equivalent to the period during which the recipient received assistance under such paragraph.

(2) OTHER TERMS AND CONDITIONS.—An agreement entered into pursuant to paragraph (1) may include such other terms and conditions as the Secretary of Defense may determine necessary to protect the interests of the United States or otherwise appropriate for purposes of this section, including terms and conditions providing for limited exceptions from the post-award employment obligation specified in such subparagraph.

(d) REPAYMENT.—

(1) IN GENERAL.—An individual who receives assistance under subsection (a) and does not complete the employment obligation required under the agreement entered into pursuant to subsection (c) shall repay to the Secretary of Defense a prorated portion of the financial assistance received by the individual under subsection (a).

(2) DETERMINATION OF AMOUNT.—The amount of any repayment required under paragraph (1) shall be determined by the Secretary.

(e) IMPLEMENTATION PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a plan for the implementation of this section.

(f) REPORTS.—

(1) IN GENERAL.—Not later than each of one year, five years, and nine years after the commencement of the pilot program under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a report on the pilot program.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to the pilot program under subsection (a), the following:

(A) The number of students receiving scholarships under the pilot program.

(B) The locations of such students.

(C) The amount of total scholarship money expended per academic school year under the pilot program.

(D) The average scholarship amount per student under the pilot program.

(E) The number of students hired as behavioral health providers by the Department of Defense under the pilot program.

(F) Any recommendations for terminating the pilot program, extending the pilot program, or making the pilot program permanent.

(g) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term “behavioral health” includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “civilian behavioral health provider” means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) COVERED CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “covered civilian behavioral health provider” means a civilian behavioral health provider whose employment by the Secretary of Defense involves the provision of behavioral health services at a military medical treatment facility.

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

**SEC. 747. EXPANSION OF EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT TO INCLUDE MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY AND OTHER INDIVIDUALS RECEIVING CARE AT MILITARY MEDICAL TREATMENT FACILITIES.**

Section 746 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 1073 note) is amended—

(1) in subsection (a), by inserting “, including coverage of such providers at military medical treatment facilities” before the period at the end;

(2) in subsection (c), by striking “covered beneficiaries” and inserting “covered individuals”;

(3) in subsection (f)(2), by striking “covered beneficiaries” each place it appears and inserting “covered individuals”;

(4) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

“(1) The term ‘covered individual’ means a beneficiary under chapter 55 of title 10, United States Code.”; and

(B) by adding at the end the following paragraph:

“(3) The term ‘TRICARE program’ has the meaning given that term in section 1072 of title 10, United States Code.”.

**SEC. 748. AUTHORITY TO CARRY OUT STUDIES AND DEMONSTRATION PROJECTS RELATING TO DELIVERY OF HEALTH AND MEDICAL CARE THROUGH USE OF OTHER TRANSACTION AUTHORITY.**

(a) IN GENERAL.—Section 1092(b) of title 10, United States Code, is amended by inserting “or transactions (other than contracts, cooperative agreements, and grants)” after “contracts”.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on how the Secretary intends to use the authority to enter into transactions under section 1092(b) of title 10, United States Code, as amended by subsection (a).

**SEC. 749. CAPABILITY ASSESSMENT AND ACTION PLAN WITH RESPECT TO EFFECTS OF EXPOSURE TO OPEN BURN PITS AND OTHER ENVIRONMENTAL HAZARDS.**

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

(1) conduct a capability assessment of potential improvements to activities of the Department of Defense to reduce the effects of environmental exposures with respect to members of the Armed Forces; and

(2) develop an action plan to implement such improvements assessed under paragraph (1) as the Secretary considers appropriate.

(b) ELEMENTS.—The capability assessment required by subsection (a)(1) shall include the following elements:

(1) With respect to the conduct of periodic health assessments, the following:

(A) An assessment of the feasibility and advisability of adding additional screening questions relating to environmental and occupational exposures to current health assessments of members of the Armed Forces conducted by the Department of Defense, including pre- and post-deployment assessments and pre-separation assessments.

(B) An assessment of the potential value and feasibility of regularly requiring spirometry or other pulmonary function testing pre- and post-deployment for all members, or selected members, of the Armed Forces.

(2) With respect to the conduct of outreach and education, the following:

(A) An evaluation of clinician training on the health effects of airborne hazards and how to document exposure information in health records maintained by the Department of Defense and the Department of Veterans Affairs.

(B) An assessment of the adequacy of current actions by the Secretary of Defense and the Secretary of Veterans Affairs to increase awareness among members of the Armed Forces and veterans of the purposes and uses of the Airborne Hazards and Open Burn Pit Registry and the effect of a potential requirement that individuals meeting applicable criteria be automatically enrolled in the registry unless they opt out of enrollment.

(C) An assessment of operational plans for deployment with respect to the adequacy of educational activities for and evaluations of performance of command authorities, medical personnel, and members of the Armed Forces on deployment on anticipated environmental exposures and potential means to minimize and mitigate any adverse health effects of such exposures, including through the use of monitoring, personal protective equipment, and medical responses.

(D) An evaluation of potential means to improve the education of health care providers of the Department of Defense with respect to the diagnosis and treatment of health conditions associated with environmental exposures.

(3) With respect to monitoring of exposure during deployment operations, the following:

(A) An evaluation of potential means to strengthen tactics, techniques, and procedures used in deployment operations to document—

(i) specific locations where members of the Armed Forces served;

(ii) environmental exposures in such locations; and

(iii) any munitions involved during such service in such locations.

(B) An assessment of potential improvements in the acquisition and use of wearable monitoring technology and remote sensing capabilities to record environmental exposures by geographic location.

(C) An analysis of the potential value and feasibility of maintaining a repository of frozen soil samples from each deployment location to be later tested as needed when concerns relating to environmental exposures are identified.

(4) With respect to the use of the Individual Longitudinal Exposure Record (referred to in this paragraph as “ILER”), the following:

(A) An assessment of feasibility and advisability of recording individual clinical diagnosis and treatment information in ILER to be integrated with exposure data.

(B) An evaluation of—

(i) the progress toward making ILER operationally capable and accessible to members of the Armed Forces and veterans by 2023; and

(ii) the integration of ILER data with the electronic health records of the Department of Defense and the Department of Veterans Affairs.

(C) An assessment of the feasibility and advisability of making ILER data accessible to the surviving family members of members of the Armed Forces and veterans.

(5) With respect to the conduct of research, the following:

(A) An assessment of the potential use of the Airborne Hazards and Open Burn Pit Registry for research on monitoring and identifying the health consequences of exposure to open burn pits.

(B) An analysis of options for increasing the amount and the relevance of additional research into the health effects of open burn

pits and effective treatments for such health effects.

(C) An evaluation of potential research of biomarker monitoring to document environmental exposures during deployment or throughout the military career of a member of the Armed Forces.

(D) An analysis of potential organizational strengthening with respect to the management of research on environmental exposure hazards, including the establishment of a joint program executive office for such management.

(E) An assessment of the findings and recommendations of the 2020 report entitled “Respiratory Health Effects of Airborne Hazards Exposures in the Southwest Asia Theater of Military Operations” by the National Academies of Science, Engineering, and Medicine.

(6) An evaluation of such other matters as the Secretary determines appropriate to ensure a comprehensive review of activities relating to the effects of exposure to open burn pits and other environmental hazards.

(c) SUBMISSION OF PLAN AND REPORT.—Not later than 240 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(1) the action plan required by subsection (a)(2); and

(2) a report on the results of the capability assessment required by subsection (a)(1).

(d) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term “Airborne Hazards and Open Burn Pit Registry” means the registry established under section 201 of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) ENVIRONMENTAL EXPOSURES.—The term “environmental exposures” means exposure to open burn pits and other environmental hazards as the Secretary determines.

(3) OPEN BURN PIT.—The term “open burn pit” has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans’ Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

**SEC. 750. INDEPENDENT ANALYSIS OF DEPARTMENT OF DEFENSE COMPREHENSIVE AUTISM CARE DEMONSTRATION PROGRAM.**

Section 737 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1800) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by inserting “broadly” after “disorder”; and

(ii) by striking “demonstration project” and inserting “demonstration program”

(B) in subparagraph (B), by striking “demonstration project” and inserting “demonstration program”; and

(C) in subparagraph (C), by inserting “parental involvement in applied behavioral analysis treatment, and” after “including”;

(D) in subparagraph (D), by striking “for an individual who has” and inserting “, including mental health outcomes, for individuals who have”;

(E) in subparagraph (E), by inserting “since its inception” after “demonstration program”;

(F) in subparagraph (F), by inserting “cost effectiveness, program effectiveness, and clinical” after “measure the”;

(G) in subparagraph (G), by inserting “than in the general population” after “families”;

(H) by redesignating subparagraph (H) as subparagraph (I); and

(I) by inserting after subparagraph (G) the following new subparagraph (H):

“(H) An analysis of whether the diagnosis and treatment of autism is higher among the children of military families than in the general population.”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “nine” and inserting “31”.

**SEC. 751. REPORT ON SUICIDE PREVENTION REFORMS FOR MEMBERS OF THE ARMED FORCES.**

(a) IN GENERAL.—Not later than March 1, 2023, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of implementing the following reforms related to suicide prevention among members of the Armed Forces:

(1) Eliminating mental health history as a disqualifier for service in the Armed Forces, including eliminating restrictions related to mental health history that are specific to military occupational specialties.

(2) Requiring comprehensive in-person annual mental health assessments of members of the Armed Forces.

(3) Requiring behavioral health providers under the TRICARE program, including providers contracted through such program, to undergo evidence-based and suicide-specific training.

(4) Requiring leaders at all levels of the Armed Forces to be trained on the following:

(A) Total wellness.

(B) Suicide warning signs and risk factors.

(C) Evidence-based, suicide-specific interventions.

(D) Effectively communicating with medical and behavioral health providers.

(E) Communicating with family members, including extended family members who are not co-located with a member of the Armed Forces, on support and access to resources for members of the Armed Forces and their dependents.

(5) Requiring mandatory referral to Warriors in Transition programs or transitional programs for members of the Armed Forces who are eligible for such programs.

(b) DEFINITIONS.—In this section—

(1) TRICARE PROGRAM.—The term “TRICARE program” has the meaning given that term in section 1072(7) of title 10, United States Code.

(2) WARRIORS IN TRANSITION PROGRAM.—The term “Warriors in Transition program” has the meaning given that term in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 1071 note).

**SEC. 752. REPORT ON BEHAVIORAL HEALTH WORKFORCE AND PLAN TO ADDRESS SHORTFALLS IN PROVIDERS.**

(a) REPORT ON BEHAVIORAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall conduct an analysis of the behavioral health workforce under the direct care component of the military health system and submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such analysis.

(2) ELEMENTS.—The report required under paragraph (1) shall include, with respect to the workforce specified in such paragraph, the following:

(A) The number of positions authorized for military behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(B) The number of positions authorized for civilian behavioral health providers within such workforce, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(C) For each military department, the ratio of military behavioral health providers assigned to military medical treatment facilities compared to civilian behavioral health providers so assigned, disaggregated by the professions described in paragraph (3).

(D) For each military department, the number of military behavioral health providers authorized to be embedded within an operational unit, and the number of such positions filled, disaggregated by the professions described in paragraph (3).

(E) Data on the historical demand for behavioral health services by members of the Armed Forces.

(F) An estimate of the number of health care providers necessary to meet the demand by such members for behavioral health services under the direct care component of the military health system, disaggregated by provider type.

(G) An identification of any shortfall between the estimated number under subparagraph (F) and the total number of positions for behavioral health providers filled within such workforce.

(H) Such other information as the Secretary may determine appropriate.

(3) PROVIDER TYPES.—The professions described in this paragraph are as follows:

(A) Clinical psychologists.

(B) Social workers.

(C) Counselors.

(D) Such other professions as the Secretary may determine appropriate.

(b) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL HEALTH WORKFORCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan to address any shortfall of the behavioral health workforce identified under subsection (a)(2)(G).

(2) ELEMENTS.—The plan required by paragraph (1) shall—

(A) address, with respect to any shortfall of military behavioral health providers (addressed separately with respect to such providers assigned to military medical treatment facilities and such providers assigned to be embedded within operational units)—

(i) recruitment;

(ii) accession;

(iii) retention;

(iv) special pay and other aspects of compensation;

(v) workload;

(vi) the role of the Uniformed Services University of the Health Sciences and the Armed Forces Health Professions Scholarship Program under chapter 105 of title 10, United States Code;

(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and

(viii) such other considerations as the Secretary may consider appropriate;

(B) address, with respect to any shortfall of civilian behavioral health providers—

(i) recruitment;

(ii) hiring;

(iii) retention;

(iv) pay and benefits;

(v) workload;

(vi) educational scholarship programs;

(vii) any additional authorities or resources necessary for the Secretary to increase the number of such providers; and

(viii) such other considerations as the Secretary may consider appropriate;

(C) recommend whether the number of military behavioral health providers in each military department should be increased, and if so, by how many;

(D) include a plan to expand access to behavioral health services under the military health system through the use of telehealth;

(E) include a plan by each military department to allocate additional uniformed mental health providers in military medical treatment facilities at remote installations; and

(F) assess the feasibility of hiring civilian mental health providers at remote installations to augment the provision of mental health care services by uniformed mental health providers.

(c) DEFINITIONS.—In this section:

(1) BEHAVIORAL HEALTH.—The term “behavioral health” includes psychiatry, clinical psychology, social work, counseling, and related fields.

(2) CIVILIAN BEHAVIORAL HEALTH PROVIDER.—The term “civilian behavioral health provider” means a behavioral health provider who is a civilian employee of the Department of Defense.

(3) MILITARY BEHAVIORAL HEALTH PROVIDER.—The term “military behavioral health provider” means a behavioral health provider who is a member of the Armed Forces.

(4) UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.—The term “Uniformed Services University of the Health Sciences” means the university established under section 2112 of title 10, United States Code.

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

### Subtitle A—Acquisition Policy and Management

#### SEC. 801. MODIFICATIONS TO MIDDLE TIER ACQUISITION AUTHORITY.

Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 note prec.) is amended by adding at the end the following new subsection:

“(e) ACQUISITION PLANNING.—Within one year of a program being designated as either a rapid prototyping or rapid fielding program, as defined by this section, the component acquisition executive concerned shall approve an acquisition plan that includes—

“(1) the potential transition pathway or pathways to an existing or planned program of record;

“(2) a life-cycle cost estimate; and

“(3) a test plan to verify desired performance goals.”.

#### SEC. 802. EXTENSION OF DEFENSE MODERNIZATION ACCOUNT AUTHORITY.

Section 3136 of title 10, United States Code, as transferred by section 1809(g)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4161), is amended by striking subsection (j).

#### SEC. 803. PROHIBITION ON CERTAIN PROCUREMENTS OF MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) PROHIBITION ON PROCUREMENT.—The Secretary of Defense may not enter into, extend, or renew a contract to procure any major defense acquisition program that contains covered items.

(b) CERTIFICATION REQUIRED.—The Secretary of Defense shall include in any solicitation for contract proposals, extensions, or renewals a requirement for prime contractors to certify compliance with subsection (a) based on the prime contractor’s performance of vendor verification of all suppliers or potential suppliers in all tiers of such prime contractor’s supply chain.

(c) WAIVER AUTHORITY.—The Secretary may, on a one-time basis, waive the requirements under subsection (a) with respect to a prime contractor that requests such a waiver. The waiver may be provided, for a period

of not more than five years after the effective date described in subsection (d), if the prime contractor seeking the waiver—

(1) provides a sufficient justification for the additional time to implement the requirements under such subsection, as determined by the Secretary; and

(2) submits to the Secretary, who shall not later than 30 days thereafter submit to the congressional defense committees, a full and complete laydown of the presence of covered items in the prime contractor’s supply chain and a phase-out plan to eliminate such covered items from the entity’s systems.

(d) EFFECTIVE DATE.—Subsections (a), (b), and (c) shall take effect one year after the date of the enactment of this Act.

(e) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue rules to implement this section.

(f) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term “covered foreign country” means the People’s Republic of China.

(2) COVERED ITEMS.—The term “covered item” means an item produced or provided by an entity—

(A) owned or controlled by the government of a covered foreign country; or

(B) where the place of performance is in a covered foreign country.

(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term “major defense acquisition program” has the meaning given the term in section 4201 of title 10, United States Code.

#### SEC. 804. REVISION OF AUTHORITY FOR PROCEDURES TO ALLOW RAPID ACQUISITION AND DEPLOYMENT OF CAPABILITIES NEEDED UNDER SPECIFIED HIGH-PRIORITY CIRCUMSTANCES.

(a) REVISION AND CODIFICATION OF RAPID ACQUISITION AUTHORITY.—Chapter 253 of part V of title 10, United States Code, is amended to read as follows:

### “CHAPTER 253—RAPID ACQUISITION PROCEDURES

“Sec.

“3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest.

“§ 3601. Procedures for urgent acquisition and deployment of capability needed in response to urgent operational needs or vital national security interest

“(a) PROCEDURES.—

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

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

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

“(ii) do not require substantial development effort;

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

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

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

“(2) DEFINITION.—In this section, the term ‘section 804 rapid acquisition pathway’ means the rapid fielding acquisition pathway or the rapid prototyping acquisition pathway authorized under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 prec.).



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

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

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

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

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

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

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

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

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

“(4) Specific procedures in accordance with the guidance developed under section 804(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 321 prec.).

“(C) RESPONSE TO COMBAT EMERGENCIES AND CERTAIN URGENT OPERATIONAL NEEDS.—

“(1) DETERMINATION OF NEED FOR URGENT ACQUISITION AND DEPLOYMENT.—(A) In the case of any capability that, as determined in writing by the Secretary of Defense, is urgently needed to eliminate a documented deficiency that has resulted in combat casualties, or is likely to result in combat casualties, the Secretary may use the procedures developed under this section in order to accomplish the urgent acquisition and deployment of the needed capability.

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

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

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

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

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

“(B) Upon designation of a senior official under subparagraph (A) with respect to a needed capability, the Secretary shall authorize that official to waive any provision of law or regulation described in subsection (d) that such official determines in writing would unnecessarily impede the urgent acquisition and deployment of the needed capability. In a case in which the needed capability cannot be acquired without an extensive delay, the senior official shall require that an interim solution be implemented and deployed using the procedures developed under this section to minimize adverse consequences resulting from the urgent need.

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

“(B) The authority provided by this section may only be used to acquire capability—

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

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

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

“(iv) in the case of a determination by the Secretary that funds are necessary to immediately initiate a project under a section 804 rapid acquisition pathway, in an amount aggregating not more than \$50,000,000 during any fiscal year.

“(C) In exercising the authority under this section, the use of funds is limited as follows:

“(i) When operation and maintenance (O&M) funds are utilized as a source, special O&M funds established for a dedicated or proscribed purpose may not be used.

“(ii) When funds are utilized for sustainment purposes, this authority may not be used for more than 2 years.

“(4) NOTIFICATION TO CONGRESSIONAL DEFENSE COMMITTEES.—(A) In the case of a determination by the Secretary under subparagraph (A) or (C) of paragraph (1), the Sec-

retary shall notify the congressional defense committees of the determination within 15 days after the date of the determination.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“(A) the requirements of this section;

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

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

“(e) OPERATIONAL ASSESSMENTS.—

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

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

“(B) A requirement to provide information about any deficiency of the capability in

meeting the original requirements for the capability (as stated in a statement of the urgent operational need or similar document) to the deployment decision-making authority.

“(2) **LIMITATION.**—The process may not include a requirement for any deficiency of capability identified in the operational assessment to be the determining factor in deciding whether to deploy the capability.

“(3) **DIRECTOR OF OPERATIONAL TEST AND EVALUATION ACCESS.**—If a capability is deployed under the procedures prescribed pursuant to this section, or under any other authority, before operational test and evaluation of the capability is completed, the Director of Operational Test and Evaluation shall have access to operational records and data relevant to such capability in accordance with section 139(e)(3) of this title for the purpose of completing operational test and evaluation of the capability. Such access shall be provided in a time and manner determined by the Secretary of Defense consistent with requirements of operational security and other relevant operational requirements.”

(b) **CLERICAL AMENDMENT.**—The table of chapters at the beginning of subtitle A, and at the beginning of part V of subtitle A, of title 10, United States Code, are each amended by striking the item relating to chapter 253 and inserting the following:

“253. Rapid Acquisition Procedures .. 3601”.

(c) **CONFORMING REPEALS.**—The following provisions of law are repealed:

(1) Section 804 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383).

(2) Section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314).

**SEC. 805. ACQUISITION REPORTING SYSTEM.**

(a) **IN GENERAL.**—The Secretary of Defense shall institute a defense acquisition reporting system to replace the requirements of section 4351 of title 10, United States Code, as soon as practicable but not later than June 30, 2023.

(b) **ELEMENTS.**—The reporting system required under subsection (a) may include such elements as determined by the Secretary to support the acquisition information reporting needs of the Department, and at a minimum shall—

(1) continue to produce the information necessary to carry out the actions specified in chapter 325 of title 10, United States Code;

(2) continue to produce the information necessary to carry out the actions specified in sections 4217 and 4311 of the Atomic Energy Defense Act (50 U.S.C. 2537, 2577);

(3) incorporate the findings of section 805 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(4) provide the congressional defense committees and other designated Government entities with access to updated acquisition reporting on a not less than quarterly basis.

**SEC. 806. MODIFICATION OF REPORTING REQUIREMENT IN CONNECTION WITH REQUESTS FOR MULTIYEAR PROCUREMENT AUTHORITY FOR LARGE DEFENSE ACQUISITIONS.**

Section 3501(i)(2) of title 10, United States Code, is amended—

(1) by striking “shall include in the request the following:” and all that follows through “(A) A report” and inserting “shall include in the request a report”; and

(2) by striking subparagraph (B).

**SEC. 807. MODIFICATION OF LIMITATION ON CANCELLATION OF DESIGNATION OF EXECUTIVE AGENT FOR A CERTAIN DEFENSE PRODUCTION ACT PROGRAM.**

Section 226 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1335) is amended—

(1) in subsection (a), by striking “The Secretary” and inserting “Except as provided for under subsection (e), the Secretary”;

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection:

“(e) **DESIGNATION OF OTHER EXECUTIVE AGENTS.**—The Secretary of Defense may designate other Executive Agents within the Department to implement Defense Production Act transactions entered into under the authority of sections 4002, 4003 and 4004 of title 10, United States Code.”

**SEC. 808. COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED EFFORTS.**

(a) **IN GENERAL.**—Section 3072 of title 10, United States Code, is amended—

(1) in the section heading, by striking “**initiatives**” and inserting “**efforts**”;

(2) by striking “**initiatives**” each place it appears and inserting “**efforts**”;

(3) in subsection (a), by striking “through 2023” and inserting “through 2026”; and

(4) in subsection (c), in the subsection heading, by striking “**INITIATIVES**” and inserting “**EFFORTS**”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 203 of title 10, United States Code, is amended in the item relating to section 3072 by striking “**initiatives**” and inserting “**efforts**”.

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

**SEC. 821. TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.**

(a) **IN GENERAL.**—Section 3862 of title 10, United States Code, is amended—

(1) in the section heading, by striking “: **certification**”;

(2) by redesignating subsection (c) as subsection (d);

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

“(c) **TREATMENT OF CERTAIN CLAUSES IMPLEMENTING EXECUTIVE ORDER MANDATES.**—(1) The insertion of a covered clause into an existing Department of Defense contract, order, or other transaction shall be treated as a change directed by the contracting officer pursuant to, and subject to, the Changes clause of the underlying contractual instrument.

“(2) In this subsection, the term ‘covered clause’ means any clause implementing the requirements of an Executive order issued by the President.”;

(4) in subsection (d), as redesignated by paragraph (2)—

(A) in the subsection heading, by striking “**DEFINITION**” and inserting “**DEFINITIONS**”;

(B) by striking “section, the term” and inserting the following: “section:

“(1) The term”; and

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

“(2) The term ‘Changes clause’ means the clause described in part 52.243-4 of the Federal Acquisition Regulation or any successor regulation.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 281 of title 10, United States Code, is amended by striking the item relating to section 3862 and inserting the following:

“3862. Requests for equitable adjustment or other relief.”.

(c) **CONFORMING REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

(d) **CONFORMING POLICY GUIDANCE.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise applicable policy guidance on other transactions to conform with the amendments to section 3862 of title 10, United States Code, made by subsection (a).

**SEC. 822. DATA REQUIREMENTS FOR COMMERCIAL PRODUCTS FOR MAJOR WEAPON SYSTEMS.**

(a) **AMENDMENTS RELATING TO SUBSYSTEMS OF MAJOR WEAPONS SYSTEMS.**—Section 3455(b) of title 10, United States Code is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting “(1)” before “A subsystem of a major weapon system”; and

(3) by adding at the end the following new paragraph:

“(2) For subsystems proposed as commercial as defined in section 103(1) of title 41 and that have not been previously determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the ‘of a type’ assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed ‘of a type’ product and the comparable commercial product in support of the ‘of a type’ assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government’s requirement, if one is assigned.”.

(b) **AMENDMENTS RELATING TO COMPONENTS AND SPARE PARTS.**—Section 3455(c) of such title is amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by inserting after paragraph (1) the following new paragraph (2):

“(2) For components or spare parts proposed as commercial as defined in section 103(1) of title 41 and that have not previously been determined commercial in accordance with section 3703(d) of this title, the offeror shall be required to identify the comparable commercial product that is customarily used by the general public or non-governmental entities that serves as the basis for the ‘of a type’ assertion. The offeror shall submit a comparison of the essential physical characteristics and functionality between the proposed ‘of a type’ product and the comparable commercial product in support of the ‘of a type’ assertion. The offeror shall also provide the National Stock Numbers for both the comparable commercial product used by the general public, if one is assigned, and the product proposed to meet the Government’s requirement, if one is assigned.”;

(3) in paragraph (3), as so redesignated—

(A) by striking “only”; and

(B) by striking “on which the prime contractor adds no, or negligible, value”.

(c) **AMENDMENTS RELATING TO INFORMATION SUBMITTED.**—Section 3455(d) of such title is amended—

(1) in the subsection heading, by inserting after “**SUBMITTED**” the following: “**FOR PROCUREMENTS THAT ARE NOT COVERED BY THE EXCEPTIONS IN SECTION 3703(A)(1) OF THIS TITLE**”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “the contracting officer shall require the offeror to submit—” and inserting “the offeror shall be required, on an unredacted basis, to submit to the contracting officer or provide access to—”;

(B) in subparagraph (A)—

(i) by inserting “all” before “prices paid”; and

(ii) by inserting “, and the terms and conditions,” after “terms and conditions”;

(C) in subparagraph (B)—

(i) by striking clauses (ii), (iii), and (iv); and

(ii) by striking “information on—” and all that follows through “terms and conditions;” and inserting “information on all prices for the same or similar items sold under different terms and conditions, and the terms and conditions; and”;

(D) in subparagraph (C), by inserting after “reasonableness of price” the following: “because either the comparable products provided by the offeror are not a valid basis for a price analysis or the contracting officer determines the proposed price is not reasonable after evaluating sales data”; and

(3) by adding at the end the following new paragraph:

“(4) A request for cost data under paragraph (1)(C) must be approved at a level above the contracting officer.”.

**SEC. 823. TASK AND DELIVERY ORDER CONTRACTING FOR ARCHITECTURAL AND ENGINEERING SERVICES.**

Section 3406 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(h) ARCHITECTURAL AND ENGINEERING SERVICES.—(1) Task or delivery orders for architectural and engineering services issued under section 3403 or 3405 of this title shall be qualification-based selections executed in accordance with chapter 11 of title 40.

“(2) When issuing a task or delivery orders for architectural and engineering services under a multiple award contract, the head of an agency shall not routinely request additional information from contractors, but may request additional information or conduct discussions with contractors when available information is insufficient, in order to determine the most highly qualified contractor to perform the work in accordance with chapter 11 of title 40.”.

**SEC. 824. EXTENSION OF PILOT PROGRAM FOR DISTRIBUTION SUPPORT AND SERVICES FOR WEAPONS SYSTEMS CONTRACTORS.**

Section 883 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 4292 note prec.) is amended—

(1) in subsection (a), by striking “six-year pilot program” and inserting “seven-year pilot program”; and

(2) in subsection (g), by striking “six years” and inserting “seven years”.

**SEC. 825. PILOT PROGRAM TO ACCELERATE CONTRACTING AND PRICING PROCESSES.**

Section 890(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 2306a note) is amended by striking “January 2, 2023” and inserting “January 2, 2024”.

**SEC. 826. EXTENSION OF NEVER CONTRACT WITH THE ENEMY.**

Section 841(n) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3455) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

**SEC. 827. PROGRESS PAYMENT INCENTIVE PILOT.**

(a) PILOT PROGRAM.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and implement a pilot program, to be known as the “Progress Payment Incentive Pilot Program”, to make accelerated progress payments contingent upon responsiveness to Department of Defense goals for effectiveness, efficiency, and increasing small business contract opportunities.

(b) PURPOSE.—The purpose of the pilot program is to reward Department of Defense

contractors who meet contract delivery dates, respond to Department solicitations for required certified cost or pricing data, meet small business contracting goals, and provide subcontracting opportunities for AbilityOne contracts.

(c) PROGRESS PAYMENTS.—

(1) LIMITATIONS FOR LARGE CONTRACTORS.—Except as provided under paragraph (2), under the pilot program, the Department of Defense may not award to large business contractors progress payments in excess of 50 percent.

(2) EXCEPTIONS.—The Department of Defense may increase the rate of progress payments, up to a total of 95 percent, by the following percentages:

(A) 10 percent if the relevant division of the contractor met contract delivery dates for contract end items and contract data requirement lists or performance milestone schedule, as the case may be, at least 95 percent of the time during the preceding Government fiscal year.

(B) 10 percent if the division does not have open level III or IV corrective action requests.

(C) 10 percent if all applicable contractor business systems are acceptable, without significant deficiencies.

(D) 7.5 percent if at least 95 percent of the time during the preceding Government fiscal year, when responding to solicitations that required submission of certified cost or pricing data, the division met the due date in the request for proposal.

(E) 5 percent if the contractor has met its small business subcontracting goals during the preceding Government fiscal year.

(F) 2.5 percent if the contractor has provided subcontracting opportunities for the blind and severely disabled.

(d) SUNSET.—The authority to make accelerated payments under the pilot program shall terminate on the date that is four years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023.

(e) DEFINITIONS.—In this section:

(1) LARGE DEFENSE CONTRACTOR.—The term “large defense contractor” means a contractor (other than an institution of higher education or a federally funded research and development center) that received more than \$10,000,000 in annual revenue from the Department of Defense contracts or licenses in any of the previous three years.

(2) PROGRESS PAYMENTS.—The term “progress payments” means payments provided for under section 3804 of title 10, United States Code.

**SEC. 828. REPORT ON DEPARTMENT OF DEFENSE STRATEGIC CAPABILITIES OFFICE CONTRACTING CAPABILITIES.**

(a) REPORT REQUIRED.—Not later than March 1, 2023, the Secretary of Defense, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Director of the Strategic Capabilities Office (SCO), shall submit to the congressional defense committees a report on the adequacy of SCO contracting authorities.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) a summary of the existing authorities of the SCO, including the mechanisms for contracting in support of existing programs;

(2) an assessment of the average amount of time needed to conduct contracting actions through current mechanisms described in paragraph (1);

(3) an assessment of the pros and cons of the current contracting processes for SCO in relation to their ability to rapidly develop and deploy technology in support of Department of Defense operational units;

(4) an assessment of the type or types of contracting authority that would be most beneficial to the SCO in carrying out its mission in order to achieve desired speed and scale for the organization, including any limits or oversight measures that should be put into place;

(5) an assessment of structural changes that may be needed in order to accommodate the preferred contracting approach for SCO; and

(6) the Secretary of Defense’s recommendations for future authorities for the SCO.

**Subtitle C—Industrial Base Matters**

**SEC. 841. ANALYSES OF CERTAIN ACTIVITIES FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.**

(a) ANALYSIS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment and other appropriate officials, shall review the items under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under subpart I of part V of subtitle A of title 10, United States Code, chapter 83 of title 41, United States Code, and the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 4801 of title 10, United States Code);

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment through use of research and development or procurement activities and acquisition authorities to—

(i) expand production capacity;

(ii) diversify sources of supply; or

(iii) promote alternative approaches for addressing military requirements;

(C) prohibiting procurement from selected sources or nations;

(D) taking a combination of actions described under subparagraphs (A), (B), and (C); or

(E) taking no action.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) REPORTING ON ANALYSES, RECOMMENDATIONS, AND ACTIONS.—

(1) INTERIM BRIEF.—Not later than January 15, 2024, the Secretary of Defense shall submit to the congressional defense committees—

(A) a summary of the findings of the analyses undertaken for each item pursuant to subsection (a);

(B) relevant recommendations resulting from the analyses; and

(C) descriptions of specific activities undertaken as a result of the analyses, including schedule and resources allocated for any planned actions.

(2) REPORTING.—The Secretary of Defense shall include the analyses conducted under subsection (a), and any relevant recommendations and descriptions of activities resulting from such analyses, as appropriate, in each of the following submitted during the 2024 calendar year:

(A) The annual or quarterly reports to Congress required under section 4814 of title 10, United States Code.

(B) The annual report on unfunded priorities of the national technology and industrial base required under section 4815 of such title.

(C) Department of Defense technology and industrial base policy guidance prescribed under section 4811(c) of such title.

(D) Activities to modernize acquisition processes to ensure the integrity of the industrial base pursuant to section 4819 of such title.

(E) Defense memoranda of understanding and related agreements considered in accordance with section 4851 of such title.

(F) Industrial base or acquisition policy changes.

(G) Legislative proposals for changes to relevant statutes which the Department shall consider, develop, and submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives not less frequently than once per fiscal year.

(H) Other actions as the Secretary of Defense determines appropriate.

(C) LIST OF GOODS AND SERVICES FOR ANALYSES, RECOMMENDATIONS, AND ACTIONS.—The items described in this subsection are the following:

- (1) Solar components for satellites.
- (2) Satellite ground station service contracts.

**SEC. 842. MODIFICATION TO MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.**

Section 4864 of title 10, United States Code, is amended by inserting after subsection (j) the following new subsection:

“(k) PERIODIC REVIEW REQUIREMENT.—

“(1) REQUIRED DETERMINATION.—Not later than November 1, 2024, and every five years thereafter, the Under Secretary of Defense for Acquisition and Sustainment shall review each item described in subsections (a) and (e) of this section and make and submit to the congressional defense committees a written determination with one of the following recommendations:

“(A) Recommend continued inclusion of the item under this section.

“(B) Recommend continued inclusion of the item under this section with modifications.

“(C) Recommend discontinuing inclusion of the item under this section.

“(2) ELEMENTS.—The review required under paragraph (1) shall include the following elements for the most recent five-year period:

“(A) The criticality of the item to a military unit’s mission accomplishment or other national security objectives.

“(B) The extent to which such item is fielded in current programs of record.

“(C) The number of such items to be procured by current programs of record.

“(D) The extent to which cost and pricing data for such item has been deemed fair and reasonable.

“(3) JUSTIFICATION.—The determination required under paragraph (1) shall also include the findings of the review conducted under such paragraph and other key justifications for the determination.”

**SEC. 843. DEMONSTRATION EXERCISE OF ENHANCED PLANNING FOR INDUSTRIAL MOBILIZATION AND SUPPLY CHAIN MANAGEMENT.**

(a) DEMONSTRATION EXERCISE REQUIRED.—Not later than December 31, 2024, the Secretary of Defense shall conduct a demonstration exercise of industrial mobilization and supply chain management planning capabilities in support of an operational or contingency plan use case, as selected in consultation with the Chairman of the Joint Chiefs of Staff and the Under Secretary of Defense for Acquisition and Sustainment. The demonstration exercise shall identify a current program that is both fielded and still in production from each military service, Defense Agency, and Department of Defense Field

Activity in order to model a notional plan for mobilization or supply chain management, as associated with the selected operational or contingency plan.

(b) ELEMENTS.—The demonstration exercise required under subsection (a) shall include the following elements:

(1) The exercise of processes and authorities that support the Department for industrial mobilization in support of declared hostilities or other contingency operations.

(2) The identification of process improvements or gaps in resources, capabilities, or authorities that require remediation, including those related to government or contractor production facilities, tooling, or workforce development.

(3) The implementation of analytical tools and processes to monitor and assess the health of the industrial base and use near real-time data and visualization capabilities in making production and distribution decisions, with an emphasis on identifying, assessing, and demonstrating commercially available tools.

(4) The establishment and tracking of goals and metrics to support institutionalization of defense industrial base health assessment and planning.

(c) BRIEFING REQUIRED.—Not later than November 1, 2023, the Secretary shall provide to the congressional defense committees an interim briefing on the demonstration exercise required under subsection (a), including—

(1) an identification of the programs and use cases to be demonstrated;

(2) a description of methodology for executing the demonstration exercise, including analytical tools or metrics identified to support the process; and

(3) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2025, the Secretary shall submit to the congressional defense committees a final assessment report of the demonstration exercise, including a description of—

(1) the use cases considered in this demonstration exercise;

(2) the elements required under subsection (b);

(3) outcomes and conclusions;

(4) lessons learned; and

(5) any recommendations for legislative action that may be required as a result.

(e) DEFINITIONS.—In this section, the terms “military department”, “Defense Agency”, and “Defense Field Activity” have the meanings given those terms in section 101 of title 10, United States Code.

**SEC. 844. PROCUREMENT REQUIREMENTS RELATING TO RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS.**

(a) DISCLOSURES CONCERNING RARE EARTH ELEMENTS AND STRATEGIC AND CRITICAL MATERIALS BY CONTRACTORS OF DEPARTMENT OF DEFENSE.—

(1) REQUIREMENT.—Beginning on the date that is 30 months after the date of the enactment of this Act, the Secretary of Defense shall require that any contractor that provides to the Department of Defense a system with a permanent magnet that contains rare earth elements or strategic and critical materials disclose, along with delivery of the system, the provenance of the magnet.

(2) ELEMENTS.—A disclosure under paragraph (1) shall include an identification of the country or countries in which—

(A) any rare earth elements and strategic and critical materials used in the magnet were mined;

(B) such elements and minerals were refined into oxides;

(C) such elements and minerals were made into metals and alloys; and

(D) the magnet was sintered or bonded and magnetized.

(3) IMPLEMENTATION OF SUPPLY CHAIN TRACKING SYSTEM.—If a contractor cannot make the disclosure required by paragraph (1) with respect to a system described in that paragraph, the Secretary shall require the contractor to establish and implement a supply chain tracking system in order to make the disclosure not later than 180 days after providing the system to the Department of Defense.

(4) WAIVERS.—

(A) IN GENERAL.—The Secretary may waive a requirement under paragraph (1) or (3) with respect to a system described in paragraph (1) for a period of not more than 180 days if the Secretary certifies to the Committees on Armed Services of the Senate and the House of Representatives that—

(i) the continued procurement of the system is necessary to meet the demands of a national emergency declared under section 201 of the National Emergencies Act (50 U.S.C. 1621); or

(ii) the contractor cannot currently make the disclosure required by paragraph (1) but is making significant efforts to comply with the requirements of that paragraph.

(B) WAIVER RENEWALS.—The Secretary—

(i) may renew a waiver under subparagraph (A)(i) as many times as the Secretary considers appropriate; and

(ii) may not renew a waiver under subparagraph (A)(ii) more than twice.

(5) BRIEFING REQUIRED.—Not later than 30 days after the submission of each report required by subsection (c)(3), the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing that includes—

(A) a summary of the disclosures made under this subsection;

(B) an assessment of the extent of reliance by the United States on foreign countries, and especially countries that are not allies of the United States, for rare earth elements and strategic and critical materials;

(C) a determination with respect to which systems described in paragraph (1) are of the greatest concern for interruptions of supply chains with respect to rare earth elements and strategic and critical materials; and

(D) any suggestions for legislation or funding that would mitigate security gaps in such supply chains.

(b) EXPANSION OF RESTRICTIONS ON PROCUREMENT OF MILITARY AND DUAL-USE TECHNOLOGIES BY CHINESE MILITARY COMPANIES.—Section 1211 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 10 U.S.C. 4651 note prec.) is amended—

(1) in the section heading, by striking “COMMUNIST CHINESE MILITARY COMPANIES” and inserting “CHINESE MILITARY COMPANIES”;

(2) in subsection (a), by inserting after “military company” the following: “, any Chinese military company, or any Non-SDN Chinese military-industrial complex company”;

(3) by amending subsection (b) to read as follows:

“(b) GOODS AND SERVICES COVERED.—

“(1) IN GENERAL.—For purposes of subsection (a), and except as provided in paragraph (2), the goods and services described in this subsection are goods and services—

“(A) on the munitions list of the International Traffic in Arms Regulations; or

“(B) on the Commerce Control List that—

“(i) are classified in the 600 series; or

“(ii) contain strategic and critical materials, rare earth elements, or energetic materials used to manufacture missiles or munitions.

“(2) EXCEPTIONS.—Goods and services described in this subsection do not include goods or services procured—

“(A) in connection with a visit by a vessel or an aircraft of the United States Armed Forces to the People’s Republic of China;

“(B) for testing purposes; or

“(C) for purposes of gathering intelligence.”; and

(4) in subsection (e)—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (1) and (2) as paragraphs (3) and (5), respectively;

(C) by inserting before paragraph (3), as redesignated by subparagraph (B), the following:

“(1) The term ‘Chinese military company’ has the meaning given that term by section 1260H(d)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 113 note).

“(2) The term ‘Commerce Control List’ means the list maintained by the Bureau of Industry and Security and set forth in Supplement No. 1 to part 774 of the Export Administration Regulations.”;

(D) by inserting after paragraph (3), as so redesignated, the following:

“(4) The term ‘Export Administration Regulations’ has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).”; and

(E) by adding at the end the following:

“(6) The term ‘Non-SDN Chinese military-industrial complex company’ means any entity on the Non-SDN Chinese Military-Industrial Complex Companies List—

“(A) established pursuant to Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies), as amended before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023; and

“(B) maintained by the Office of Foreign Assets Control of the Department of the Treasury.

“(7) The term ‘strategic and critical materials’ means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).”

(C) REVIEW OF COMPLIANCE WITH CONTRACTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and periodically thereafter until the termination date specified in paragraph (5), the Comptroller General of the United States shall assess the extent of the efforts of the Department of Defense to comply with the requirements of—

(A) subsection (a);

(B) section 1211 of the National Defense Authorization Act for Fiscal Year 2006, as amended by subsection (b); and

(C) section 4872 of title 10, United States Code.

(2) BRIEFING REQUIRED.—The Comptroller General shall periodically, until the termination date specified in paragraph (5), provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(3) REPORT REQUIRED.—The Comptroller General shall, not less frequently than every 2 years until the termination date specified in paragraph (5), submit to the Committees on Armed Services of the Senate and the

House of Representatives a report on the results of the assessments conducted under paragraph (1) that includes an assessment of—

(A) the inclusion by the Department of Defense of necessary contracting clauses in relevant contracts to meet the requirements described in subparagraphs (A), (B), and (C) of paragraph (1); and

(B) the efforts of the Department of Defense to assess the compliance of contractors with such clauses.

(4) REFERRAL.—If, in conducting an assessment under paragraph (1), the Comptroller General determines that a contractor has failed to comply with any of the requirements described in subparagraphs (A), (B), and (C) of paragraph (1), the Comptroller General shall refer the matter to the Department of Justice, relevant Inspectors General, or other enforcement agencies, as appropriate, for further examination and possible enforcement actions.

(5) TERMINATION.—The requirements of this subsection shall terminate on the date that is 10 years after the date of the enactment of this Act.

(d) STRATEGIC AND CRITICAL MATERIALS DEFINED.—In this section, the term “strategic and critical materials” means materials designated as strategic and critical under section 3(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(a)).

**SEC. 845. MODIFICATION TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.**

Section 4801(1) of title 10, United States Code, is amended by inserting “New Zealand,” after “Australia.”

**SEC. 846. MODIFICATION OF PROHIBITION ON OPERATION OR PROCUREMENT OF FOREIGN-MADE UNMANNED AIRCRAFT SYSTEMS.**

Section 848(d)(1) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 4871 note; Public Law 116-92) is amended by striking “means the People’s Republic of China.” and inserting “means any of the following:

“(A) The People’s Republic of China.

“(B) The Russian Federation.

“(C) The Islamic Republic of Iran.

“(D) The Democratic People’s Republic of Korea.”

**SEC. 847. ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.**

(a) BRIEFING ON FULFILLMENT OF MUNITIONS REQUIREMENTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall deliver a briefing to the congressional defense committees regarding the current process for fulfilling the requirements of section 222c of title 10, United States Code, in a timely fashion with standardization across the Department of Defense.

(b) ANNUAL REPORT ON INDUSTRIAL BASE CONSTRAINTS FOR MUNITIONS.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 222c the following new section: “§ 222d. Annual report on industrial base constraints for munitions

“(a) IN GENERAL.—Not later than 30 days after the submission of all reports required under section 222c(a) of this title, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Service Acquisition Executive for each military service, shall submit to the congressional defense committees a report setting forth in detail the industrial base constraints for each munition identified in the Out-Year Unconstrained Total Munitions Requirement.

“(b) ELEMENTS.—The report required under subsection (a) shall include the following elements, by munition:

“(1) Programmed purchase quantities per year.

“(2) Average procurement unit cost per year.

“(3) Contract type.

“(4) Current minimum sustaining rate of production per month and year.

“(5) Current maximum rate of production per month and year.

“(6) Expected date to meet the total requirement in section 222c of this title under the current programmed purchase profile.

“(7) A description of industrial base constraints on increased production.

“(8) A description of investments or policy changes made by the contractor to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(9) A description of investments or policy changes made by the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(10) A description of potential investments or policy changes identified by the contractor or the United States Government to increase production, enable more efficient production, or mitigate significant loss of stability in potential production.

“(11) A list of contracts for munitions with DX or DO ratings under the Defense Priorities and Allocations System.

“(12) A prioritized list of munitions or capabilities judged to have high value for export for which additional work would be necessary to enable export, including a description of required investments to enhance exportability.

“(c) WORKING DEFINITION OF MUNITION.—The Under Secretary may define munition for the purposes of this section given the multiple subtypes of munitions.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of title 10, United States Code, is amended by inserting after the item relating to section 222c the following new item:

“222d. Annual report on industrial base constraints for munitions.”

**Subtitle D—Small Business Matters**

**SEC. 861. MODIFICATIONS TO THE DEFENSE RESEARCH AND DEVELOPMENT RAPID INNOVATION PROGRAM.**

(a) IN GENERAL.—Section 4061 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking “fielding of technologies developed pursuant to phase II Small Business Innovation Research Program projects, phase II Small Business Technology Transfer Program projects” and inserting “fielding of technologies developed pursuant to other programs within the Department of Defense or the Federal Government to mature fundamental or applied technology”;

(2) in subsection (b)—

(A) by striking the first sentence and inserting the following: “The Secretary shall direct the Director of the Office of Small Business Programs to issue guidelines for the operation of the program in coordination with the Under Secretary of Defense for Research and Engineering.”;

(B) by striking paragraph (3) and redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively;

(C) in paragraph (1), by adding at the end the following: “This may include candidate proposals that have been previously selected through other agency competitive procedures.”;

(D) in paragraph (2), by adding at the end the following: “Projects that have been selected through this competitive process are eligible to receive sole-source awards subsequently for production or integration into a system of record.”;

(E) in paragraph (3), as redesignated by subparagraph (B), by striking “No project shall receive more than a total of two years of funding under the program” and inserting “Projects may be funded to develop an initial concept (Phase I), mature a technology (Phase II), or integrate the technology in a system of record or operational environment (Phase III). No project shall receive more than a total of one year of funding under the program for Phase I, four years for Phase II, or three years for Phase III”;

(F) in paragraph (6), as so redesignated, by inserting “and universities that make proposals with significant small business participation” after “small business concerns”; and

(G) by adding at the end the following new paragraph:

“(7) A requirement that no agreement may be entered into unless the Secretary of the military department concerned certifies in writing that the successful transition of the program to Phase III and into the acquisition process is expected to meet high priority military requirements of such military department.”;

(3) in subsection (c), by inserting “congressional” before “earmark”;

(4) by amending subsection (d) to read as follows:

“(d) FUNDING.—(1) Not less than 3.2 percent of the extramural budget for research, development, test, and evaluation of the Department of Defense in excess of \$100,000,000 shall be used to field technologies under the program.

“(2) Up to 0.5 percent of the amount required under paragraph (1) may be used to cover administrative costs associated with the program.”; and

(5) by adding at the end the following new subsection:

“(f) GOAL FOR TECHNOLOGY INSERTION.—The Director of the Office of Small Business Programs shall—

“(1) set a goal to increase the number of contracts awarded by the Secretary that lead to technology transition into programs of record or fielded systems;

“(2) use incentives in effect on December 31, 2021, or create new incentives, to encourage agency program managers and prime contractors to meet the goal under paragraph (1); and

“(3) submit to the congressional defense committees—

“(A) the number and percentage of contracts awarded by the Secretary that led to technology transition into programs of record or fielded systems;

“(B) information on the status of each project that received funding the program and efforts to transition those projects into programs of record or fielded systems; and

“(C) a description of each incentive that has been used by the Secretary under paragraph (2) and the effectiveness of that incentive with respect to meeting the goal under paragraph (1).”.

(b) PUBLIC-PRIVATE PARTNERSHIP TECHNOLOGY INVESTMENT PILOT PROGRAM.—

(1) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4062 the following new section:

**“§ 4063. Public-private partnership technology investment pilot program**

“(a) ESTABLISHMENT.—(1) Subject to the availability of appropriations for this purpose, the Secretary of Defense shall, acting through the Under Secretary of Defense for Research and Engineering and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, carry out a pilot program, for no less than five years, to accelerate the development of advanced technology for national security by creating

incentives for trusted private capital to invest in domestic small businesses or non-traditional businesses that are developing technology that the Secretary considers necessary to support the modernization of the Department of Defense and national security priorities.

“(2) The purposes of the program required by paragraph (1) are as follows:

“(A) To promote the global superiority of the United States in advanced technologies of importance to national security, which are not adequately supported by private sector investment.

“(B) To accelerate the transition and deployment of advanced technologies into the Armed Forces.

“(C) To inform Department investment through coordinating planning consideration, technology roadmaps, and other analysis, as appropriate.

“(b) PUBLIC-PRIVATE PARTNERSHIP.—(1) In carrying out subsection (a), the Secretary shall enter into a public-private partnership with one or more for-profit persons using criteria that the Secretary shall establish for purposes of this subsection.

“(2) The criteria established under paragraph (1) for entering into a public-private partnership with a person shall include the following:

“(A) The person shall be independent.

“(B) The person shall be free from foreign oversight, control, influence, or beneficial ownership.

“(C) The person shall have commercial private capital fund experience with technology development in the defense and commercial sectors.

“(D) The person shall be eligible for access to classified information (as defined in the procedures established pursuant to section 801(a) of the National Security Act of 1947 (50 U.S.C. 3161(a))).

“(3) The Secretary and a person with whom the Secretary enters a partnership under paragraph (1) shall enter into an operating agreement that sets forth the roles, responsibilities, authorities, reporting requirements, and governance framework for the partnership and its operations.

“(c) INVESTMENT AND RAISING OF CAPITAL.—(1)(A) Pursuant to a public-private partnership entered into under subsection (b), a person with whom the Secretary has entered the partnership shall invest equity in domestic small businesses or nontraditional businesses consistent with subsection (a).

“(B) Investments under subparagraph (A) shall be selected based on their technical merit, economic considerations, and ability to support modernization goals of the Department.

“(2) Pursuant to a public-private partnership entered into under subsection (b), a person described in paragraph (1)(A) shall, in order to support investment of equity under paragraph (1), raise private capital only from trusted capital sources.

“(3) A person described in subparagraph (A) shall have sole authority to raise funds for, operate, manage, and invest capital raised under such subparagraph.

“(d) BRIEFINGS.—(1) Not later than one year after the date of the enactment of this section, the Secretary shall provide to the congressional defense committees—

“(A) a briefing on the implementation of this section; and

“(B) a report on the feasibility of implementing loan guarantees as an aspect to enhance the effectiveness of this program, including—

“(i) a detailed description of how loan guarantees would be vetted, approved, and managed, including mechanisms to protect the government’s interests; and

“(ii) how such loan guarantees would be coordinated with other government invest

mechanisms or other private sector financing.

“(2) Not later than five years after the date of the enactment of this section, the Secretary shall provide the congressional defense committees a briefing on the outcomes of the pilot program and the feasibility and advisability of making it permanent.

“(e) DEFINITIONS.—In this section:

“(1) The term ‘domestic business’ has the meaning given the term ‘U.S. business’ in section 800.252 of title 31, Code of Federal Regulations, or successor regulation.

“(2) The term ‘domestic small businesses or nontraditional businesses’ means—

“(A) a small businesses that is a domestic business; or

“(B) a nontraditional business that is a domestic business.

“(3) The term ‘free from foreign oversight, control, influence, or beneficial ownership’, with respect to a person, means a person who has not raised and managed capital from a person or entity that is not trusted and is otherwise free from foreign oversight, control, influence, or beneficial ownership.

“(4) The term ‘independent’, with respect to a person, means a person who lacks a conflict of interest accomplished by not having entity or manager affiliation or ownership with an existing fund.

“(5) The term ‘nontraditional business’ has the meaning given the term ‘nontraditional defense contractors’ in section 3014 of this title.

“(6) The term ‘small business’ has the meaning given the term ‘small business concern’ in section 3 of the Small Business Act (15 U.S.C. 632).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 4062 the following new item:

“4063. Public-private partnership technology investment program.”.

**SEC. 862. PERMANENT EXTENSION AND MODIFICATION OF MENTOR-PROTEGE PROGRAM.**

(a) PERMANENT EXTENSION AND MODIFICATION.—Chapter 387 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 4902. Mentor-Protege Program**

“(a) ESTABLISHMENT OF PROGRAM.—The Secretary of Defense shall establish a program to be known as the ‘Mentor-Protege Program’.

“(b) PURPOSE.—The purpose of the program is to provide incentives for major Department of Defense contractors to furnish disadvantaged small business concerns with assistance designed to—

“(1) enhance the capabilities of disadvantaged small business concerns to perform as subcontractors and suppliers under Department of Defense contracts and other contracts and subcontracts; and

“(2) increase the participation of such business concerns as subcontractors and suppliers under Department of Defense contracts, other Federal Government contracts, and commercial contracts.

“(c) PROGRAM PARTICIPANTS.—(1) A business concern meeting the eligibility requirements set out in subsection (d) may enter into agreements under subsection (e) and furnish assistance to disadvantaged small business concerns upon making application to the Secretary of Defense and being approved for participation in the program by the Secretary. A business concern participating in the program pursuant to such an approval shall be known, for the purposes of the program, as a ‘mentor firm’.

“(2) A disadvantaged small business concern eligible for the award of Federal contracts may obtain assistance from a mentor



firm upon entering into an agreement with the mentor firm as provided in subsection (e). A disadvantaged small business concern may not be a party to more than one agreement concurrently, and the authority to enter into agreements under subsection (e) shall only be available to such concern during the 5-year period beginning on the date such concern enters into the first such agreement. A disadvantaged small business concern receiving such assistance shall be known, for the purposes of the program, as a 'protege firm'.

“(3) In entering into an agreement pursuant to subsection (e), a mentor firm may rely in good faith on a written representation of a business concern that such business concern is a disadvantaged small business concern. The Small Business Administration shall determine the status of such business concern as a disadvantaged small business concern in the event of a protest regarding the status of such business concern. If at any time the business concern is determined by the Small Business Administration not to be a disadvantaged small business concern, assistance furnished such business concern by the mentor firm after the date of the determination may not be considered assistance furnished under the program.

“(d) MENTOR FIRM ELIGIBILITY.—(1) Subject to subsection (c)(1), a mentor firm may enter into an agreement with one or more protege firms under subsection (e) and provide assistance under the program pursuant to that agreement if the mentor firm—

“(A) is eligible for award of Federal contracts; and

“(B) demonstrates that it—

“(i) is qualified to provide assistance that will contribute to the purpose of the program;

“(ii) is of good financial health and character and does not appear on a Federal list of debarred or suspended contractors; and

“(iii) can impart value to a protege firm because of experience gained as a Department of Defense contractor or through knowledge of general business operations and government contracting, as demonstrated by evidence that—

“(I) during the fiscal year preceding the fiscal year in which the mentor firm enters into the agreement, the total amount of the Department of Defense contracts awarded such mentor firm and the subcontracts awarded such mentor firm under Department of Defense contracts was equal to or greater than \$100,000,000; or

“(II) the mentor firm demonstrates the capability to assist in the development of protege firms, and is approved by the Secretary of Defense pursuant to criteria specified in the regulations prescribed pursuant to subsection (j).

“(2) A mentor firm may not enter into an agreement with a protege firm if the Administrator of the Small Business Administration has made a determination finding affiliation between the mentor firm and the protege firm.

“(3) If the Administrator of the Small Business Administration has not made such a determination and if the Secretary has reason to believe (based on the regulations promulgated by the Administrator regarding affiliation) that the mentor firm is affiliated with the protege firm, the Secretary shall request a determination regarding affiliation from the Administrator of the Small Business Administration.

“(e) MENTOR-PROTEGE AGREEMENT.—Before providing assistance to a protege firm under the program, a mentor firm shall enter into a mentor-protege agreement with the protege firm regarding the assistance to be provided by the mentor firm. The agreement shall include the following:

“(1) A developmental program for the protege firm, in such detail as may be reasonable, including—

“(A) factors to assess the protege firm's developmental progress under the program;

“(B) a description of the quantitative and qualitative benefits to the Department of Defense from the agreement, if applicable;

“(C) goals for additional awards that the protege firm can compete for outside the Mentor-Protege Program; and

“(D) the assistance the mentor firm will provide to the protege firm in understanding contract regulations of the Federal Government and the Department of Defense (including the Federal Acquisition Regulation and the Defense Federal Acquisition Regulation Supplement) after award of a subcontract under this section, if applicable.

“(2) A program participation term for any period of not more than three years, except that the term may be a period of up to five years if the Secretary of Defense determines in writing that unusual circumstances justify a program participation term in excess of three years.

“(3) Procedures for the protege firm to terminate the agreement voluntarily and for the mentor firm to terminate the agreement for cause.

“(f) FORMS OF ASSISTANCE.—A mentor firm may provide a protege firm the following:

“(1) Assistance, by using mentor firm personnel, in—

“(A) general business management, including organizational management, financial management, and personnel management, marketing, and overall business planning;

“(B) engineering and technical matters such as production, inventory control, and quality assurance; and

“(C) any other assistance designed to develop the capabilities of the protege firm under the developmental program referred to in subsection (e).

“(2) Award of subcontracts on a non-competitive basis to the protege firm under the Department of Defense or other contracts.

“(3) Payment of progress payments for performance of the protege firm under such a subcontract in amounts as provided for in the subcontract, but in no event may any such progress payment exceed 100 percent of the costs incurred by the protege firm for the performance.

“(4) Advance payments under such subcontracts.

“(5) Loans.

“(6) Assistance obtained by the mentor firm for the protege firm from one or more of the following—

“(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

“(B) entities providing procurement technical assistance pursuant to this chapter;

“(C) a historically Black college or university or a minority institution of higher education; or

“(D) women's business centers described in section 29 of the Small Business Act (15 U.S.C. 656).

“(g) INCENTIVES FOR MENTOR FIRMS.—(1) The Secretary of Defense may provide to a mentor firm reimbursement for the total amount of any progress payment or advance payment made under the program by the mentor firm to a protege firm in connection with a Department of Defense contract awarded the mentor firm.

“(2)(A) The Secretary of Defense may provide to a mentor firm reimbursement for the costs of the assistance furnished to a protege firm pursuant to paragraphs (1) and (6) of subsection (f) (except as provided in subparagraph (D)) as provided for in a line item in a Department of Defense contract under which

the mentor firm is furnishing products or services to the Department, subject to a maximum amount of reimbursement specified in such contract, except that this sentence does not apply in a case in which the Secretary of Defense determines in writing that unusual circumstances justify reimbursement using a separate contract.

“(B) The determinations made in annual performance reviews of a mentor firm's mentor-protege agreement shall be a major factor in the determinations of amounts of reimbursement, if any, that the mentor firm is eligible to receive in the remaining years of the program participation term under the agreement.

“(C) The total amount reimbursed under this paragraph to a mentor firm for costs of assistance furnished in a fiscal year to a protege firm may not exceed \$1,000,000, except in a case in which the Secretary of Defense determines in writing that unusual circumstances justify a reimbursement of a higher amount.

“(D) The Secretary may not reimburse any fee assessed by the mentor firm for services provided to the protege firm pursuant to subsection (f)(6) or for business development expenses incurred by the mentor firm under a contract awarded to the mentor firm while participating in a joint venture with the protege firm.

“(3)(A) Costs incurred by a mentor firm in providing assistance to a protege firm that are not reimbursed pursuant to paragraph (2) shall be recognized as credit in lieu of subcontract awards for purposes of determining whether the mentor firm attains a subcontracting participation goal applicable to such mentor firm under a Department of Defense contract, under a contract with another executive agency, or under a divisional or company-wide subcontracting plan negotiated with the Department of Defense or another executive agency.

“(B) The amount of the credit given a mentor firm for any such unreimbursed costs shall be equal to—

“(i) four times the total amount of such costs attributable to assistance provided by entities described in subsection (f)(6);

“(ii) three times the total amount of such costs attributable to assistance furnished by the mentor firm's employees; and

“(iii) two times the total amount of any other such costs.

“(C) Under regulations prescribed pursuant to subsection (j), the Secretary of Defense shall adjust the amount of credit given a mentor firm pursuant to subparagraphs (A) and (B) if the Secretary determines that the firm's performance regarding the award of subcontracts to disadvantaged small business concerns has declined without justifiable cause.

“(4) A mentor firm shall receive credit toward the attainment of a subcontracting participation goal applicable to such mentor firm for each subcontract for a product or service awarded under such contract by a mentor firm to a business concern that, except for its size, would be a small business concern owned and controlled by socially and economically disadvantaged individuals, but only if—

“(A) the size of such business concern is not more than two times the maximum size specified by the Administrator of the Small Business Administration for purposes of determining whether a business concern furnishing such product or service is a small business concern; and

“(B) the business concern formerly had a mentor-protege agreement with such mentor firm that was not terminated for cause.

“(h) RELATIONSHIP TO SMALL BUSINESS ACT.—(1) For purposes of the Small Business Act (15 U.S.C. 631 et seq.), no determination

of affiliation or control (either direct or indirect) may be found between a protege firm and its mentor firm on the basis that the mentor firm has agreed to furnish (or has furnished) to its protege firm pursuant to a mentor-protege agreement any form of developmental assistance described in subsection (f).

“(2) Notwithstanding section 8 of the Small Business Act (15 U.S.C. 637), the Small Business Administration may not determine a disadvantaged small business concern to be ineligible to receive any assistance authorized under the Small Business Act on the basis that such business concern has participated in the Mentor-Protege Program or has received assistance pursuant to any developmental assistance agreement authorized under such program.

“(3) The Small Business Administration may not require a firm that is entering into, or has entered into, an agreement under subsection (e) as a protege firm to submit the agreement, or any other document required by the Secretary of Defense in the administration of the Mentor-Protege Program, to the Small Business Administration for review, approval, or any other purpose.

“(1) PARTICIPATION IN MENTOR-PROTEGE PROGRAM NOT TO BE A CONDITION FOR AWARD OF A CONTRACT OR SUBCONTRACT.—A mentor firm may not require a business concern to enter into an agreement with the mentor firm pursuant to subsection (e) as a condition for being awarded a contract by the mentor firm, including a subcontract under a contract awarded to the mentor firm.

“(j) REGULATIONS.—The Secretary of Defense shall prescribe regulations to carry out the Mentor-Protege Program. Such regulations shall include the requirements set forth in section 8(d) of the Small Business Act (15 U.S.C. 637(d)) and shall prescribe procedures by which mentor firms may terminate participation in the program. The Department of Defense policy regarding the Mentor-Protege Program shall be published and maintained as an appendix to the Department of Defense Supplement to the Federal Acquisition Regulation.

“(k) REPORT BY MENTOR FIRMS.—To comply with section 8(d)(7) of the Small Business Act (15 U.S.C. 637(d)(7)), each mentor firm shall submit a report to the Secretary not less than once each fiscal year that includes, for the preceding fiscal year—

“(1) all technical or management assistance provided by mentor firm personnel for the purposes described in subsection (f)(1);

“(2) any new awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(3) any extensions, increases in the scope of work, or additional payments not previously reported for prior awards of subcontracts on a competitive or noncompetitive basis to the protege firm under Department of Defense contracts or other contracts, including the value of such subcontracts;

“(4) the amount of any payment of progress payments or advance payments made to the protege firm for performance under any subcontract made under the Mentor-Protege Program;

“(5) any loans made by the mentor firm to the protege firm;

“(6) all Federal contracts awarded to the mentor firm and the protege firm as a joint venture, designating whether the award was a restricted competition or a full and open competition;

“(7) any assistance obtained by the mentor firm for the protege firm from one or more—

“(A) small business development centers established pursuant to section 21 of the Small Business Act (15 U.S.C. 648);

“(B) entities providing procurement technical assistance pursuant to this chapter; or

“(C) historically Black colleges or universities or minority institutions of higher education;

“(8) whether there have been any changes to the terms of the mentor-protege agreement; and

“(9) a narrative describing the success assistance provided under subsection (f) has had in addressing the developmental needs of the protege firm, the impact on Department of Defense contracts, and addressing any problems encountered.

“(1) REVIEW OF REPORT BY THE OFFICE OF SMALL BUSINESS PROGRAMS.—The Office of Small Business Programs of the Department of Defense shall review the report required by subsection (k) and, if the Office finds that the mentor-protege agreement is not furthering the purpose of the Mentor-Protege Program, decide not to approve any continuation of the agreement.

“(m) ESTABLISHMENT OF PERFORMANCE GOALS AND PERIODIC REVIEWS.—The Office of Small Business Programs of the Department of Defense shall—

“(1) establish performance goals consistent with the stated purpose of the Mentor-Protege Program and outcome-based metrics to measure progress in meeting those goals; and

“(2) submit to the congressional defense committees, not later than February 1, 2020, a report on progress made toward implementing these performance goals and metrics, based on periodic reviews of the procedures used to approve mentor-protege agreements.

“(n) DEFINITIONS.—In this section:

“(1) The term ‘affiliation’, with respect to a relationship between a mentor firm and a protege firm, means a relationship described under section 121.103 of title 13, Code of Federal Regulations (or any successor regulation).

“(2) The term ‘disadvantaged small business concern’ means a firm that is not more than the size standard corresponding to its primary North American Industry Classification System code, is not owned or managed by individuals or entities that directly or indirectly have stock options or convertible securities in the mentor firm, and is—

“(A) a small business concern owned and controlled by socially and economically disadvantaged individuals;

“(B) a business entity owned and controlled by an Indian tribe as defined by section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13));

“(C) a business entity owned and controlled by a Native Hawaiian Organization as defined by section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15));

“(D) a qualified organization employing severely disabled individuals;

“(E) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D) of the Small Business Act (15 U.S.C. 637(d)(3)(D));

“(F) a small business concern owned and controlled by service-disabled veterans (as defined in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)));

“(G) a qualified HUBZone small business concern (as defined in section 31(b) of the Small Business Act (15 U.S.C. 657a(b))); or

“(H) a small business concern that—

“(i) is a nontraditional defense contractor, as such term is defined in section 3014 of this title; or

“(ii) currently provides goods or services in the private sector that are critical to enhancing the capabilities of the defense supplier base and fulfilling key Department of Defense needs.

“(3) The term ‘historically Black college and university’ means any of the historically

Black colleges and universities referred to in section 2323 of this title, as in effect on March 1, 2018.

“(4) The term ‘minority institution of higher education’ means an institution of higher education with a student body that reflects the composition specified in section 312(b)(3), (4), and (5) of the Higher Education Act of 1965 (20 U.S.C. 1058(b)(3), (4), and (5)).

“(5) The term ‘qualified organization employing the severely disabled’ means a business entity operated on a for-profit or non-profit basis that—

“(A) uses rehabilitative engineering to provide employment opportunities for severely disabled individuals and integrates severely disabled individuals into its workforce;

“(B) employs severely disabled individuals at a rate that averages not less than 20 percent of its total workforce;

“(C) employs each severely disabled individual in its workforce generally on the basis of 40 hours per week; and

“(D) pays not less than the minimum wage prescribed pursuant to section 6 of the Fair Labor Standards Act (29 U.S.C. 206) to those employees who are severely disabled individuals.

“(6) The term ‘severely disabled individual’ means an individual who is blind (as defined in section 8501 of title 41) or a severely disabled individual (as defined in such section).

“(7) The term ‘small business concern’ has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

“(8) The term ‘small business concern owned and controlled by socially and economically disadvantaged individuals’ has the meaning given such term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

“(9) The term ‘subcontracting participation goal’, with respect to a Department of Defense contract, means a goal for the extent of the participation by disadvantaged small business concerns in the subcontracts awarded under such contract, as established pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 387 of title 10, United States Code, is amended by inserting after the item relating to section 4901 the following new item:

“4902. Mentor-Protege Program.”

(c) REPEAL OF OBSOLETE AUTHORITY.—Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 4901 note prec.) is repealed.

#### SEC. 863. SMALL BUSINESS INTEGRATION WORKING GROUP.

(a) IN GENERAL.—The Secretary of Defense shall create a small business integration working group, to be led by the Director of the Department of Defense Office of Small Business Programs, which convenes at least four times per year to better ensure the integration of department-wide small business efforts, including by—

(1) improving the alignment between disparate small business and industrial base programs across the Department of Defense;

(2) providing oversight of small business efforts department-wide;

(3) unifying small business policy, acquisition workforce development, and transition of emerging technologies into programs of record as required under the Small Business Strategy; and

(4) reducing barriers to entry for small businesses and non-traditional vendors into the defense industrial base.

(b) MEMBERSHIP.—The integration working group shall be comprised of representatives from each of the following organizations:

(1) Each of the military service’s small business offices.

(2) Each of the military service's small business innovation research and small business technology transfer programs.

(3) The office of the Under Secretary of Defense for Acquisition and Sustainment.

(4) The office of the Under Secretary of Defense for Research and Engineering.

(c) BRIEFING REQUIRED.—Not later than March 1, 2023, the Director of the Office of Small Business Programs shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the establishment and activities of the working group, policies enacted to allow for the sharing of best practices, and practices for conducting oversight.

**SEC. 864. DEMONSTRATION OF COMMERCIAL DUE DILIGENCE FOR SMALL BUSINESS PROGRAMS.**

(a) DEMONSTRATION REQUIRED.—Not later than December 31, 2027, the Secretary of Defense shall conduct a demonstration of commercial due diligence tools, techniques, and processes in order to support small businesses in identifying attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technology they are developing on behalf of the Department of Defense.

(b) ELEMENTS.—The demonstration required under subsection (a) shall include the following elements:

(1) Identification of an entity to be responsible for the commercial due diligence process, including interfacing with small business and law enforcement community.

(2) An assessment of existing commercial due diligence processes conducted by component small business offices.

(3) Development of tactics, techniques, and procedures for tools and processes that support commercial due diligence analysis to monitor and assess attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over technologies under development by the small business community, including—

(A) providing a feedback loop with small business to provide two-way information sharing; and

(B) identifying, assessing, and demonstrating commercially available tools and services.

(4) Identification of process improvements or gaps in resources, capabilities, or authorities, as well as other lessons learned.

(5) Development of training and awareness material for small businesses that can be shared directly or through the Procurement Technical Assistance Centers.

(6) Implementation of metrics or measures of performance that can be tracked to assess the effectiveness of the commercial due diligence demonstration.

(c) BRIEFING REQUIRED.—Not later than April 1, 2023, the Secretary of Defense shall provide to the congressional defense committees an interim briefing on the demonstration required under subsection (a), including—

(1) identification of the designated organization for conducting the demonstration;

(2) a description of the methodology for executing the demonstration, including any analytical tools or metrics identified to support the process;

(3) a description of any identified instances of attempts by malicious foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, and

(4) any preliminary findings.

(d) ASSESSMENT.—Not later than March 1, 2028, the Secretary shall provide a final assessment report of the demonstration required under subsection (a), including any identified instances of attempts by malicious

foreign actors to gain undue access or foreign oversight, control, and influence over small business technology, any general lessons learned, and any recommendations for legislative action that may be required as a result.

**SEC. 865. IMPROVEMENTS TO PROCUREMENT TECHNICAL ASSISTANCE CENTER PROGRAM.**

(a) FUNDING LIMIT APPLICABLE TO PROGRAMS OPERATING ON STATEWIDE BASIS.—Section 4955(a)(1) of title 10, United States Code, is amended by striking “\$1,000,000” and inserting “\$1,500,000”.

(b) ADMINISTRATIVE COSTS.—Section 4961 of title 10, United States Code, is amended—

(1) by striking “Director of the Defense Logistics Agency” and inserting “Secretary”;

(2) in paragraph (1), by striking “three percent” and inserting “four percent”; and

(3) in paragraph (2)—

(A) by striking “Director” and inserting “Secretary”; and

(B) in subparagraph (A), by inserting “, including meetings of any association of such entities,” after “for meetings”.

**Subtitle E—Other Matters**

**SEC. 871. RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.**

(a) RISK MANAGEMENT FOR ALL DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAINS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall—

(1) develop and issue implementing guidance for risk management for Department of Defense supply chains for pharmaceutical materiel for the Department;

(2) identify, in coordination with the Secretary of Health and Human Services, supply chain information gaps regarding the Department's reliance on foreign suppliers of drugs, including active pharmaceutical ingredients and final drug products; and

(3) submit to Congress a report regarding—

(A) existing information streams, if any, that may be used to assess the reliance by the Department of Defense on high-risk foreign suppliers of drugs;

(B) vulnerabilities in the drug supply chains of the Department of Defense; and

(C) any recommendations to address—

(i) information gaps identified under paragraph (2); and

(ii) any risks related to such reliance on foreign suppliers.

(b) RISK MANAGEMENT FOR DEPARTMENT OF DEFENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director of the Defense Health Agency shall—

(1) not later than one year after the issuance of the guidance required under subsection (a)(1), develop and publish implementing guidance for risk management for the Department of Defense supply chain for pharmaceuticals; and

(2) establish a working group—

(A) to assess risks to the Department's pharmaceutical supply chain;

(B) to identify the pharmaceuticals most critical to beneficiary care at military treatment facilities; and

(C) to establish policies for allocating scarce pharmaceutical resources of the Department of Defense in case of a supply disruption.

**SEC. 872. KEY ADVANCED SYSTEM DEVELOPMENT INDUSTRY DAYS.**

(a) IN GENERAL.—Not later than March 1, 2023, and every 180 days thereafter, the Secretary of each of the military departments and the Commanders of the United States Special Operations Command and the United States Cyber Command shall ensure that each such department and Command conducts an industry day—

(1) to raise awareness within the private sector of—

(A) key advanced system development areas; and

(B) capability needs and existing and potential requirements related to the key advanced system development areas; and

(2) to raise awareness within such departments and Commands of potential material solutions for capability needs and existing and potential requirements related to key advanced system development areas.

(b) RESPONSIBILITIES.—

(1) CHIEFS OF ARMED FORCES.—The chief of each of the armed forces residing in a military department and the Commanders of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying related or potentially related existing, planned, or potential military requirements, including urgent and emergent operational needs.

(B) Identifying and describing related or potentially related capability needs or gaps in warfighting mission areas.

(C) Identifying and describing related or potentially related capability needs or gaps in non-warfighting support areas.

(D) Identifying and describing related or potentially related exercise, demonstration, or experimentation opportunities.

(2) ACQUISITION EXECUTIVES.—Each service acquisition executive and the acquisition executives of the United States Special Operations Command and the United States Cyber Command shall have primary responsibility for the following tasks at the industry days required under subsection (a) for each key advanced system development area:

(A) Identifying and describing related or potentially related existing, planned, or potential acquisition plans and strategies.

(B) Identifying and describing related or potentially related existing, planned, or potential funding opportunities, including—

(i) broad agency announcements;

(ii) requests for information;

(iii) funding opportunity announcements;

(iv) special program announcements;

(v) requests for proposals;

(vi) requests for quotes;

(vii) special notices;

(viii) transactions pursuant to sections 4002, 4003, and 4004 of title 10, United States Code;

(ix) unsolicited proposals; and

(x) other methods.

(c) FORM.—The industry days required under subsection (a) shall seek to maximize industry and government participation, while minimizing cost to the maximum extent practicable, by—

(1) being held at the unclassified security level with classified portions only as necessary;

(2) being publicly accessible through teleconference or other virtual means; and

(3) having supporting materials posted on a publicly accessible website.

(d) DEFINITIONS.—In this section:

(1) MILITARY DEPARTMENTS; ARMED FORCES; SERVICE ACQUISITION EXECUTIVE.—The terms “military departments”, “armed forces”, and “service acquisition executive” have the meanings given the terms in section 101 of title 10, United States Code.

(2) KEY ADVANCED SYSTEM DEVELOPMENT AREA.—The term “key advanced system development area” means the following:

(A) For the Department of the Navy—

(i) unmanned surface vessels;

(ii) unmanned underwater vessels;

(iii) unmanned deployable mobile ocean systems;

(iv) unmanned deployable fixed ocean systems; and

(v) autonomous unmanned aircraft systems.

(B) For the Department of the Air Force, autonomous unmanned aircraft systems.

(C) For the Department of the Army, autonomous unmanned aircraft systems.

(D) For the United States Special Operations Command, autonomous unmanned aircraft systems.

(E) For the United States Cyber Command, cybersecurity situational awareness systems.

**SEC. 873. MODIFICATION OF PROVISION RELATING TO DETERMINATION OF CERTAIN ACTIVITIES WITH UNUSUALLY HAZARDOUS RISKS.**

Section 1684 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

(1) in subsection (a), by striking “2022 and 2023” and inserting “2022 through 2024”; and

(2) in subsection (b), by striking “September 30, 2023” and inserting “September 30, 2024”.

**SEC. 874. INCORPORATION OF CONTROLLED UNCLASSIFIED INFORMATION GUIDANCE INTO PROGRAM CLASSIFICATION GUIDES AND PROGRAM PROTECTION PLANS.**

(a) UPDATES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, acting through the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering, ensure that all program classification guides (for classified programs) and all program protection plans (for unclassified programs) include guidance for the proper marking for controlled unclassified information (CUI) at their next regularly scheduled update.

(2) ELEMENTS.—Guidance under paragraph (1) shall include the following:

(A) A requirement to use document portion markings for controlled unclassified information

(B) A process to ensure controlled unclassified information document portion markings are used properly and consistently.

(b) MONITORING OF PROGRESS.—In tracking the progress in carrying out subsection (a), the Under Secretary of Defense for Intelligence and Security and the Under Secretary of Defense for Research and Engineering shall implement a process for monitoring progress that includes the following:

(1) Tracking of all program classification guides and program protection plans so they include document portion marking for controlled unclassified information, and the dates when controlled unclassified information guidance updates are completed.

(2) Updated training in order to ensure that all government and contractor personnel using the guides described in subsection (a)(1) receive instruction, as well as periodic spot checks, to ensure that training is sufficient and properly implemented to ensure consistent application of document portion marking guidance.

(3) A process for feedback to ensure that any identified gaps or lessons learned are incorporated into guidance and training instructions.

(c) REQUIRED COMPLETION.—The Secretary shall ensure that the updates required by subsection (a) are completed before January 1, 2029.

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

**Subtitle A—Office of the Secretary of Defense and Related Matters**

**SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSISTANT AND DEPUTY ASSISTANT SECRETARIES OF DEFENSE.**

(a) ASSISTANT SECRETARY OF DEFENSE FOR CYBER POLICY.—

(1) IN GENERAL.—Section 138(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(8) One of the Assistant Secretaries is the Assistant Secretary of Defense for Cyber Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy and matters relating to cyber activities of the Department of Defense. The Assistant Secretary is the Principal Cyber Advisor described in section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note).”.

(2) CONFORMING AMENDMENTS.—

(A) Section 932(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2224 note) is amended—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(B) Section 1643(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 2224 note) is amended by striking “by section 932(c)(3)” and inserting “by section 932(c)(2)”.

(b) INCREASE IN AUTHORIZED NUMBER OF ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138(a)(1) of title 10, United States Code, is amended by striking “15” and inserting “18”.

(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking “Assistant Secretaries of Defense (14)” and inserting “Assistant Secretaries of Defense (18).”.

(c) INCREASE IN AUTHORIZED NUMBER OF DEPUTY ASSISTANT SECRETARIES OF DEFENSE.—

(1) INCREASE.—Section 138 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(e) The number of Deputy Assistant Secretaries of Defense may not exceed 57.”.

(2) CONFORMING REPEAL.—Section 908 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1514; 10 U.S.C. 138 note) is repealed.

(d) ADDITIONAL AMENDMENTS.—Section 138(b) of title 10, United States Code, is amended—

(1) in paragraph (2)(A)—

(A) in the second sentence in the matter preceding clause (i), by striking “He shall have as his principal duty” and inserting “The principal duty of the Assistant Secretary shall be”; and

(B) in clause (ii), by striking subclause (III);

(2) in paragraph (3), in the second sentence, by striking “He shall have as his principal duty” and inserting “The principal duty of the Assistant Secretary shall be”; and

(3) in paragraph (4)—

(A) in subparagraph (A), by striking the semicolon and inserting “; and”; and

(B) in subparagraph (B), by striking “; and” inserting a period; and

(C) by striking subparagraph (C); and

(4) in paragraph (6), by striking “shall—” and all that follows and inserting “shall advise the Under Secretary of Defense for Acquisition and Sustainment on industrial base policies.”.

**SEC. 902. CONFORMING AMENDMENTS RELATING TO REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.**

Section 2222 of title 10, United States Code, is amended—

(1) in subsection (c)(2), by striking “the Chief Management Officer of the Department of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Chief Information Officer, and the Chief Management Officer” and inserting “the Chief Information Officer of the Department of Defense, the Under Secretary of Defense for Acquisi-

tion and Sustainment, and the Chief Information Officer”;

(2) in subsection (e)—

(A) in paragraph (1), by striking “the Chief Management Officer” and inserting “the Chief Information Officer”; and

(B) in paragraph (6)—

(i) in subparagraph (A), in the matter preceding clause (i)—

(I) in the first sentence, by striking “the Chief Management Officer of the Department of Defense” and inserting “the Chief Information Officer of the Department of Defense, in coordination with the Chief Data and Artificial Intelligence Officer.”; and

(II) in the second sentence, by striking “the Chief Management Officer shall” and inserting “the Chief Information Officer shall”; and

(ii) in subparagraph (B), in the matter preceding clause (i), by striking “the Chief Management Officer” and inserting “the Chief Information Officer”;

(3) in subsection (f)—

(A) in paragraph (1), in the second sentence, by striking “the Chief Management Officer and”; and

(B) in paragraph (2)—

(i) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

“(A) The Chief Information Officers of the military departments, or their designees.”; and

(iii) in subparagraph (C), as so redesignated, by adding at the end the following new clause:

“(iv) The Chief Data and Artificial Intelligence Officer of the Department of Defense.”;

(4) in subsection (g)(2), by striking “the Chief Management Officer” each place it appears and inserting “the Chief Information Officer”; and

(5) in subsection (i)(5)(B), by striking “the Chief Management Officer” and inserting “the Chief Information Officer”.

**SEC. 903. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE.**

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary of Defense submits the information operations strategy and posture review, including the designation of Information Operations Force Providers and Information Operations Joint Force Trainers for the Department of Defense, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives as required by section 1631(g) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 397 note).

**SEC. 904. LIMITATION ON USE OF FUNDS UNTIL DEMONSTRATION OF PRODUCT TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.**

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Secretary of Defense demonstrates a minimum viable product—

(1) to optimize and modernize the process described in section 908(a) of the William M.

(Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 111 note) for identifying reports to Congress required by annual national defense authorization Acts, assigning responsibility for preparation of such reports, and managing the completion and delivery of such reports to Congress; and

(2) that includes capabilities to enable—

(A) direct access by the congressional defense committees to the follow-on system to that process using secure credentials;

(B) rapid automatic ingestion of data provided by those committees with respect to reports and briefings required to be submitted to Congress in a comma-separated value spreadsheet;

(C) sortable and exportable database views for tracking and research purposes;

(D) automated notification of relevant congressional staff and archival systems; and

(E) integration with Microsoft Office.

**SEC. 905. LIMITATION ON USE OF FUNDS UNTIL DEPARTMENT OF DEFENSE COMPLIES WITH REQUIREMENTS RELATING TO ALIGNMENT OF CLOSE COMBAT LETHALITY TASK FORCE.**

Of the funds authorized to be appropriated by section 301 for fiscal year 2023 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the Department of Defense complies with the requirements of section 911 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1878) (relating to alignment of the Close Combat Lethality Task Force).

**Subtitle B—Other Department of Defense Organization and Management Matters**

**SEC. 911. MODIFICATION OF REQUIREMENTS THAT ARE RESPONSIBILITY OF ARMED FORCES NOT JOINT REQUIREMENTS OVERSIGHT COUNCIL.**

Section 181(e) of title 10, United States Code, is amended to read as follows:

“(e) PERFORMANCE REQUIREMENTS AS RESPONSIBILITY OF ARMED FORCES.—

“(1) IN GENERAL.—The Chief of Staff of an armed force is responsible for—

“(A) all performance requirements for that armed force; and

“(B) except as provided in paragraph (3), all inventory objective requirements for that armed force, including categories of weapons systems and overall levels of weapons systems.

“(2) REQUIREMENTS NOT REQUIRED TO BE VALIDATED.—Except for requirements specified in subsections (b)(4) and (b)(5), requirements described in paragraph (1) are not required to be validated by the Joint Requirements Oversight Council.

“(3) INVENTORY OBJECTIVE REQUIREMENTS FOR NAVAL VESSELS TO TRANSPORT MARINES.—The Commandant of the Marine Corps shall be responsible for inventory objective requirements for naval vessels with the primary mission of transporting Marines.”

**SEC. 912. BRIEFING ON REVISIONS TO UNIFIED COMMAND PLAN.**

Section 161(b)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and by moving such clauses, as so redesignated, two ems to the right;

(2) by striking “the President shall notify” and inserting the following: “the President shall—

“(A) notify”;

(3) in clause (ii), as redesignated by paragraph (1), by striking the period at the end and inserting “; and”;

(4) by adding at the end the following new subparagraph:

“(B) during that 60-day period, provide to the congressional defense committees a

briefing on the revisions described in subparagraph (A)(ii).”

**SEC. 913. UPDATES TO MANAGEMENT REFORM FRAMEWORK.**

Section 125a of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking “2022” and inserting “2023”; and

(B) in paragraph (3), by inserting “the Director for Administration and Management of the Department of Defense,” after “the Chief Information Officer of the Department of Defense.”;

(2) in subsection (d)—

(A) by redesignating paragraph (6) as paragraph (9); and

(B) by inserting after paragraph (5) the following new paragraphs:

“(6) Development and implementation of a uniform methodology for tracking and assessing cost savings and cost avoidance from reform initiatives.

“(7) Implementation of reform-focused research to improve management and administrative science.

“(8) Tracking and implementation of technological approaches to improve management decision-making, such as artificial intelligence tools.”

**SEC. 914. STRATEGIC MANAGEMENT DASHBOARD DEMONSTRATION.**

(a) IN GENERAL.—The Secretary of Defense shall conduct a demonstration of a strategic management dashboard to automate the data collection and visualization of the primary management goals of the Department of Defense.

(b) ELEMENTS.—The Secretary shall ensure that the strategic management dashboard demonstrated under subsection (a) includes the following:

(1) The capability for real-time monitoring of the performance of the Department in meeting the management goals of the Department.

(2) An integrated analytics capability, including the ability to dynamically add or upgrade new capabilities when needed.

(3) Integration with the framework required by subsection (c) of section 125a of title 10, United States Code, for measuring the progress of the Department toward covered elements of reform (as defined in subsection (d) of that section).

(4) Incorporation of the elements of the strategic management plan required by section 904(d) of the National Defense Authorization Act of Fiscal Year 2008 (Public Law 110-181; 10 U.S.C. 2201 note prec.), as derived from automated data feeds from existing information systems and databases.

(5) Incorporation of the elements of the most recent annual performance plan of the Department required by section 1115(b) of title 31, United States Code, and the most recent update on performance of the Department required by section 1116 of that title.

(6) Use of artificial intelligence and machine learning tools to improve decision making and assessment relating to data analytics.

(7) Adoption of leading and lagging indicators for key strategic management goals.

(c) AUTHORITIES.—

(1) IN GENERAL.—In conducting the demonstration required by subsection (a), the Secretary may use the authorities described in paragraph (2), and such other authorities as the Secretary considers appropriate—

(A) to help spur innovative technological or process approaches; and

(B) to attract new entrants to solve the data management and visualization challenges of the Department.

(2) AUTHORITIES DESCRIBED.—The authorities described in this paragraph are the au-

thorities provided under the following provisions of law:

(A) Section 4025 of title 10, United States Code (relating to prizes for advanced technology achievements).

(B) Section 217 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2222 note) (relating to science and technology activities to support business systems information technology acquisition programs).

(C) Section 908 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 129a note) (relating to management innovation activities).

(d) USE OF BEST PRACTICES.—In conducting the demonstration required by subsection (a), the Secretary shall leverage commercial best practices in management and leading research in management and data science.

**SEC. 915. DEMONSTRATION PROGRAM FOR COMPONENT CONTENT MANAGEMENT SYSTEMS.**

(a) IN GENERAL.—Not later than July 1, 2023, the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer and the Director of the Joint Artificial Intelligence Center, shall complete a pilot program to demonstrate the application of component content management systems to a distinct set of data of the Department.

(b) SELECTION OF DATA SET.—In selecting a distinct set of data of the Department for purposes of the pilot program required by subsection (a), the Chief Information Officer shall consult with, at a minimum, the following:

(1) The Office of the Secretary of Defense with respect to directives, instructions, and other regulatory documents of the Department.

(2) The Office of the Secretary of Defense and the Joint Staff with respect to execution orders.

(3) The Office of the Under Secretary of Defense for Research and Engineering and the military departments with respect to technical manuals.

(4) The Office of the Under Secretary of Defense for Acquisition and Sustainment with respect to Contract Data Requirements List documents.

(c) AUTHORITY TO ENTER INTO CONTRACTS.—Subject to the availability of appropriations, the Secretary of Defense may enter into contracts or transactions with public or private entities to conduct studies and demonstration projects under the pilot program required by subsection (a).

(d) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Chief Information Officer shall provide to the congressional defense committees a briefing on plans to implement the pilot program required by subsection (a).

**Subtitle C—Space Force Matters**

**SEC. 921. VICE CHIEF OF SPACE OPERATIONS.**

(a) CODIFICATION OF POSITION OF VICE CHIEF OF SPACE OPERATIONS.—Chapter 908 of title 10, United States Code, is amended by inserting after section 9082 the following new section:

**“§ 9082a. Vice Chief of Space Operations**

“(a) APPOINTMENT.—There is a Vice Chief of Space Operations, appointed by the President, by and with the advice and consent of the Senate, from officers on the active-duty list of the Space Force not restricted in the performance of duty.

“(b) GRADE.—The Vice Chief of Space Operations, while so serving, has the grade of general without vacating his permanent grade.

“(c) AUTHORITY AND DUTIES.—The Vice Chief has such authority and duties with respect to the Space Force as the Chief, with

the approval of the Secretary of the Air Force, may delegate to or prescribe by the Vice Chief. Orders issued by the Vice Chief in performing such duties have the same effect as those issued by the Chief.

“(d) VACANCIES.—When there is a vacancy in the office of the Chief of Space Operations, or during the absence or disability of the Chief—

“(1) the Vice Chief of the Space Operations shall perform the duties of the Chief until a successor is appointed or the absence or disability ceases; or

“(2) if there is a vacancy in the office of the Vice Chief of Space Operations or the Vice Chief is absent or disabled, unless the President directs otherwise, the most senior officer of the Space Force in the Headquarters, Space Force, who is not absent or disabled and who is not restricted in performance of duty shall perform the duties of the Chief until a successor to the Chief or the Vice Chief is appointed or until the absence or disability of the Chief or Vice Chief ceases, whichever occurs first.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by inserting after the item relating to section 9082 the following new item:

“9082a. Vice Chief of Space Operations.”.

**SEC. 922. ESTABLISHMENT OF FIELD OPERATING AGENCIES AND DIRECT REPORTING UNITS OF SPACE FORCE.**

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 9087. Field operating agencies and direct reporting units**

“(a) AUTHORITY.—The Secretary of the Air Force may establish within the Space Force the following:

“(1) An Enterprise Talent Management Office to provide whole-of-life-cycle talent management aligned to the needs of the Space Force.

“(2) A Space Warfighting Analysis Center to conduct analysis, modeling, wargaming, and experimentation to create operational concepts and develop future force design options.

“(b) ORGANIZATION.—

“(1) ENTERPRISE TALENT MANAGEMENT OFFICE.—If, pursuant to the authority provided by subsection (a)(1), the Secretary establishes a Enterprise Talent Management Office, the Office shall operate as a field operating agency of the headquarters of the Space Force.

“(2) SPACE WARFIGHTING ANALYSIS CENTER.—If, pursuant to the authority provided by subsection (a)(2), the Secretary establishes a Space Warfighting Analysis Center, the Center shall operate as a direct reporting unit of the Chief of Space Operations.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 908 of such title is amended by adding at the end the following new item:

“9087. Field operating agencies and direct reporting units.”.

**SEC. 923. FRAMEWORK FOR NEW SUBTITLE F OF TITLE 10, UNITED STATES CODE, ON SPACE COMPONENT.**

(a) IN GENERAL.—Title 10, United States Code, is amended by adding at the end the following new subtitle:

**“Subtitle F—Space Component**

“Chap. .... 20101  
“2001. [Reserved] ..... 20101  
“2002. [Reserved] ..... 20201  
“2003. [Reserved] ..... 20301  
“2004. [Reserved] ..... 20401  
“2005. [Reserved] ..... 20501

**“CHAPTER 2001—[RESERVED]**

“Sec.  
“20101. [Reserved].

“§ 20101. [Reserved]

“[Reserved].

**“CHAPTER 2002—[RESERVED]**

“Sec.  
“20201. [Reserved].

“§ 20201. [Reserved]

“[Reserved].

**“CHAPTER 2003—[RESERVED]**

“Sec.  
“20301. [Reserved].

“§ 20301. [Reserved]

“[Reserved].

**“CHAPTER 2004—[RESERVED]**

“Sec.  
“20401. [Reserved].

“§ 20401. [Reserved]

“[Reserved].

**“CHAPTER 2005—[RESERVED]**

“Sec.  
“20501. [Reserved].

“§ 20501. [Reserved]

“[Reserved].”.

(b) CLERICAL AMENDMENTS.—

(1) TABLE OF SUBTITLES.—The table of subtitles at the beginning of title 10, United States Code, is amended by adding at the end the following new item:

“F. Space Component ..... 20101”.

(c) CONTINGENT REPEAL.—If subtitle F of title 10, United States Code, as added by subsection (a), or any chapter of that subtitle, as so added, is not amended during the period beginning on the day after the date of the enactment of this Act and ending on December 31, 2026, such subtitle or chapter, as the case may be, is repealed effective on January 1, 2027.

**SEC. 924. STUDY OF PROPOSED SPACE FORCE REORGANIZATION.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with one or more federally funded research and development centers to conduct a study on the proposed reorganization of the Space Force and the establishment of the Space Component.

(b) ELEMENTS.—The study referred to in subsection (a) shall include a comprehensive review and assessment of—

(1) the feasibility and advisability of—

(A) exempting the proposed Space Component from the existing “up or out” system of officer career advancement first established by the amendments to title 10, United States Code, made by the Defense Officer Personnel Management Act (Public Law 96-513; 94 Stat. 2835);

(B) combining active and reserve components in a new, single Space Component and whether a similar outcome could be achieved using the existing active and reserve component frameworks with modest statutory changes to allow reserve officers to serve on sustained active duty;

(C) creating career flexibility for reserve members of the Space Component, including in shifting retirement points earned from one year to the next and allowing members of the Space Component to move back and forth between active and reserve status for prolonged periods of time across a career;

(2) the implications of the proposed reorganization of the Space Force on the development of space as a warfighting domain in the profession of arms, particularly with respect to officer leadership, development, and stewardship of the profession;

(3) whether existing government ethics regulations are adequate to address potential conflicts of interest for Space Component officers who seek to move back and forth between sustained active duty and working for

private sector organizations in the space industry as reserve officers in the Space Component;

(4) whether the proposed Space Component framework is consistent with the joint service requirements of chapter 38 of title 10, United States Code;

(5) budgetary implications of the establishment of the Space Component;

(6) the nature of the relationship with private industry and civilian employers that would be required and consistent with professional ethics to successfully implement the Space Component; and

(7) any other issues the Secretary or the federally funded research and development center considers relevant.

(c) DIVERSITY AND INCLUSION.—The study referred to in subsection (a) shall include an assessment of the proposed reorganization of the Space Force and the establishment of the Space Component on advancing diversity and inclusion in the Space Component.

(d) LIMITATION ON DELEGATION.—The authority of the Secretary to enter into a contract under subsection (a) may not be delegated below the level the Under Secretary of Defense for Personnel and Readiness.

(e) REPORT REQUIRED.—Not later than December 31, 2023, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study referred to in subsection (a).

**TITLE X—GENERAL PROVISIONS**

**Subtitle A—Financial Matters**

**SEC. 1001. GENERAL TRANSFER AUTHORITY.**

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2023 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed \$6,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

**SEC. 1002. REPORT ON BUDGETARY EFFECTS OF INFLATION.**

(a) ANNUAL REPORT.—Not later than 30 days following the submission of the President’s budget under section 1105 of title 31,



United States Code, the Secretary of Defense shall deliver to the congressional defense committees a report on observed and anticipated budgetary effects related to inflation, including—

(1) the relevant inflation index used and the estimated and actual inflationary budgetary effects by sub-appropriation account for the previous two fiscal years and the current budget year;

(2) the enacted or requested appropriation amount by sub-appropriation;

(3) a calculation of estimated budgetary effects due to inflation using the previous fiscal year's estimated indices compared to those of the current fiscal year;

(4) a summary of any requests for equitable adjustment, exercising of economic price adjustment (EPA) clauses, or bilateral contract modifications to include an EPA, including the contract type and fiscal year and type and amount of appropriation used for the contract;

(5) a summary of any methodological changes in Department of Defense cost estimation practices for inflationary budgetary effects; and

(6) any other matters the Secretary determines appropriate.

(b) PERIODIC BRIEFING.—Not later than 60 days following the conclusion of the Department of Defense budget mid-year review, the Secretary of Defense shall provide the congressional defense committees with a briefing on—

(1) any changes in the observed or anticipated inflation indices included in the report required under subsection (a);

(2) any actions taken by the Department of Defense to respond to changes discussed in such report, with specific dollar value figures; and

(3) any requests for equitable adjustment received by the Department of Defense, economic price adjustment clauses exercised, or bilateral contract modifications to include an EPA made since the transmission of the report required under subsection (a).

#### Subtitle B—Counterdrug Activities

#### SEC. 1011. EXTENSION OF AUTHORITY AND ANNUAL REPORT ON UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2042), as most recently amended by section 1007 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1889), is further amended—

(1) in subsection (a)(1), by striking “2023” and inserting “2024”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “2023” and inserting “2024”; and

(3) by adding at the end the following:

“(h) ANNUAL REPORT ON PLAN COLOMBIA.—During each of fiscal years 2023 and 2024, the Secretary of Defense shall submit to Congress a report that includes the following:

“(1) An assessment of the threat to Colombia from narcotics trafficking and activities by organizations designated as foreign terrorist organizations under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

“(2) A description of the plan of the Government of Colombia for the unified campaign described in subsection (a).

“(3) A description of the activities supported using the authority provided by subsection (a).

“(4) An assessment of the effectiveness of the activities described in paragraph (3) in addressing the threat described in paragraph (1).”.

#### Subtitle C—Naval Vessels

#### SEC. 1021. MODIFICATION TO ANNUAL NAVAL VESSEL CONSTRUCTION PLAN.

Section 231(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

“(J) For any class of battle force ship for which the procurement of the final ship of the class is proposed in the relevant future-years defense program submitted under section 221 of this title, a detailed plan that includes a description of specific impacts with respect to the transition of such class and the associated industrial base to a new program, a modified existing program, or no program. Each plan required by the preceding sentence shall include a detailed schedule with planned decision points, solicitations, and contract awards.”.

#### SEC. 1022. AMPHIBIOUS WARSHIP FORCE STRUCTURE.

Section 8062 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in the first sentence, by inserting “and not less than 31 operational amphibious warfare ships, of which not less than 10 shall be amphibious assault ships” before the period; and

(B) in the second sentence—

(i) by inserting “or amphibious warfare ship” before “includes”; and

(ii) by inserting “or amphibious warfare ship” before “that is temporarily unavailable”;

(2) in subsection (e)—

(A) in paragraph (2) by striking “; and” and inserting a semicolon;

(B) in paragraph (3) by striking the period at the end and inserting “; and”; and

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

“(4) the Navy adjusts scheduled maintenance and repair actions to maintain a minimum of 24 amphibious warfare ships operationally available for worldwide deployment.”; and

(3) by adding at the end the following new subsection:

“(g) In this section, the term ‘amphibious warfare ship’ means a ship that is classified as an amphibious assault ship (general purpose) (LHA), an amphibious assault ship (multi-purpose) (LHD), an amphibious transport dock (LPD), or a dock landing ship (LSD).”.

#### SEC. 1023. MODIFICATION TO LIMITATION ON DECOMMISSIONING OR INACTIVATING A BATTLE FORCE SHIP BEFORE THE END OF EXPECTED SERVICE LIFE.

(a) IN GENERAL.—Section 8678a(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting “with the budget materials submitted by the President under section 1105(a) of title 31, United States Code, for the fiscal year in which such waiver is sought” after “such ship”; and

(2) in paragraph (2), by striking “such certification was submitted” and inserting “the National Defense Authorization Act for such fiscal year is enacted”.

(b) NO EFFECT ON CERTAIN SHIPS.—The amendments made by subsection (a) shall have no effect on battle force ships (as defined in section 8678a(e) of title 10, United States Code) proposed for decommissioning or inactivation in fiscal year 2023.

#### SEC. 1024. CONTRACT REQUIREMENTS RELATING TO MAINTENANCE AND MODERNIZATION AVAILABILITIES FOR CERTAIN NAVAL VESSELS.

(a) SUBMARINE MAINTENANCE AND MODERNIZATION AVAILABILITIES.—The Secretary of the Navy may only enter into a contract with a private entity for a maintenance and modernization availability for a fast attack submarine that requires drydocking the submarine if the following conditions are met:

(1) The submarine is a Virginia-class submarine.

(2) The submarine has not conducted a previous drydock availability.

(3) The work package for the contract is sufficiently detailed and provided to the private entity with sufficient time to enable a high-confidence contracting strategy for—

(A) planning;

(B) material procurement;

(C) cost;

(D) schedule; and

(E) performance.

(4) At least 70 percent of the work package for the contract is common to the work packages for previous contracts entered into under this subsection.

(b) SURFACE SHIP MAINTENANCE AND MODERNIZATION AVAILABILITIES.—In awarding contracts for maintenance and modernization availabilities for surface ships, issuing task orders for such availabilities, or carrying out other contracting actions with respect to such availabilities, the Secretary of the Navy may not limit evaluation factors to price only.

#### SEC. 1025. PROHIBITION ON RETIREMENT OF CERTAIN NAVAL VESSELS.

None of the funds authorized to be appropriated by this Act for fiscal year 2023 may be obligated or expended to retire, prepare to retire, or place in storage any of the following naval vessels:

(1) USS Vicksburg (CG 69).

(2) USS Sioux City (LCS 11).

(3) USS Wichita (LCS 13).

(4) USS Billings (LCS 15).

(5) USS Indianapolis (LCS 17).

(6) USS St. Louis (LCS 19).

(7) USS Germantown (LSD 42).

(8) USS Gunston Hall (LSD 44).

(9) USS Tortuga (LSD 46).

(10) USS Ashland (LSD 48).

(11) USNS Montford Point (T-ESD 1).

(12) USNS John Glenn (T-ESD 2).

#### Subtitle D—Counterterrorism

#### SEC. 1031. MODIFICATION AND EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1954), as most recently amended by section 1032 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended—

(1) by striking “December 31, 2022” and inserting “December 31, 2023”;

(2) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(3) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) Afghanistan.”.

#### SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1953), as most recently amended by section 1033 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “December 31, 2022” and inserting “December 31, 2023”.

**SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1954), as most recently amended by section 1034 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “December 31, 2022” and inserting “December 31, 2023”.

**SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 131 Stat. 1551), as most recently amended by section 1035 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1901), is further amended by striking “2022” and inserting “2023”.

**Subtitle E—Miscellaneous Authorities and Limitations**

**SEC. 1041. DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS DISCHARGE REVIEW BOARD COMMITTEE.**

(a) ESTABLISHMENT OF JOINT EXECUTIVE COMMITTEE.—

(1) IN GENERAL.—There is established an interagency committee to advise the Under Secretary of Defense for Personnel and Readiness and the Deputy Secretary of Veterans Affairs on matters relating to the review boards under section 1553 of title 10, United States Code.

(2) DESIGNATION.—The interagency committee established under paragraph (1) shall be known as the “Department of Defense-Department of Veterans Affairs Discharge Review Board Committee” (hereinafter in this section referred to as the “Committee”).

(b) MEMBERSHIP.—The Committee shall be composed of the following:

(1) The Under Secretary of Defense for Personnel and Readiness, the Assistant Secretary of Manpower and Reserve Affairs for each of the military services, and such other officers and employees of the Department of Defense as the Secretary of Defense may designate.

(2) The Deputy Secretary of Veterans Affairs and such other officers and employees of the Department of Veterans Affairs as the Secretary of Veterans Affairs may designate.

(c) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Under Secretary and the Deputy Secretary shall jointly determine the size and structure of the Committee, as well as the administrative and procedural guidelines for the operation of the Committee.

(2) SUBCOMMITTEES.—The Committee may establish subcommittees to assist the Committee in carrying out subsections (d) and (e), including the following:

(A) A subcommittee on outreach and education.

(B) A subcommittee on training for members of the review boards under section 1553 of title 10, United States Code.

(3) SUPPORT.—The Under Secretary and the Deputy Secretary shall jointly supply appropriate staff and resources to provide administrative support and services for the Committee. Support for such purposes shall be provided at a level that the Under Secretary and the Deputy Secretary jointly determine sufficient for the efficient operation of the Committee, including any subcommittees established under paragraph (2).

(d) RECOMMENDATIONS.—

(1) IN GENERAL.—The Committee shall provide the Secretary of Defense and the Secretary of Veterans Affairs with recommendations on the strategic direction for the joint coordination and sharing efforts between and within the Department of Defense and the Department of Veterans Affairs on matters regarding the review boards described in subsection (a)(1).

(2) ANNUAL REPORT.—Not less frequently than once each year, the Committee shall submit to the two Secretaries and to Congress an annual report containing such recommendations regarding the review boards described in subsection (a)(1) as the Committee considers appropriate.

(e) FUNCTIONS.—In order to enable the Committee to make recommendations in its annual report under subsection (c)(2), the Committee shall do the following:

(1) Review existing policies, procedures, and practices regarding reviews under section 1553 of title 10, United States Code, with respect to matters that pertain to the coordination and sharing of resources between the Department of Defense and the Department of Veterans Affairs.

(2) Identify changes in policies, procedures, and practices that, in the judgment of the Committee, would promote mutually beneficial coordination, use, or exchange of use of services and resources of the two Departments, with the goal of improving the quality, efficiency, and effectiveness of the review boards under section 1553 of such title for veterans, members of the Armed Forces, individuals who retired from service in the Armed Forces, and their families through an enhanced partnership between the two Departments.

(3) Identify and assess further opportunities for the coordination and collaboration between the Departments that, in the judgment of the Committee, would positively affect the review process under section 1553 of such title.

(4) Review the implementation of activities designed to promote the coordination and sharing of resources between the Departments for matters relating to the review process under section 1553 of such title.

(5) Identify and assess strategies, which either or both Departments may implement, that would increase outreach to former members of the Armed Forces described in subsection (d)(3)(B) of section 1553 of such title who may qualify for relief under such section.

**SEC. 1042. MODIFICATION OF PROVISIONS RELATING TO CROSS-FUNCTIONAL TEAM FOR EMERGING THREAT RELATING TO ANOMALOUS HEALTH INCIDENTS.**

Section 910 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 111 note) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “and any other” and all that follows through “necessary; and” and inserting “, including the causation, attribution, mitigation, identification, and treatment for such incidents;”;

(B) in paragraph (2)—

(i) by inserting “and deconflict” after “integrate”;

(ii) by striking “agency” and inserting “agencies”; and

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

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

“(3) any other efforts regarding such incidents that the Secretary considers appropriate.”; and

(2) in subsection (e)(2), by striking “90 days” and all that follows through “of enactment” and inserting “March 1, 2023, and not

less frequently than once every 180 days thereafter until March 1, 2026”.

**SEC. 1043. CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.**

(a) ESTABLISHMENT OF OFFICE FOR CIVILIAN CASUALTY PREVENTION, MITIGATION, AND RESPONSE.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 148. Office for Civilian Casualty Prevention, Mitigation, and Response**

“(a) ESTABLISHMENT.—The Secretary of Defense shall establish an office within the Department of Defense, to be known as the ‘Office for Civilian Casualty Prevention, Mitigation, and Response’ (in this section referred to as the ‘Office’), to serve as the focal point for matters related to civilian casualties and other forms of civilian harm resulting from military operations involving the United States Armed Forces.

“(b) RESPONSIBILITIES.—Subject to the authority, direction, and control of the Secretary, the Office shall be responsible for—

“(1) collecting data and reports of investigations related to civilian casualty incidents;

“(2) analyzing data and trends with respect to civilian casualties;

“(3) conducting regular reviews of civilian harm prevention, mitigation, and response policies and practices across the Department of Defense;

“(4) referring civilian casualty incidents for investigation by appropriate components within the Department of Defense, when necessary;

“(5) making recommendations to the Secretary and the Joint Chiefs of Staff to improve civilian harm prevention, mitigation, and response;

“(6) ensuring lessons learned from investigations of civilian casualty incidents are captured and institutionalized within policy, training, and tactics, techniques, and procedures of the Department of Defense;

“(7) coordinating and synchronizing efforts across combatant commands, the Department of State, and other relevant United States Government departments and agencies to prevent, mitigate, and respond to civilian casualty incidents;

“(8) engaging with nongovernmental organizations and civilian casualty experts; and

“(9) such other responsibilities as are directed by the Secretary.

“(c) DIRECTOR.—The head of the Office shall be the Director, who shall be appointed by the Secretary from among individuals qualified to serve as the Director who have significant experience and expertise relating to the protection of civilians.

“(d) ANALYSIS REQUIRED.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this section, the Office shall complete and submit to the Secretary an analysis of a representative sample of civilian casualty assessment reports and other reports of investigations of civilian casualty incidents on or after August 1, 2014—

“(A) to identify trends in civilian casualty incidents;

“(B) to identify factors contributing to civilian casualties;

“(C) to capture lessons learned from civilian casualty incidents; and

“(D) to evaluate the extent to which such lessons have been incorporated into policy, training, and tactics, techniques, and procedures of the Department of Defense.

“(2) RECOMMENDATIONS.—The analysis required by paragraph (1) shall include recommendations to the Secretary for improving civilian harm prevention, mitigation, and response.

“(e) SEMIANNUAL REPORTS.—Not later than 180 days after the date of the enactment of this section, and every 180 days thereafter until the date is 2 years after such date of enactment, the Director shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of recommendations included in—

“(1) the Civilian Casualty Review released by the Joint Staff in April 2018;

“(2) the independent assessment of Department of Defense standards, processes, procedures, and policy relating to civilian casualties resulting from United States military operations required by section 1721 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1809); and

“(3) the Civilian Harm Mitigation and Response Action Plan the Secretary of Defense directed to be developed on January 27, 2022.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

“148. Office for Civilian Casualty Prevention, Mitigation, and Response.”.

(b) LIMITATION ON USE OF FUNDS.—Of the amount authorized to be appropriated by section 301 for operation and maintenance, Defense-wide, and available as specified in the funding table in section 4301 for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary submits to the congressional defense committees the report required by section 1077 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3867) relating to civilian casualty resourcing and authorities.

**SEC. 1044. PROHIBITION ON DELEGATION OF AUTHORITY TO DESIGNATE FOREIGN PARTNER FORCES AS ELIGIBLE FOR THE PROVISION OF COLLECTIVE SELF-DEFENSE SUPPORT BY UNITED STATES ARMED FORCES.**

(a) PROHIBITION ON DELEGATION.—The authority to designate foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces may not be delegated below the Secretary of Defense.

(b) REVIEW.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall review existing designations of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces and provide the congressional defense committees a certification that such designations remain valid.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as invalidating a designation of foreign partner forces as eligible for the provision of collective self-defense support by the United States Armed Forces that is in effect as of the date of the enactment of this Act.

(d) COLLECTIVE SELF-DEFENSE DEFINED.—In this section, the term “collective self-defense” means the use of United States military force to defend designated foreign partner forces, their facilities, and their property.

**SEC. 1045. PERSONNEL SUPPORTING THE OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT.**

(a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for adequately staffing the Office of the Assistant Secretary of Defense for Special Oper-

ations and Low Intensity Conflict to fulfill the requirements of section 138(b)(2)(A)(i) of title 10, United States Code, for exercising authority, direction, and control of all special-operations peculiar administrative matters relating to the organization, training, and equipping of special operations forces.

(b) ADDITIONAL INFORMATION.—The Secretary shall ensure the plan required under subsection (a) is informed by the manpower study required by the Joint Explanatory Statement accompanying the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

(c) ELEMENTS.—The plan required under subsection (a) shall include the following elements:

(1) A validated number of personnel necessary to fulfill the responsibilities of the Secretariat for Special Operations outlined in section 139b of title 10, United States Code, and associated funding across the future years defense plan.

(2) A hiring plan with milestones for gradually increasing the number of required personnel.

(3) A breakdown of the optimal mix of required military, civilian, and contractor personnel.

(4) An analysis of the feasibility and advisability of assigning a member of the Senior Executive Service as the Deputy Director of the Secretariat for Special Operations.

(5) An identification of any anticipated funding shortfalls for personnel supporting the Secretariat for Special Operations across the future years defense plan.

(6) Any other matters the Secretary determines relevant.

**SEC. 1046. JOINT ALL DOMAIN COMMAND AND CONTROL.**

(a) DIRECTION AND CONTROL OF CROSS-FUNCTIONAL TEAM FOR JOINT ALL DOMAIN COMMAND AND CONTROL.—The cross-functional team (CFT) tasked with joint all domain command and control (JADC2) shall remain under the direction of the Director, Information, Command, Control, Communications and Computers (IC4) of the Joint Chiefs of Staff to ensure—

(1) close collaboration with the Joint Requirements Oversight Council, the combatant commands, and the military services regarding operational requirements and requirements satisfaction; and

(2) objective assessments and reporting to the Deputy Secretary of Defense and the Vice Chairman of the Joint Chiefs of Staff about Joint All Domain Command and Control implementation plan execution by offices of primary responsibility.

(b) DEMONSTRATIONS AND FIELDING OF EFFECTS CHAINS.—In support of the emphasis of the National Defense Strategy on adversary-specific deterrence postures, in support of actions that can be taken within the Future Years Defense Program focused on critical kill chains and integrated concepts of operation, in support of demonstrations and experimentation, and to achieve objectives of the joint all domain command and control strategy and implementation plan that was approved by the Deputy Secretary of Defense in the United States Indo-Pacific Command area of operations, the Deputy Secretary and the Vice Chairman of the Joint Chiefs of Staff shall take the following actions:

(1) In consultation with the Commander of United States Indo-Pacific Command (INDOPACOM)—

(A) identify a prioritized list of difficult mission-critical operational challenges specific to the area of operations of such command;

(B) design, using existing systems and capabilities and resource through the Office of Cost Analysis and Program Evaluation and the Management Action Group of the Deputy

Secretary, a series of multi-domain, multi-service and multi-agency, multi-platform, and multi-system end-to-end integrated kinetic and non-kinetic effects chains, including necessary battle management functions, to solve the operational challenges identified in subparagraph (A);

(C) using mission command principles of joint all domain command and control, demonstrate the ability to execute the integrated effects chains identified in subparagraph (B) in realistic conditions on a repeatable basis, including the ability to achieve interoperability among effects chain components that do not conform to common interface standards, including through the use of the System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) managed by the 350th Spectrum Warfare Wing of the Department of the Air Force; and

(D) create a plan to deploy the effects chains to the area of operations of United States Indo-Pacific Command and execute them at the scale and pace required to solve the identified operational challenges, including necessary logistics and sustainment capabilities.

(2) Designate the Commander of United States Indo-Pacific Command to serve as the transition partner for the integrated effects chains, and to maintain and exercise them as operational capabilities.

(3) Designate the Strategic Capabilities Office and such other organizations as the Deputy Secretary deems appropriate to be responsible for—

(A) composing and demonstrating the integrated effects chains under the mission management pilot program established by section 871 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81); and

(B) providing continuing support and sustainment for, and training and exercising of, the integrated effects chains under the operational command of the Commander of United States Indo-Pacific Command.

(4) Integrate the planning and demonstrations of the effects chains with—

(A) the Production, Exploitation, and Dissemination Center in United States Indo-Pacific Command;

(B) the Family of Integrated Targeting Cells; and

(C) the tactical dissemination and information sharing systems for the Armed Forces and allies of the United States, including the Mission Partner Environment and the Maven Smart System.

(c) PERFORMANCE GOALS.—The Deputy Secretary, the Vice Chairman, and the Commander shall seek to—

(1) demonstrate at least one new integrated effects chain on a quarterly basis, beginning with the third quarter of fiscal year 2023; and

(2) include such demonstrations, as feasible, in Valiant Shield, Northern Edge, the Large Scale Global Exercise, the quarterly Scarlet Dragon exercises, the Global Information Dominance Experiments (GIDE), and annual force exercises in the area of responsibility of United States Indo-Pacific Command.

(d) IMPLEMENTATION PLAN AND ESTABLISHMENT OF JOINT FORCE HEADQUARTERS.—

(1) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Commander, in consultation and coordination with the Deputy Secretary and the Vice Chairman, shall submit to the congressional defense committees an implementation plan for the establishment of a joint force headquarters to serve as an operational command, including for—

(A) integrating joint all domain command and control effects chains and mission command and control, including in conflicts that arise with minimal warning;

(B) integrating the capabilities of Assault Breaker II, developed by the Defense Advanced Research Projects Agency, and related developmental efforts as they transition to operational deployment;

(C) exercising other joint all domain command and control capabilities and functions; and

(D) such other missions and operational tasks as the Commander may assign.

(2) ELEMENTS.—The plan shall required by paragraph (1) shall include the following:

(A) A description of the operational chain of command of the joint force headquarters to be established.

(B) An identification of the manning and resourcing required for the joint force headquarters, relative to assigned missions, particularly the sources of personnel required.

(C) A description of the mission and lines of effort of the joint force headquarters.

(D) A description of the relationship with existing entities in United States Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(E) An identification of infrastructure required to support the joint force headquarters.

(F) Such other matters as the Commander considers appropriate.

(3) ESTABLISHMENT.—Not later than October 1, 2024, the Commander shall, in consultation and coordination with the Deputy Secretary and the Vice Chairman, establish a joint force headquarters as described in paragraph (1).

(e) SUPPORT FOR JOINT FORCE HEADQUARTERS.—The commander of the joint force headquarters established under subsection (d)(3) shall be supported by the United States Indo-Pacific Command subordinate unified commands, subordinate component commands, standing joint task force, and the military services.

(f) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until December 31, 2028, the Deputy Secretary and Vice Chairman, in coordination with the Commander of the United States Indo-Pacific Command, and the commander of the joint force headquarters established under subsection (d)(3), shall submit to the congressional defense committees an annual report on such joint force headquarters.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A description of the mission and lines of effort of the joint force headquarters.

(B) An accounting of the personnel and other resources supporting the joint force headquarters, including support external to the headquarters.

(C) A description of the operational chain of command of the joint force headquarters.

(D) An assessment of the manning and resourcing of the joint force headquarters, relative to assigned missions.

(E) A description of the relationship with existing entities in Indo-Pacific Command, including an assessment of complementary and duplicative activities with such entities and the joint force headquarters.

(3) FORM.—Each report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) DEFINITIONS.—In this section:

(1) The term “Family of Integrated Targeting Cells” means the Maritime Targeting Cell-Afloat, the Maritime Targeting Cell-Expeditionary, the Tactical Intelligence Targeting Access Node, and other interoperable tactical ground stations able to task the collection of, receive, process, and disseminate track and targeting information from many sensing systems in austere communications conditions.

(2) The term “joint all domain command and control” means the warfighting capability to sense, make sense, and act at all levels and phases of war, across all domains, and with partners, to deliver information advantage at the speed of relevance.

(3) The term “mission command” means pre-determined, pre-approved, operational event-driven authorities and capabilities that ensure decentralized mission execution and operational effectiveness during situations where communications are denied, disconnected, intermittent, and limited.

**SEC. 1047. EXTENSION OF ADMISSION TO GUAM OR THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN NONIMMIGRANT H-2B WORKERS.**

Section 6(b)(1)(B) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America’, and for other purposes”, approved March 24, 1976 (48 U.S.C. 1806(b)(1)(B)), is amended, in the matter preceding clause (i), by striking “December 31, 2023” and inserting “December 31, 2029”.

**SEC. 1048. DEPARTMENT OF DEFENSE SUPPORT FOR CIVIL AUTHORITIES TO ADDRESS THE ILLEGAL IMMIGRATION CRISIS AT THE SOUTHWEST BORDER.**

(a) FINDINGS.—Congress finds the following:

(1) The Department of Defense has provided critical support to U.S. Customs and Border Protection along the southwest border.

(2) The Department of Defense’s presence along the southwest border assisted U.S. Customs and Border Protection in deterring illegal crossings at the southwest border.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Department of Defense personnel have provided outstanding support to U.S. Customs and Border Protection along the southwest border; and

(2) the Department of Defense’s Support of Civil Authority Mission has significantly contributed to mitigating the impact of the current security challenges along the southwest border of the United States.

(c) QUARTERLY BRIEFINGS.—Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter through December 31, 2024, the Undersecretary of Defense for Policy shall provide an unclassified briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, with a classified component, if necessary, regarding—

(1) Department of Defense planning to address current and anticipated border support mission requirements as part of the Department of Defense’s annual planning, programming, budgeting, and execution process;

(2) the security situation along the southwest border of the United States;

(3) any Department of Defense efforts, or updates to existing efforts, to cooperate with Mexico with respect to border security;

(4) the type of support that is currently being provided by the Department of Defense along the southwest border of the United States;

(5) the impact of such efforts and support on National Guard readiness; and

(6) any recommendations for whether the southwest border mission of the Department of Defense should be expanded to respond to the security situation referred to in paragraph (2).

**SEC. 1049. DEPARTMENT OF DEFENSE SUPPORT FOR FUNERALS AND MEMORIAL EVENTS FOR MEMBERS AND FORMER MEMBERS OF CONGRESS.**

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by inserting after section 130 the following new section:

**“§ 130a. Department of Defense support for funerals and related memorial events for Members and former Members of Congress**

“(a) SUPPORT FOR FUNERALS.—The Secretary of Defense may provide such support as the Secretary considers appropriate for the funeral or related memorial events of a Member or former Member of Congress, including support with respect to transportation to and from the funeral or other memorial events, in accordance with this section.

“(b) REQUESTS FOR SUPPORT; SECRETARY DETERMINATION.—The Secretary may provide support under this section—

“(1) upon request from the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, or the Minority Leader of the Senate; or

“(2) if the Secretary determines such support is necessary to carry out duties or responsibilities of the Department of Defense.

“(c) USE OF FUNDS.—The Secretary may use funds authorized to be appropriated for operations and maintenance to provide support under this section.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 130 the following new item:

“130a. Department of Defense support for funerals and memorial events for Members and former Members of Congress.”

**SEC. 1050. EXPANSION OF ELIGIBILITY FOR DIRECT ACCEPTANCE OF GIFTS BY MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE AND COAST GUARD EMPLOYEES AND THEIR FAMILIES.**

Section 2601a of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking “; or” and inserting a semicolon;

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

“(3) that results in enrollment in a Warriors in Transition program, as defined in section 738(e) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1071 note); or”;

(2) in subsection (c), by striking “or (3)” and inserting “, (3), or (4)”.

**SEC. 1051. TECHNICAL AMENDMENTS RELATED TO RECENTLY ENACTED COMMISSIONS.**

(a) ASSISTANCE FROM DEPARTMENT OF DEFENSE.—The Department of Defense may provide to each covered commission on a reimbursable basis such services, funds, facilities, staff, and other support services as necessary for the performance of such commission’s functions, at the request of such commission, and amounts may be paid to a covered commission for the purposes of funding such commission from amounts appropriated to the Department of Defense, as provided in advance in appropriations Acts.

(b) COVERED COMMISSION DEFINED.—In this section, the term “covered commission”

means a commission established pursuant to the following sections of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81):

(1) Section 1004 (Commission on Planning, Programming, Budgeting, and Execution Reform).

(2) section 1091 (National Security Commission on Emerging Biotechnology).

(3) section 1094 (Afghanistan War Commission).

(4) section 1095 (Commission on the National Defense Strategy).

(5) section 1687 (Congressional Commission on the Strategic Posture of the United States).

#### Subtitle F—Studies and Reports

##### SEC. 1061. SUBMISSION OF NATIONAL DEFENSE STRATEGY IN CLASSIFIED AND UNCLASSIFIED FORM.

Section 113(g)(1)(D) of title 10, United States Code, is amended by striking “in classified form with an unclassified summary.” and inserting “in both classified and unclassified form. The unclassified form may not be a summary of the classified document.”.

##### SEC. 1062. REPORT ON IMPACT OF CERTAIN ETHICS REQUIREMENTS ON DEPARTMENT OF DEFENSE HIRING, RETENTION, AND OPERATIONS.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center to conduct a study assessing whether the statutory ethics requirements unique to the Department of Defense and as set forth in paragraph (3) have had an impact on the hiring or retention of personnel at the Department of Defense, particularly those with specialized experience or training.

(2) ELEMENTS.—The study required under paragraph (1) shall include the following elements:

(A) An examination of how the statutory ethics requirements set forth in paragraph (3) are inconsistent or incongruent with ethics statutes that apply to all executive branch employees.

(B) An examination of how the statutory ethics requirements set forth in paragraph (3) have impacted hiring and retention of personnel, particularly those with specialized experience or training, at the Department of Defense in comparison to other executive branch agencies not subject to such requirements.

(C) An examination of how any confusion in the interpretation of the statutory ethics requirements set forth in paragraph (3)(B) may have impacted the hiring or retention of personnel, particularly those with specialized experience or training, at the Department of Defense.

(D) An examination of how the statutory restrictions set forth in subparagraphs (B) and (C) of paragraph (3) may impact the ability of the Department of Defense to obtain expertise from industry and other groups in support of technology development, supply chain security, and other national security matters.

(E) Any suggested changes to the statutory ethics requirements set forth in paragraph (3) to further the goals behind the requirements while also supporting the Department of Defense’s ability to hire and retain personnel, and obtain expertise from academia, think tanks, industry, and other groups to support national security.

(3) COVERED ETHICS REQUIREMENTS.—The ethics requirements referred to in paragraph (1) are the following provisions of law:

(A) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 10 U.S.C. 1701 note).

(B) Section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 971 note prec.).

(C) Section 1117 of the National Defense Authorization Act for Fiscal Year 2022 (10 U.S.C. 971 note prec.).

(D) Section 988 of title 10, United States Code.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the federally funded research and development center with which the Secretary contracts under subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(2) TRANSMITTAL TO CONGRESS.—Not later than 30 days after the Secretary receives the report under paragraph (1), the Secretary shall transmit a copy of the report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

##### SEC. 1063. EXTENSION OF CERTAIN REPORTING DEADLINES.

(a) COMMISSION ON PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION REFORM.—Section 1004(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1886) is amended—

(1) in paragraph (1), by striking “February 6, 2023” and inserting “August 6, 2023”; and

(2) in paragraph (2), by striking “September 1, 2023” and inserting “March 1, 2024”.

(b) NATIONAL SECURITY COMMISSION ON EMERGING BIOTECHNOLOGY.—Section 1091(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1931) is amended—

(1) in paragraph (1), by striking “2 years after” and inserting “2 years and 6 months after”; and

(2) in paragraph (2), by striking “1 year after” and inserting “1 year and 6 months after”.

(c) COMMISSION ON THE NATIONAL DEFENSE STRATEGY.—Section 1095(g) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1945) is amended—

(1) in paragraph (1), by striking “one year after” and inserting “one year and 6 months after”; and

(2) in paragraph (2), by striking “180 days after” and inserting “one year after”.

(d) CONGRESSIONAL COMMISSION ON THE STRATEGIC POSTURE OF THE UNITED STATES.—Section 1687(d) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 2128) is amended—

(1) in paragraph (1), by striking “December 31, 2022” and inserting “June 30, 2023”; and

(2) in paragraph (3), by striking “180 days after” and inserting “one year after”.

#### Subtitle G—Other Matters

##### SEC. 1071. ANNUAL RISK ASSESSMENT.

Section 222a of title 10, United States Code, is amended—

(1) in the section heading, by inserting “and risk assessment” after “priorities”;

(2) in subsection (a), by inserting “and risk assessment” after “priorities”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “ELEMENTS” and inserting “UNFUNDED PRIORITY REPORT ELEMENTS”;

(B) by striking “report under this subsection” and inserting “unfunded priority report required under subsection (a)”;

(4) by redesignating subsection (d) as subsection (e); and

(5) by inserting after subsection (c) the following new subsection:

“(d) RISK ASSESSMENT ELEMENTS.—Each risk assessment required under subsection (a) shall specify, in writing, the following:

“(1) An assessment of the risks associated with the most current National Military Strategy (or update) under section 153(b)(1) of this title.

“(2) Any changes to the strategic environment, threats, objectives, force planning and sizing constructs, assessments, and assumptions.

“(3) Military strategic risks to United States interests and military risks in executing the National Military Strategy (or update).

“(4) Identification and definition of levels of risk, including an identification of what constitutes ‘significant’ risk in the judgment of the officer.

“(5) Identification and assessment of risk in the National Military Strategy (or update) by category and level and the ways in which risk might manifest itself, including how risk is projected to increase, decrease, or remain stable over time.

“(6) For each category of risk, an assessment of the extent to which current or future risk increases, decreases, or is stable as a result of budgetary priorities, tradeoffs, or fiscal constraints or limitations as currently estimated and applied in the current future-years defense program under section 221 of this title.

“(7) Identification and assessment of risks associated with the assumptions or plans of the National Military Strategy (or update) about the contributions of external support, as appropriate.

“(8) Identification and assessment of the critical deficiencies and strengths in force capabilities (including manpower, logistics, intelligence, and mobility support) and identification and assessment of the effect of such deficiencies and strengths for the National Military Strategy (or update).

“(9) Identification and assessment of risk resulting from, or likely to result from, current or projected effects on military installation resilience.”.

##### SEC. 1072. JOINT CONCEPT FOR COMPETING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop a Joint Concept for Competing.

(b) PURPOSES.—The purposes of the Joint Concept for Competing are to—

(1) define the role of the United States Armed Forces in long-term strategic competition with specific adversaries;

(2) conceptualize the campaigning of Department of Defense joint forces and employment of capabilities to eliminate opportunities for adversary aggression during day-to-day competition, deter adversary military action, and set conditions for victory during sustained conflict;

(3) describe the manner in which the Department of Defense will utilize its forces, capabilities, posture, indications and warning systems, and authorities to protect United States national interests, including integration with other instruments of national power and through security cooperation with partners and allies and operations, particularly below the threshold of traditional armed conflict;

(4) identify priority lines of effort and assign responsibility to relevant military services, combatant commands, and other elements of the Department of Defense for each specified line of effort in support of the Joint Concept for Competing; and

(5) provide a means for integrating and continuously improving the Department’s ability to engage in long-term strategic competition.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for 2 years, the

Secretary of Defense shall provide a report to the congressional defense committees on the implementation of the Joint Concept for Competing.

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) A detailed description of actions taken by the Department of Defense relative to the purposes specified under subsection (b).

(B) An articulation of any new concepts or strategies necessary to support the Joint Concept for Competing.

(C) An articulation of any capabilities, resources, or authorities necessary to implement the Joint Concept for Competing.

(D) An explanation of the manner in which the Joint Concept for Competing relates to and integrates with the Joint Warfighting Concept.

(E) An explanation of the manner in which the Joint Concept for Competing synchronizes and integrates with efforts of other departments and agencies of the United States Government to address long-term strategic competition.

(F) Any other matters the Secretary of Defense determines relevant.

**SEC. 1073. PRIORITIZATION AND ACCELERATION OF INVESTMENTS TO ATTAIN THREAT MATRIX FRAMEWORK LEVEL 4 CAPABILITY AT TRAINING RANGES SUPPORTING F-35 OPERATIONS.**

(a) SENSE OF CONGRESS.—It is the sense of the Senate that—

(1) the Air Force must train to fight and win in highly contested and competitive environments against technologically advanced adversaries;

(2) in order for the Air Force to be proficient in tactics, techniques, and procedures and effectively execute at an operational level, the Air Force must train in an accurately replicated multi-domain environment for joint operations;

(3) the Air Force can emulate only a fraction of existing and emerging threats to a level suitable for advanced sensors and cannot provide a contested or degraded environment with the threats available at the two major training ranges of the Air Force; and

(4) since the Secretary of the Air Force says the Air Force cannot afford to allocate advanced capabilities across all ranges, the Air Force must prioritize developments and upgrades for ranges to ensure that one or more ranges have a complete suite of capability to conduct advanced F-35 training.

(b) UPGRADE OF FACILITIES.—

(1) IN GENERAL.—The Secretary of the Air Force shall prioritize and accelerate investments to develop and upgrade one or more ranges to attain threat matrix framework level 4 capability, such as peer capability, by not later than fiscal year 2026.

(2) ELEMENTS.—In carrying out paragraph (1), the Secretary of the Air Force shall prioritize—

(A) advanced radar threat systems;

(B) live mission operations capability common architecture;

(C) infrastructure, including roads, site preparation, secure facilities, power and communications infrastructure, and modernized range operations centers;

(D) advanced integrated air defense systems;

(E) air combat maneuvering instrumentation modernization;

(F) global positioning system jamming suites;

(G) contested-degraded operations jamming suites;

(H) higher fidelity targets with more advanced characteristics;

(I) modernized weapons scoring systems; and

(J) secure, live-virtual-constructive advanced air combat training systems.

**SEC. 1074. MODIFICATION OF ARCTIC SECURITY INITIATIVE.**

Section 1090(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81) is amended—

(1) in subparagraph (A), by striking “the Secretary may” and inserting “the Secretary shall”; and

(2) in subparagraph (B)(i), by striking “If the Initiative is established” and inserting “On the establishment of the Initiative”.

**SEC. 1075. PILOT PROGRAM ON SAFE STORAGE OF PERSONALLY OWNED FIREARMS.**

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to promote the safe storage of personally owned firearms.

(b) ELEMENTS.—Under the pilot program under subsection (a), the Secretary of Defense shall furnish to members of the Armed Forces who are participating in the pilot program at military installations selected under subsection (e) locking devices or firearm safes, or both, for the purpose of securing personally owned firearms when not in use (including by directly providing, subsidizing, or otherwise making available such devices or safes).

(c) PARTICIPATION.—

(1) VOLUNTARY PARTICIPATION.—Participation by members of the Armed Forces in the pilot program under subsection (a) shall be on a voluntary basis.

(2) LOCATION OF PARTICIPANTS.—A member of the Armed Forces may participate in the pilot program under subsection (a) carried out at a military installation selected under subsection (e) regardless of whether the member resides at the military installation.

(d) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for the implementation of the pilot program under subsection (a).

(e) SELECTION OF INSTALLATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall select not fewer than five military installations at which to carry out the pilot program under subsection (a).

(f) EFFECT ON EXISTING POLICIES.—Nothing in this section shall be construed to circumvent or undermine any existing safe storage policies, laws, or regulations on military installations.

(g) REPORT.—Upon the termination under subsection (f) of the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report containing the following information:

(1) The number and type of locking devices and firearm safes furnished to members of the Armed Forces under the pilot program.

(2) The cost of carrying out the pilot program.

(3) An analysis of the effect of the pilot program on suicide prevention.

(4) Such other information as the Secretary may determine appropriate, which shall exclude any personally identifiable information about participants in the pilot program.

(h) TERMINATION.—The pilot program under subsection (a) shall terminate on the date that is six years after the date of the enactment of this Act.

**SEC. 1076. SENSE OF THE SENATE ON REDESIGNATION OF THE AFRICA CENTER FOR STRATEGIC STUDIES AS THE JAMES M. INHOFE CENTER FOR AFRICA STRATEGIC STUDIES.**

It is the sense of the Senate that—

(1) Senator James M. Inhofe—

(A) has, during his more than three decades of service in the United States Congress—

(i) demonstrated a profound commitment to strengthening United States-Africa relations; and

(ii) been one of the foremost leaders in Congress on matters related to United States-Africa relations;

(B) was a key advocate for the establishment of United States Africa Command; and

(C) has conducted 170 visits to countries in Africa; and

(2) as a recognition of Senator Inhofe's long history of engaging with, and advocating for, Africa, the Department of Defense Africa Center for Strategic Studies should be renamed the James M. Inhofe Center for Africa Strategic Studies.

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

**SEC. 1101. ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.**

Section 3304 of title 5, United States Code, is amended by adding at the end the following:

“(g) ELIGIBILITY OF DEPARTMENT OF DEFENSE EMPLOYEES IN TIME-LIMITED APPOINTMENTS TO COMPETE FOR PERMANENT APPOINTMENTS.—

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘Department’ means the Department of Defense; and

“(B) the term ‘time-limited appointment’ means a temporary or term appointment in the competitive service.

“(2) ELIGIBILITY.—Notwithstanding any other provision of this chapter or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of the Department serving under a time-limited appointment is eligible to compete for a permanent appointment in the competitive service when the Department is accepting applications from individuals within its own workforce, or from individuals outside its own workforce, under merit promotion procedures, if—

“(A) the employee was appointed initially under open, competitive examination under subchapter I of this chapter to the time-limited appointment;

“(B) the employee has served under 1 or more time-limited appointments within the Department for a period or periods totaling more than 2 years without a break of 2 or more years; and

“(C) the employee's performance has been at an acceptable level of performance throughout the period or periods referred to in subparagraph (B).

“(3) CAREER-CONDITIONAL STATUS; COMPETITIVE STATUS.—An individual appointed to a permanent position under this section—

“(A) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

“(B) acquires competitive status upon appointment.

“(4) FORMER EMPLOYEES.—If the Department is accepting applications as described in paragraph (2), a former employee of the Department who served under a time-limited appointment and who otherwise meets the requirements of this section shall be eligible to compete for a permanent position in the competitive service under this section if—

“(A) the employee applies for a position covered by this section not later than 2 years after the most recent date of separation; and

“(B) the employee's most recent separation was for reasons other than misconduct or performance.



“(5) REGULATIONS.—The Office of Personnel Management shall prescribe regulations necessary for the administration of this subsection.”.

**SEC. 1102. EMPLOYMENT AUTHORITY FOR CIVILIAN FACULTY AT CERTAIN MILITARY DEPARTMENT SCHOOLS.**

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

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

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

(B) by striking subsection (c).

(2) CONFORMING AMENDMENTS.—

(A) SECTION HEADING.—The heading of such section is amended to read as follows:

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

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

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

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

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

**SEC. 1103. EMPLOYMENT AND COMPENSATION OF CIVILIAN FACULTY MEMBERS AT INTER-AMERICAN DEFENSE COLLEGE.**

(a) IN GENERAL.—Subsection (c) of section 1595 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(9) The United States Element of the Inter-American Defense College.”.

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

(1) in subsection (a), by striking “institutions” and inserting “organizations”; and

(2) in subsection (c)—

(A) in the subsection heading, by striking “INSTITUTIONS” and inserting “ORGANIZATIONS”; and

(B) in the matter preceding paragraph (1), by striking “institutions” and inserting “organizations”.

**SEC. 1104. MODIFICATION TO PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.**

Section 4092 of title 10, United States Code, is amended—

(1) in subsection (a)(8), in the second sentence, by striking “December 31, 2025” and inserting “December 31, 2030”; and

(2) in subsection (b)—

(A) in paragraph (1)(H)—

(i) by striking “10 positions” and inserting “15 positions”; and

(ii) by striking “3 such positions” and inserting “5 such positions”; and

(B) in paragraph (2)(A)—

(i) in the matter preceding clause (i), by striking “paragraph (1)(B)” and inserting “subparagraphs (B) and (H) of paragraph (1)”; and

(ii) in clause (i)—

(I) by striking “to any of” and inserting “to any of the”; and

(II) by inserting “and any of the 5 positions designated by the Director of the Space Development Agency” after “Projects Agency”; and

(iii) in clause (ii), by striking “the Director” and inserting “the Director of the Defense Advanced Research Projects Agency or the Director of the Space Development Agency”; and

(3) in subsection (c)(2), by inserting “the Space Development Agency,” after “Intelligence Center.”.

**SEC. 1105. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.**

(a) IN GENERAL.—Chapter 303 of title 10, United States Code, is amended by inserting after section 4093 the following new section:

“§ 4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories

“(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

“(b) APPROVAL REQUIRED.—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

“(c) POSITIONS.—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

“(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

“(2) are critical to the successful accomplishment of an important research or technology development mission.

“(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

“(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

“(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

“(e) LIMITATIONS.—

“(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

“(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time, unless the Under Secretary of Defense for Research and Engineering, in concurrence with the Secretaries of the military departments concerned, authorizes the transfer of positions from one military department to another.

“(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

“(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term ‘science and technology reinvention laboratories of the Department of Defense’ means the laboratories designated as science and technology reinvention laboratories by section 4121(b) of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of such title is amended by inserting after the item relating to section 4093 the following new item:

“4094. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.”.

**SEC. 1106. MODIFICATION AND EXTENSION OF PILOT PROGRAM ON DYNAMIC SHAPING OF THE WORKFORCE TO IMPROVE THE TECHNICAL SKILLS AND EXPERTISE AT CERTAIN DEPARTMENT OF DEFENSE LABORATORIES.**

(a) REPEAL OF OBSOLETE PROVISION.—Section 1109(b)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended by striking subparagraph (D).

(b) EXTENSION OF AUTHORITY.—Section 1109(d)(1) of such Act is amended by striking “December 31, 2023” and inserting “December 31, 2027”.

**SEC. 1107. MODIFICATION OF EFFECTIVE DATE OF REPEAL OF TWO-YEAR PROBATIONARY PERIOD FOR EMPLOYEES.**

Section 1106 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1950) is amended—

(1) in subsection (a)(1), by striking “December 31, 2022” and inserting “December 31, 2024”; and

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

“(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on December 31, 2024.”.

**SEC. 1108. MODIFICATION AND EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.**

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1112 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1953), is further amended—

(1) by striking “that is in the area of responsibility” and all that follows through “United States Africa Command.”; and

(2) by striking “through 2022” and inserting “through 2023”.

**SEC. 1109. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.**

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1114 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat. 1954), is further amended by striking “2023” and inserting “2024”.

**SEC. 1110. MODIFICATION OF TEMPORARY EXPANSION OF AUTHORITY FOR NON-COMPETITIVE APPOINTMENTS OF MILITARY SPOUSES BY FEDERAL AGENCIES.**

(a) EXTENSION OF SUNSET.—Subsection (e) of section 573 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 3330d note) is amended, in the matter preceding paragraph (1), by striking “the date that is 5 years after the date of the enactment of this Act” and inserting “December 31, 2028”.

(b) REPEAL OF OPM LIMITATION AND REPORTS.—Subsection (d) of such section is repealed.

**SEC. 1111. DEPARTMENT OF DEFENSE CYBER AND DIGITAL SERVICE ACADEMY.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of Homeland Security and the Director of the Office of Personnel and Management, shall establish a program to provide financial support for pursuit of programs of education at institutions of high education in covered disciplines.

(2) COVERED DISCIPLINES.—For purposes of the Program, a covered discipline is a discipline that the Secretary of Defense determines is critically needed and is cyber- or digital technology-related, including the following:

- (A) Computer-related arts and sciences.
- (B) Cyber-related engineering.
- (C) Cyber-related law and policy.
- (D) Applied analytics related sciences, data management, and digital engineering, including artificial intelligence and machine learning.

(E) Such other disciplines relating to cyber, cybersecurity, digital technology, or supporting functions as the Secretary of Defense considers appropriate.

(3) DESIGNATION.—The program established under paragraph (1) shall be known as the “Department of Defense Cyber and Digital Service Academy” (in this section the “Program”).

(b) PROGRAM DESCRIPTION AND COMPONENTS.—The Program shall—

(1) provide scholarships through institutions of higher education to students who are enrolled in programs of education at such institutions leading to degrees or specialized program certifications in covered disciplines; and

(2) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section.

(c) SCHOLARSHIP AMOUNTS.—

(1) AMOUNT OF ASSISTANCE.—(A) Each scholarship under the Program shall be in such amount as the Secretary determines necessary—

(i) to pay all educational expenses incurred by that person, including tuition, fees, cost of books, and laboratory expenses, for the pursuit of the program of education for which the assistance is provided under the Program; and

(ii) to provide a stipend for room and board.

(B) The Secretary shall ensure that expenses paid are limited to those educational expenses normally incurred by students at the institution of higher education involved.

(2) SUPPORT FOR INTERNSHIP ACTIVITIES.—The financial assistance for a person under this section may also be provided to support internship activities of the person in the Department of Defense and combat support agencies in periods between the academic years leading to the degree or specialized program certification for which assistance is provided the person under the Program.

(3) PERIOD OF SUPPORT.—Each scholarship under the Program shall be for not more than 5 years.

(4) ADDITIONAL STIPEND.—Students demonstrating financial need, as determined by the Secretary, may be provided with an additional stipend under the Program.

(d) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the Program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student’s degree or specialized program certification, in the cyber- and digital technology-related missions of the Department, in accordance with the terms and conditions specified by

the Secretary in regulations the Secretary shall promulgate to carry out this subsection.

(e) HIRING AUTHORITY.—In carrying out this section, specifically with respect to enforcing the obligations and conditions of employment under subsection (d), the Secretary may use any authority otherwise available to the Secretary for the recruitment, employment, and retention of civilian personnel within the Department, including authority under section 1599f of title 10, United States Code.

(f) ELIGIBILITY.—To be eligible to receive a scholarship under the Program, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in improving the security of information technology or advancing the development and application of digital technology;

(3) have demonstrated a high level of competency in relevant knowledge, skills, and abilities, as defined by the national cybersecurity awareness and education program under section 303 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7443);

(4) be a full-time student, or have been accepted as a full-time student, in a program leading to a degree or specialized program certification in a covered discipline at an institution of higher education;

(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

(6) accept and acknowledge the conditions of support under section (g); and

(7) meet such other requirements for a scholarship as determined appropriate by the Secretary.

(g) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the Office of Personnel Management (in coordination with the Department of Defense) and the institutions of higher education described in subsection (a)(1) with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under the Program shall be liable to the United States as provided in subsection (i) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Secretary;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the Program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section;

(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

(F) fails to fulfill the requirements of paragraph (1).

(h) MONITORING COMPLIANCE.—As a condition of participating in the Program, an institution of higher education shall—

(1) enter into an agreement with the Secretary to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Secretary and the Director of the Office of Personnel Management, on an annual basis, the post-award employment documentation required under subsection (g)(1) for scholarship recipients through the completion of their post-award employment obligations.

(i) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (g)(2) occurs before the completion of 1 year of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program shall be considered a debt to the Government and repaid in its entirety.

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (g)(2) occurs after the completion of 1 or more years of a post-award employment obligation under the Program, the total amount of scholarship awards received by the individual under the Program, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall be considered a debt to the Government and repaid in accordance with subsection (j).

(j) REPAYMENTS.—A debt described subsection (i) shall be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this subsection.

(k) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under the Program, the institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient, the Secretary, and the Director of the Office of Personnel Management of the amounts owed; and

(B) collect the repayment amounts within a period of time as determined by the Secretary.

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—An institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Secretary shall establish a single, fixed percentage that will apply to all eligible entities.

(l) PUBLIC INFORMATION.—

(1) EVALUATION.—The Secretary, in coordination with the Director of the Office of Personnel Management, shall periodically evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under the Program and on hiring and retaining those individuals in the Department of Defense workforce, including information on—

(A) placement rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under this section;

(D) how long after graduation students are placed;

(E) how long students stay in the positions they enter upon graduation;

(F) how many students are released from obligations; and

(G) what, if any, remedial training is required.

(2) REPORTS.—The Secretary, in consultation with the Office of Personnel Management, shall submit, not less frequently than once every two years, to Congress a report, including—

(A) the results of the evaluation under paragraph (1);

(B) the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and

(C) any recent statistics regarding the size, composition, and educational requirements of the relevant Department of Defense workforce.

(3) **RESOURCES.**—The Secretary, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities relating to covered disciplines; and

(B) a modernized description of careers in covered disciplines.

(m) **ALLOCATION OF FUNDING.**—

(1) **IN GENERAL.**—Not less than 50 percent of the amount available for financial assistance under this section for a fiscal year shall be available only for providing financial assistance for the pursuit of programs of education referred to in subsection (b)(1) at institutions of higher education that have established, improved, or are administering programs of education in disciplines under the grant program established in section 2200b of title 10, United States Code, as determined by the Secretary.

(2) **ASSOCIATE DEGREES.**—Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).

(n) **BOARD OF DIRECTORS.**—In order to help identify workforce needs and trends relevant to the Program, the Secretary may establish a board of directors for the Program that consists of representatives of Federal departments and agencies.

(o) **COMMENCEMENT OF PROGRAM.**—The Secretary shall commence the Program as early as practicable, with the first scholarships awarded under the Program for the academic year beginning no later than the Fall semester of 2024.

#### **SEC. 1112. CIVILIAN CYBERSECURITY RESERVE PILOT PROJECT.**

(a) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Armed Services of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Armed Services of the House of Representatives.

(2) **COMPETITIVE SERVICE.**—The term “competitive service” has the meaning given the term in section 2102 of title 5, United States Code.

(3) **EXCEPTED SERVICE.**—The term “excepted service” has the meaning given the term in section 2103 of title 5, United States Code.

(4) **SIGNIFICANT INCIDENT.**—The term “significant incident”—

(A) means an incident or a group of related incidents that results, or is likely to result, in demonstrable harm to—

(i) the national security interests, foreign relations, or economy of the United States; or

(ii) the public confidence, civil liberties, or public health and safety of the people of the United States; and

(B) does not include an incident or a portion of a group of related incidents that occurs on—

(i) a national security system, as defined in section 3552 of title 44, United States Code; or

(ii) an information system described in paragraph (2) or (3) of section 3553(e) of title 44, United States Code.

(5) **TEMPORARY POSITION.**—The term “temporary position” means a position in the competitive or excepted service for a period of 180 days or less.

(6) **UNIFORMED SERVICES.**—The term “uniformed services” has the meaning given the term in section 2101 of title 5, United States Code.

(b) **PILOT PROJECT.**—

(1) **IN GENERAL.**—The Secretary of the Army shall carry out a pilot project to establish a Civilian Cybersecurity Reserve.

(2) **PURPOSE.**—The purpose of the Civilian Cybersecurity Reserve is to enable the Army to provide manpower to the cyberspace operations forces of the United States Cyber Command to effectively respond to significant incidents.

(3) **ALTERNATIVE METHODS.**—Consistent with section 4703 of title 5, United States Code, in carrying out the pilot project required under paragraph (1), the Secretary may, without further authorization from the Office of Personnel Management, provide for alternative methods of—

(A) establishing qualifications requirements for recruitment of, and appointment to positions; and

(B) classifying positions.

(4) **APPOINTMENTS.**—Under the pilot project required under paragraph (1), upon occurrence of a significant incident, the Secretary—

(A) may activate members of the Civilian Cybersecurity Reserve by—

(i) noncompetitively appointing members of the Civilian Cybersecurity Reserve to temporary positions in the competitive service; or

(ii) appointing members of the Civilian Cybersecurity Reserve to temporary positions in the excepted service;

(B) shall notify Congress whenever a member is activated under subparagraph (A); and

(C) may appoint not more than 50 members to the Civilian Cybersecurity Reserve under subparagraph (A) at any time.

(5) **STATUS AS EMPLOYEES.**—An individual appointed under paragraph (4) shall be considered a Federal civil service employee under section 2105 of title 5, United States Code.

(6) **ADDITIONAL EMPLOYEES.**—Individuals appointed under paragraph (4) shall be in addition to any employees of the United States Cyber Command who provide cybersecurity services.

(7) **EMPLOYMENT PROTECTIONS.**—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and non-discrimination in reemployment of individuals appointed under paragraph (4), provided that such regulations shall include, at a minimum, those rights and obligations set forth under chapter 43 of title 38, United States Code.

(8) **STATUS IN RESERVE.**—During the period beginning on the date on which an individual is recruited to serve in the Civilian Cybersecurity Reserve and ending on the date on which the individual is appointed under paragraph (4), and during any period in between any such appointments, the individual shall not be considered a Federal employee.

(c) **ELIGIBILITY; APPLICATION AND SELECTION.**—

(1) **IN GENERAL.**—Under the pilot project required under subsection (b)(1), the Secretary of the Army shall establish criteria for—

(A) individuals to be eligible for the Civilian Cybersecurity Reserve; and

(B) the application and selection processes for the Civilian Cybersecurity Reserve.

(2) **REQUIREMENTS FOR INDIVIDUALS.**—The criteria established under paragraph (1)(A) with respect to an individual shall include—

(A) if the individual has previously served as a member of the Civilian Cybersecurity Reserve, that the previous appointment ended not less than 60 days before the individual may be appointed for a subsequent temporary position in the Civilian Cybersecurity Reserve; and

(B) cybersecurity expertise.

(3) **PRESCREENING.**—The Secretary shall—

(A) conduct a prescreening of each individual prior to appointment under subsection (b)(4) for any topic or product that would create a conflict of interest; and

(B) require each individual appointed under subsection (b)(4) to notify the Secretary if a potential conflict of interest arises during the appointment.

(4) **AGREEMENT REQUIRED.**—An individual may become a member of the Civilian Cybersecurity Reserve only if the individual enters into an agreement with the Secretary to become such a member, which shall set forth the rights and obligations of the individual and the Army.

(5) **EXCEPTION FOR CONTINUING MILITARY SERVICE COMMITMENTS.**—A member of the Selected Reserve under section 10143 of title 10, United States Code, may not be a member of the Civilian Cybersecurity Reserve.

(6) **PROHIBITION.**—Any individual who is an employee of the executive branch may not be recruited or appointed to serve in the Civilian Cybersecurity Reserve.

(d) **SECURITY CLEARANCES.**—

(1) **IN GENERAL.**—The Secretary of the Army shall ensure that all members of the Civilian Cybersecurity Reserve undergo the appropriate personnel vetting and adjudication commensurate with the duties of the position, including a determination of eligibility for access to classified information where a security clearance is necessary, according to applicable policy and authorities.

(2) **COST OF SPONSORING CLEARANCES.**—If a member of the Civilian Cybersecurity Reserve requires a security clearance in order to carry out the duties of the member, the Army shall be responsible for the cost of sponsoring the security clearance of the member.

(e) **STUDY AND IMPLEMENTATION PLAN.**—

(1) **STUDY.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall begin a study on the design and implementation of the pilot project required under subsection (b)(1), including—

(A) compensation and benefits for members of the Civilian Cybersecurity Reserve;

(B) activities that members may undertake as part of their duties;

(C) methods for identifying and recruiting members, including alternatives to traditional qualifications requirements;

(D) methods for preventing conflicts of interest or other ethical concerns as a result of participation in the pilot project and details of mitigation efforts to address any conflict of interest concerns;

(E) resources, including additional funding, needed to carry out the pilot project;

(F) possible penalties for individuals who do not respond to activation when called, in accordance with the rights and procedures set forth under title 5, Code of Federal Regulations; and

(G) processes and requirements for training and onboarding members.

(2) **IMPLEMENTATION PLAN.**—Not later than one year after beginning the study required under paragraph (1), the Secretary shall—

(A) submit to the appropriate congressional committees an implementation plan for the pilot project required under subsection (b)(1); and

(B) provide to the appropriate congressional committees a briefing on the implementation plan.

(3) PROHIBITION.—The Secretary may not take any action to begin implementation of the pilot project required under subsection (b)(1) until the Secretary fulfills the requirements under paragraph (2).

(f) PROJECT GUIDANCE.—Not later than two years after the date of the enactment of this Act, the Secretary of the Army shall, in consultation with the Office of Personnel Management and the Office of Government Ethics, issue guidance establishing and implementing the pilot project required under subsection (b)(1).

(g) BRIEFINGS AND REPORT.—

(1) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, and every year thereafter until the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary of the Army shall provide to the appropriate congressional committees a briefing on activities carried out under the pilot project, including—

(A) participation in the Civilian Cybersecurity Reserve, including the number of participants, the diversity of participants, and any barriers to recruitment or retention of members;

(B) an evaluation of the ethical requirements of the pilot project;

(C) whether the Civilian Cybersecurity Reserve has been effective in providing additional capacity to the Army during significant incidents; and

(D) an evaluation of the eligibility requirements for the pilot project.

(2) REPORT.—Not earlier than 180 days and not later than 90 days before the date on which the pilot project required under subsection (b)(1) terminates under subsection (i), the Secretary shall submit to the appropriate congressional committees a report and provide a briefing on recommendations relating to the pilot project, including recommendations for—

(A) whether the pilot project should be modified, extended in duration, or established as a permanent program, and if so, an appropriate scope for the program;

(B) how to attract participants, ensure a diversity of participants, and address any barriers to recruitment or retention of members of the Civilian Cybersecurity Reserve;

(C) the ethical requirements of the pilot project and the effectiveness of mitigation efforts to address any conflict of interest concerns; and

(D) an evaluation of the eligibility requirements for the pilot project.

(h) EVALUATION.—Not later than three years after the pilot project required under subsection (b)(1) is established, the Comptroller General of the United States shall—

(1) conduct a study evaluating the pilot project; and

(2) submit to Congress—

(A) a report on the results of the study; and

(B) a recommendation with respect to whether the pilot project should be modified.

(i) SUNSET.—The pilot project required under subsection (b)(1) shall terminate on the date that is four years after the date on which the pilot project is established.

(j) NO ADDITIONAL FUNDS.—

(1) IN GENERAL.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(2) EXISTING AUTHORIZED AMOUNTS.—Funds to carry out this section may, as provided in advance in appropriations Acts, only come from amounts authorized to be appropriated to the Army.

**SEC. 1113. MODIFICATION TO PILOT PROGRAM FOR THE TEMPORARY ASSIGNMENT OF CYBER AND INFORMATION TECHNOLOGY PERSONNEL TO PRIVATE SECTOR ORGANIZATIONS.**

Section 1110(d) of the National Defense Authorization Act for Fiscal Year 2010 (5 U.S.C. 3702 note; Public Law 111–84) is amended by striking “September 30, 2022” and inserting “December 31, 2026”.

**SEC. 1114. REPORT ON CYBER EXCEPTED SERVICE.**

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until September 30, 2028, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a detailed report on cyber excepted service positions during the most recent one-year period.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, for the period covered by the report, the following:

(1) A discussion of the process used in accepting applications, assessing candidates, process for and effect of adhering to provisions of law establishing preferences for hiring preference eligible veterans, and selecting applicants for vacancies to be filled by an individual for a cyber excepted service position.

(2) A description of the following:

(A) How the Secretary plans to recruit and retain employees in cyber excepted service positions.

(B) Cyber excepted service performance metrics.

(C) Any actions taken during the reporting period to improve cyber excepted service implementation.

(3) A discussion of how the planning and actions taken described in paragraph (2) are integrated into the strategic workforce planning of the Department.

(4) The metrics on actions occurring during the reporting period, including the following:

(A) The number of employees in cyber excepted service positions hired, disaggregated by occupation, grade, and level or pay band.

(B) The placement of employees in cyber excepted service positions, disaggregated by military department, Defense agency, or other component within the Department.

(C) The total number of veterans hired.

(D) The number of separations of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(E) The number of retirements of employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(F) The number and amounts of recruitment, relocation, and retention incentives paid to employees in cyber excepted service positions, disaggregated by occupation, grade, and level or pay band.

(G) The number of employees who declined transition to qualified cyber excepted service positions.

(5) An assessment of the training provided to supervisors of employees in cyber excepted service positions at the Department on the use of the new authorities.

(6) An assessment of the implementation of section 1599f(a)(1)(A) of title 10, United States Code, including—

(A) how each military department, Defense agency, or other component within the Department is incorporating or intends to incorporate cyber excepted service personnel in their cyber mission workforce; and

(B) how the cyber excepted service has allowed each military department, Defense agency, or other component within the Department to establish, recruit for, and retain

personnel to fill cyber mission workforce needs.

(7) An assessment of the effect of section 1599f of title 10, United States Code, on the ability of the Department to recruit, retain, and develop cyber professionals in the Department.

(8) An assessment of barriers to participation in cyber excepted service positions, including challenges to transition between general and excepted service, differences between compensation, incentives, and benefits, access to career broadening experiences, or any other barriers as determined by the Secretary.

(9) Proposed modifications to the cyber excepted service.

(10) Such other matters as the Secretary considers appropriate.

(c) DEFINITIONS.—In this section:

(1) The term “cyber excepted service” consists of those positions established under section 1599f(a)(1)(A) of title 10, United States Code.

(2) The term “cyber excepted service position” means a position in the cyber excepted service.

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

**Subtitle A—Assistance and Training**

**SEC. 1201. EXTENSION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.**

Subsection (h) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended by striking “December 31, 2023” and inserting “December 31, 2025”.

**SEC. 1202. MODIFICATION OF REPORTING REQUIREMENT FOR PROVISION OF SUPPORT TO FRIENDLY FOREIGN COUNTRIES FOR CONDUCT OF OPERATIONS.**

Section 331(d)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

“(E) A description of the one or more entities with which the applicable friendly foreign country is engaged in hostilities and whether each such entity is covered by an authorization for the use of military force.”.

**SEC. 1203. PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR PARTICIPATION IN TRAINING PROGRAM CONDUCTED BY COLOMBIA UNDER THE UNITED STATES-COLOMBIA ACTION PLAN FOR REGIONAL SECURITY.**

(a) IN GENERAL.—Subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new section 335:

**“§ 335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security**

“(a) AUTHORITY.—The Secretary of Defense may pay the expendable training supplies, travel, subsistence, and similar personnel expenses of, and special compensation for, the following that the Secretary considers necessary for participation in the training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security:

“(1) Defense personnel of friendly foreign governments.

“(2) With the concurrence of the Secretary of State, other personnel of friendly foreign governments and nongovernmental personnel.

“(b) LIMITATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the authority provided in subsection (a) may only be used for the payment

of such expenses of, and special compensation for, such personnel from developing countries.

“(2) EXCEPTION.—The Secretary may authorize the payment of such expenses of, and special compensation for, such personnel from a country other than a developing country if the Secretary determines that such payment is—

“(A) necessary to respond to extraordinary circumstances; and

“(B) in the national security interest of the United States.”.

(b) ANNUAL REPORT.—Paragraph (1) of section 386(c) of title 10, United States Code, is amended to read as follows:

“(1) Sections 311, 321, 331, 332, 333, 335, 341, 344, 348, 349, and 350 of this title.”.

(c) CONFORMING AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 16 of title 10, United States Code, is amended by adding at the end the following new item:

“335. Payment of personnel expenses necessary for participation in training program conducted by Colombia under the United States-Colombia Action Plan for Regional Security.”.

**SEC. 1204. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.**

Section 344(f) of title 10, United States Code, is amended—

(1) in paragraph (1)(D), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(3) the International Special Training Centre, established in 1979 and located in Pfullendorf, Germany.”.

**SEC. 1205. MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM AND PLAN FOR IRREGULAR WARFARE CENTER.**

(a) MODIFICATION OF REGIONAL DEFENSE COMBATING TERRORISM AND IRREGULAR WARFARE FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Section 345 of title 10, United States Code, is amended—

(A) in the section heading, by striking “Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program” and inserting “Irregular Warfare Security Cooperation”;

(B) in subsection (a)—

(i) in the subsection heading, by striking “PROGRAM AUTHORIZED” and inserting “AUTHORITY”;

(ii) in paragraph (1), in the matter preceding subparagraph (A), by inserting “operate and administer a Center for Security Studies in Irregular Warfare, to be known as the ‘Irregular Warfare Center’, and” after “The Secretary of Defense may”;

(iii) by amending paragraph (2) to read as follows:

“(2) COVERED COSTS.—

“(A) IN GENERAL.—Costs for which payment may be made under this section include the costs of—

“(i) transportation, travel, and subsistence costs of foreign national personnel and United States governmental personnel necessary for administration and execution of the authority granted to the Secretary of Defense under this section;

“(ii) strategic engagement with alumni of the program referred to in paragraph (1) to address Department of Defense objectives and planning on irregular warfare and combating terrorism topics; and

“(iii) administration and operation of the Irregular Warfare Center, including expenses associated with—

“(I) research, communication, the exchange of ideas, curriculum development and review, and training of military and civilian participants of the United States and other countries, as the Secretary considers necessary; and

“(II) maintaining an international network of irregular warfare policymakers and practitioners to achieve the objectives of the Department of Defense and the Department of State.

“(B) PAYMENT BY OTHERS PERMITTED.—Payment of costs described in subparagraph (A)(i) may be made by the Secretary of Defense, the foreign national participant, the government of such participant, or by the head of any other Federal department or agency.”;

(iv) by striking paragraph (3);

(C) in subsection (b)(1), by striking “The program authorized by” and inserting “The authority granted to the Secretary of Defense under”;

(D) by redesignating subsections (c) and (d) as subsections (e) and (g), respectively;

(E) by inserting after subsection (b) the following new paragraphs (c) and (d):

“(c) EMPLOYMENT AND COMPENSATION OF FACULTY.—With respect to the Irregular Warfare Center, the Secretary of Defense may employ a Director, a Deputy Director, and such civilians as professors, instructors, and lecturers, as the Secretary considers necessary.

“(d) ACADEMIC COOPERATION ON IRREGULAR WARFARE.—To promote integration across the United States Government and with allies in activities across the irregular warfare competition and conflict spectrum, the Secretary of Defense may enter into partnerships and resource sharing agreements with academic institutions of the Department of Defense and other academic institutions engaged in irregular warfare security studies.”;

(F) in subsection (e), as so redesignated, in the first sentence, by striking “\$35,000,000” and inserting “\$40,000,000”; and

(G) by inserting after subsection (e), as so redesignated, the following new subsection:

“(f) ANNUAL REVIEW.—The Secretary of Defense—

“(1) shall conduct an annual review of the structure and activities of the Irregular Warfare Center and the program referred to in subsection (a) to determine whether such structure and activities are appropriately aligned with the strategic priorities of the Department of Defense and the applicable combatant commands; and

“(2) may, after an annual review under paragraph (1), revise the relevant structure and activities so as to more appropriately align such structure and activities with the strategic priorities and combatant commands.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of title 10, United States Code, is amended by striking the item relating to section 345 and inserting the following:

“345. Irregular Warfare Security Cooperation.”.

(b) PLAN FOR IRREGULAR WARFARE CENTER.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a plan for establishing the structure, operations, and administration of the Irregular Warfare Center described in section 345(a)(1) of title 10, United States Code.

(2) ELEMENTS.—The plan required by paragraph (1) shall include—

(A) a timeline and milestones for the establishment of the Irregular Warfare Center; and

(B) steps to enter into partnerships and resource agreements with academic institutions of the Department of Defense or other academic institutions, including any agreement for hosting or operating the Irregular Warfare Center.

(c) SENSE OF THE SENATE.—It is the sense of the Senate that a Center for Security Studies in Irregular Warfare established under section 345 of title 10, United States Code, should be known as the “John S. McCain III Center for Security Studies in Irregular Warfare”.

**SEC. 1206. MODIFICATION OF AUTHORITY FOR HUMANITARIAN DEMINING ASSISTANCE AND STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.**

(a) EXPANSION OF AUTHORITY.—Subsection (a)(1) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “carry out” and inserting “provide”; and

(B) by striking “in a country” and inserting “to a country”; and

(2) in subparagraph (A), by striking “in which the activities are to be carried out” and inserting “to which the assistance is to be provided”.

(b) EXPENSES.—Subsection (c) of such section is amended—

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

“(C) Travel, transportation, and subsistence expenses of foreign personnel to attend training provided by the Department of Defense under this section.”; and

(2) in paragraph (3), by striking “\$15,000,000” and inserting “\$20,000,000”.

(c) ANNUAL REPORT.—Subsection (d) of such section is amended—

(1) in the matter preceding paragraph (1), by striking “include in the annual report under section 401 of this title a separate discussion of” and inserting “submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on”;

(2) in paragraph (1)—

(A) by striking “in which” and inserting “to which”; and

(B) by striking “carried out” and inserting “provided”;

(3) in paragraph (2), by striking “carried out in” and inserting “provided to”;

(4) in paragraph (3)—

(A) by striking “in which” and inserting “to which”; and

(B) by striking “carried out” and inserting “provided”; and

(5) in paragraph (4), by striking “in carrying out such assistance in each such country” and inserting “in providing such assistance to each such country”.

**SEC. 1207. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.**

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393) is amended by striking “beginning on October 1, 2021, and ending on December 31, 2022” and inserting “beginning on October 1, 2022, and ending on December 31, 2023”.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking “beginning on October 1, 2021, and ending on December 31, 2022” and inserting “beginning on October 1, 2022, and ending on December 31, 2023”; and

(2) by striking “\$60,000,000” and inserting “\$30,000,000”.

**SEC. 1208. MODIFICATIONS TO HUMANITARIAN ASSISTANCE.**

Section 2561 of title 10, United States Code, is amended to read as follows:

**“§ 2561. Humanitarian assistance**

“(a) AUTHORIZED ASSISTANCE.—To the extent provided in defense authorization Acts, funds authorized to be appropriated to the Department of Defense for a fiscal year for humanitarian assistance shall be used for collaborative Department of Defense engagements with partner country government authorities in permissive environments to achieve the objectives of—

“(1) directly relieving or reducing human suffering, disease, hunger, or privation; and

“(2) increasing partner country capacity—

“(A) to provide essential human services to vulnerable populations; and

“(B) to address disaster risk reduction, mitigation, and preparedness.

“(b) PURPOSES.—The Secretary of Defense may use funds authorized under subsection (a) for the following purposes:

“(1) Procurement, transportation, and positioning of supplies and equipment.

“(2) Small-scale construction and renovation of facilities and basic infrastructure.

“(3) Health-related projects and activities.

“(4) Any other activity the Secretary of Defense considers necessary to achieve the objectives described in subsection (a).

“(c) AVAILABILITY OF FUNDS.—To the extent provided in appropriations Acts, funds appropriated for humanitarian assistance for purposes of this section shall remain available until expended.

“(d) STATUS REPORTS.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress an annual report on the provision of humanitarian assistance pursuant to this section for the prior fiscal year. The report shall be submitted each year at the time of the budget submission by the President for the next fiscal year.

“(2) Each report required by paragraph (1) shall cover all provisions of law that authorize appropriations for humanitarian assistance to be available from the Department of Defense for purposes of this section.

“(3) Each report under this subsection shall set forth the following information regarding activities during the preceding fiscal year:

“(A) The total amount of funds obligated for humanitarian assistance under this section.

“(B) A comprehensive list of funded humanitarian assistance efforts, disaggregated by foreign partner country, amount obligated, and purpose specified in subsection (b).

“(C) A description of the manner in which such expenditures address—

“(i) the humanitarian needs of the foreign partner country; and

“(ii) United States national security objectives.

“(D) A description of any transfer of excess nonlethal supplies of the Department of Defense made available for humanitarian relief purposes under section 2557 of this title. The description shall include the date of the transfer, the entity to whom the transfer is made, and the quantity of items transferred.

“(e) NOTIFICATION.—In the case of activities under a program that results in the provision of small-scale construction under subsection (b)(2) costing more than \$750,000, not later than 15 days before the commencement of such activities, the Secretary of Defense shall submit to the appropriate committees of Congress a notification that includes the location, project title, and cost of each small-scale construction project that will be carried out.

“(f) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

“(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

“(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

“(2) DEFENSE AUTHORIZATION ACT.—The term ‘defense authorization Act’ means an Act that authorizes appropriations for one or more fiscal years for military activities of the Department of Defense, including authorizations of appropriations for the activities described in paragraph (7) of section 114(a) of this title.”

**SEC. 1209. DEFENSE ENVIRONMENTAL INTERNATIONAL COOPERATION PROGRAM.**

(a) ESTABLISHMENT.—The Secretary of Defense, in coordination with the commanders of the geographic combatant commands, shall establish a program, to be known as the “Defense Environmental International Cooperation Program”, to support engagement with partner countries on defense-related environmental and operational energy issues in support of the theater campaign plans of the geographic combatant commands.

(b) OBJECTIVES.—The Defense Environmental International Cooperation Program shall be carried out to achieve the following objectives:

(1) To build military-to-military relationships in support of the Department of Defense’s efforts to engage in long-term strategic competition.

(2) To sustain the mission capability and forward posture of the United States Armed Forces.

(3) To enhance the capability, capacity, and resilience of the military forces of partner countries.

(c) FUNDING.—Of amounts authorized to be appropriated for a fiscal year for the Department and available for operation and maintenance, the Secretary may make available \$10,000,000 for purposes of supporting the Defense Environmental International Cooperation Program, consistent with the priorities of the commanders of the geographic combatant commands.

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary shall submit to the congressional defense committees a report on obligations and expenditures made to carry out the Defense Environmental International Cooperation Program during the preceding fiscal year.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) An accounting of each obligation and expenditure made to carry out the Defense Environmental International Cooperation Program, by partner country and military force.

(B) An explanation of the manner in which each such obligation or expenditure supports the objectives described in subsection (b).

(C) Any other matter the Secretary considers relevant.

**SEC. 1210. SECURITY COOPERATION PROGRAMS WITH FOREIGN PARTNERS TO ADVANCE WOMEN, PEACE, AND SECURITY.**

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may, in fiscal years 2023 through 2025, conduct or support security cooperation programs and activities involving the national military or national-level security forces of a foreign country or other covered personnel to advise, train, and educate such forces or such other covered personnel with respect to—

(1) the recruitment, employment, development, retention, promotion, and meaningful participation in decisionmaking of women;

(2) sexual harassment, sexual assault, domestic abuse, and other forms of violence that disproportionately impact women;

(3) the requirements of women, including providing appropriate equipment and facilities; and

(4) the implementation of activities described in this subsection, including the integration of such activities into security-sector policy, planning, exercises, and trainings, as appropriate.

(b) ANNUAL REPORT.—Not later than 90 days after the end of each of fiscal years 2023, 2024, and 2025, the Secretary of Defense shall submit to the congressional defense committees a report detailing the assistance provided under this section and the recipients of such assistance.

(c) OTHER COVERED PERSONNEL DEFINED.—In this section, the term “other covered personnel” means personnel of—

(1) the ministry of defense, or a governmental entity with a similar function, of a foreign country; or

(2) a regional organization with a security mission.

**SEC. 1211. REVIEW OF IMPLEMENTATION OF PROHIBITION ON USE OF FUNDS FOR ASSISTANCE TO UNITS OF FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that the promotion of human rights is a critical element of Department of Defense security cooperation programs and activities that advance United States national security interests and values.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the commanders of the geographic combatant commands, shall initiate a review of the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) ELEMENTS.—The review required by paragraph (1) shall include an assessment of the following:

(A) The standards and procedures by which the Secretary, before making a decision to provide assistance to a unit of a foreign security force under section 362 of title 10, United States Code, gives full consideration to credible information that the unit has committed a gross violation of human rights, including credible information available to the Department of State relating to human rights violations by such unit.

(B) The roles and responsibilities of Department of Defense components in implementing such section, including the Under Secretary of Defense for Policy, the Deputy Assistant Secretary of Defense for Global Partnerships, the geographic combatant commands, and the Office of the General Counsel, and whether such components are adequately funded to carry out their respective roles and responsibilities.

(C) The standards and procedures by which the Secretary implements the exception under subsection (b) of such section based on a determination that all necessary corrective steps have been taken.

(D) The standards and procedures by which the Secretary exercises the waiver authority under subsection (c) of such section based on a determination that a waiver is required by extraordinary circumstances.

(E) The policies, standards, and processes for the remediation of units of foreign security forces described in such section and resumption of assistance consistent with such section, and the effectiveness of such remediation process.



(F) The process by which the Secretary determines whether a unit of a foreign security force designated to receive training, equipment, or other assistance under such section is new or fundamentally different from its predecessor for which there was determined to be credible information that the unit had committed a gross violation of human rights.

(C) REPORTS.—

(1) FINDINGS OF REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the findings of the review conducted under subsection (b) that includes any recommendations or corrective actions necessary with respect to the policies, guidance, and processes for Department of Defense-wide implementation of section 362 of title 10, United States Code.

(2) REMEDIATION PROCESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through fiscal year 2025, the Secretary shall submit to the appropriate committees of Congress a report on the remediation process under section 362 of title 10, United States Code, and resumption of assistance consistent with such section.

(B) ELEMENTS.—Each report required by subparagraph (A) shall include the following:

(i) An identification of the units of foreign security forces that currently have been determined under section 362 of title 10, United States Code, to be ineligible to receive Department of Defense training, equipment, or other assistance.

(ii) With respect to each unit identified under clause (i), the date on which such determination was made.

(iii) The number of requests submitted by geographic combatant commands for review by a remediation review panel with respect to resumption of assistance to a unit of a foreign security force that has been denied assistance under such section, disaggregated by geographic combatant command.

(iv) For the preceding reporting period, the number of—

(I) remediation review panels convened; and

(II) cases resolved.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term “appropriate committees of Congress” means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

**SEC. 1212. INDEPENDENT ASSESSMENT OF UNITED STATES EFFORTS TO TRAIN, ADVISE, ASSIST, AND EQUIP THE MILITARY FORCES OF SOMALIA.**

(a) IN GENERAL.—The Secretary of Defense shall provide for an independent assessment of Department of Defense efforts to train, advise, assist, and equip the military forces of Somalia.

(b) CONDUCT OF ASSESSMENT.—To conduct the assessment required by subsection (a), the Secretary shall select—

(1) a federally funded research and development center; or

(2) an independent, nongovernmental institute described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code that has recognized credentials and expertise in national security and military affairs appropriate for the assessment.

(c) ELEMENTS.—The assessment required by subsection (a) shall include an assessment of the following:

(1) The evolution of United States approaches to training, advising, assisting, and equipping the military forces of Somalia.

(2) The extent to which—

(A) the Department has an established plan, with objectives and milestones, for the effort to train, advise, assist, and equip such forces;

(B) advisory efforts are meeting objectives, including whether and the manner in which—

(i) advisors track the operational effectiveness of such forces; and

(ii) any such data informs future training and advisory efforts;

(C) the Department sufficiently engages, collaborates, and deconflicts with—

(i) other Federal departments and agencies that conduct assistance and advisory engagements with such forces; and

(ii) international and multilateral entities that conduct assistance and advisory engagements with such forces; and

(D) the Department has established and enforced a policy, processes, and procedures for accountability relating to equipment provided by the United States to such forces.

(3) Factors that have hindered, or may in the future hinder, the development of professional, sustainable, and capable such forces.

(4) With respect to the effort to train, advise, assist, and equip such forces, the extent to which the December 2020 decision to reduce and reposition outside Somalia the majority of the members of the United States Armed Forces assigned to carry out the effort has impacted the effectiveness of the effort.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the entity selected to conduct the assessment required by subsection (a) shall submit to the Secretary and the congressional defense committees a report containing the findings of the assessment.

(e) FUNDING.—Of the amounts authorized to be appropriated for fiscal year 2023 and available for operation and maintenance for Defense-wide activities, up to \$1,000,000 shall be made available for the assessment required by subsection (a).

**SEC. 1213. ASSESSMENT AND REPORT ON ADEQUACY OF AUTHORITIES TO PROVIDE ASSISTANCE TO MILITARY AND SECURITY FORCES IN AREA OF RESPONSIBILITY OF UNITED STATES AFRICA COMMAND.**

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Commander of the United States Africa Command, shall conduct an assessment of the adequacy of authorities available to the Secretary for the purpose of providing support, including training, equipment, supplies and services, facility and infrastructure repair and renovation, and sustainment, to military and other security forces of governments in the area of responsibility of the United States Africa Command that are actively engaged in defending their territory and people from the threat posed by ISIS and al-Qaeda.

(2) ELEMENT.—The assessment required by paragraph (1) shall identify any gaps in existing authorities and associated resourcing that would inhibit the ability of the Secretary to support the United States Africa Command theater campaign plan objectives.

(b) REPORT.—Not later than December 31, 2022, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the assessment required by subsection (a).

**Subtitle B—Matters Relating to Syria, Iraq, and Iran**

**SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.**

(a) EXTENSION.—Subsection (a) of section 1209 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541) is amended, in the matter preceding paragraph (1), by striking “December 31, 2022” and inserting “December 31, 2023”.

(b) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (1)(3)(D) of such section is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

**SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.**

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) by striking “fiscal year 2022” and inserting “fiscal year 2023”; and

(2) by striking “\$25,000,000” and inserting “\$20,000,000”.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking “fiscal year 2022” and inserting “fiscal year 2023”.

**SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.**

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended, in the matter preceding paragraph (1), by striking “December 31, 2022” and inserting “December 31, 2023”.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking “fiscal year 2022” and inserting “fiscal year 2023”; and

(2) by striking “\$345,000,000” and inserting “\$358,000,000”.

(c) LIMITATION ON COST OF CONSTRUCTION AND REPAIR PROJECTS.—Subsection (o)(5) of such section is amended by striking “December 31, 2022” and inserting “December 31, 2023”.

**SEC. 1224. ASSESSMENT OF SUPPORT TO IRAQI SECURITY FORCES AND KURDISH PESHMERGA FORCES TO COUNTER AIR AND MISSILE THREATS.**

(a) IN GENERAL.—Not later than April 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a report on support to Iraqi Security Forces and Kurdish Peshmerga Forces to counter air and missile threats.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) An assessment of the threat from missiles, rockets, and unmanned aerial systems (UAS) to United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(2) An assessment of the current state of air defense capabilities of United States and coalition armed forces located in Iraq, including the Iraqi Kurdistan Region.

(3) Identification of perceived gaps in air defense capabilities of United States and coalition armed forces and the implications for the security of such forces in Iraq, including the Iraqi Kurdistan Region.

(4) Recommendations for training or equipment needed to overcome the assessed air defense deficiencies of United States and coalition armed forces in Iraq, including the Iraqi Kurdistan Region.

(5) An assessment of the current state of the air defense capabilities of partner armed

forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(6) An assessment of the perceived gaps in air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(7) An assessment of recommended training and equipment and available level of equipment to maximize air defense capabilities of partner armed forces in Iraq, including the Iraqi Security Forces and Kurdish Peshmerga Forces.

(8) Such other matters as the Secretary considers appropriate.

**SEC. 1225. UPDATES TO ANNUAL REPORT ON MILITARY POWER OF IRAN.**

(a) IN GENERAL.—Section 1245(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) is amended—

(1) in subparagraph (B), by striking “and the Special Groups in Iraq,” and inserting “Houthis, and the Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq.”;

(2) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(3) by inserting after subparagraph (B) the following:

“(C) the threat from Special Groups in Iraq, including Kata’ib Hezbollah and Asa’ib Ahl al-Haq, to United States and coalition forces located in Iraq and Syria.”; and

(4) in subparagraph (D), as redesignated, by striking “and” at the end;

(5) in subparagraph (E), as redesignated, by striking the period at the end and inserting “; and”;

(6) by adding at the end the following:

“(F) all formal or informal agreements involving a strategic military or security partnership with the Russian Federation, the People’s Republic of China, or any proxies of either such country.”.

**Subtitle C—Matters Relating to Europe and the Russian Federation**

**SEC. 1231. MODIFICATION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.**

Section 1232 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2488) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking “for fiscal year 2017, 2018, 2019, 2020, 2021, or 2022” and inserting “for any fiscal year”;

(B) by striking “in the fiscal year concerned”;

(2) in subsection (c), in the matter preceding paragraph (1), by striking “with respect to funds for a fiscal year”.

**SEC. 1232. EXTENSION OF PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.**

Section 1234(a) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1974) is amended by striking “None of the funds” and all that follows through “2022” and inserting “None of the funds authorized to be appropriated for fiscal year 2022 or 2023”.

**SEC. 1233. EXTENSION AND MODIFICATION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.**

(a) AUTHORITY TO PROVIDE ASSISTANCE.—Subsection (a) of section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1608) is amended to read as follows:

“(1) IN GENERAL.—Amounts available for a fiscal year under subsection (f) shall be available to the Secretary of Defense, with

the concurrence of the Secretary of State, to provide, for the purposes described in paragraph (2), appropriate security assistance and intelligence support, including training, equipment, logistics support, supplies and services, salaries and stipends, and sustainment to—

“(A) the military and national security forces of Ukraine; and

“(B) other forces or groups recognized by, and under the authority of, the Government of Ukraine, including governmental entities within Ukraine, that are engaged in resisting Russian aggression.

“(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are as follows:

“(A) To enhance the capabilities of the military and other security forces of the Government of Ukraine to defend against further aggression.

“(B) To assist Ukraine in developing the combat capability to defend its sovereignty and territorial integrity.

“(C) To replace, from the inventory of the United States, weapons and articles provided to the Government of Ukraine.

“(D) To recover or dispose of equipment procured using funds made available under this section.”.

(b) UNITED STATES INVENTORY AND OTHER SOURCES.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) ACCEPTANCE OF RETURNED EQUIPMENT.—

“(A) IN GENERAL.—The Secretary of Defense may accept equipment procured under the authority of this section that was transferred to the military or national security forces of Ukraine or to other assisted entities and has been returned by such forces to the United States.

“(B) TREATMENT AS STOCKS OF THE DEPARTMENT.—Equipment procured under the authority of this section that has not been transferred to the military or national security forces of Ukraine or to other assisted entities, or that has been returned by such forces or other assisted entities to the United States, may, upon written notification by the Secretary of Defense to the congressional defense committees, be treated as stocks of the Department.”.

(c) FUNDING.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

“(8) For fiscal year 2023, \$800,000,000.”.

(d) NOTICE TO CONGRESS; REPORTS.—Such section is further amended—

(1) by striking the second subsection (g);

(2) by redesignating the first subsection (g) (as added by section 1237(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2496)) and subsection (h) as subsections (i) and (j), respectively; and

(3) by inserting after subsection (f) the following new subsections (g) and (h):

“(g) NOTICE TO CONGRESS.—

“(1) IN GENERAL.—Not less than 15 days before providing assistance or support under this section (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United States, as far in advance as is practicable), the Secretary of Defense shall submit to the congressional defense committees a written notification of the details of such assistance or support.

“(2) SUPPORT TO OTHER FORCES OR GROUPS.—Not less than 15 days before providing assistance or support under this section to other forces or groups described in subsection (a)(1)(B) (or if the Secretary of Defense determines, on a case-by-case basis, that extraordinary circumstances exist that impact the national security of the United

States, as far in advance as is practicable but not later than 48 hours in advance) the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written notification detailing the intended recipient forces or groups, the command and control relationship that each such entity has with the Government of Ukraine, and the assistance or support to be provided.

“(h) QUARTERLY REPORTS.—Not less frequently than quarterly, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under this section.”.

(e) TERMINATION OF AUTHORITY.—Subsection (i) of such subsection, as redesignated, is amended by striking “December 31, 2024” and inserting “December 31, 2025”.

**SEC. 1234. NORTH ATLANTIC TREATY ORGANIZATION SPECIAL OPERATIONS HEADQUARTERS.**

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new section 2350r:

**“§ 2350r. North Atlantic Treaty Organization Special Operations Headquarters**

“(a) AUTHORIZATION.—Of the amounts authorized to be appropriated for each fiscal year for operation and maintenance for the Army, to be derived from amounts made available for support of North Atlantic Treaty Organization (referred to in this section as ‘NATO’) operations, the Secretary of Defense is authorized to use up to \$50,000,000 for each such fiscal year for the purposes set forth in subsection (b).

“(b) PURPOSES.—The Secretary shall provide funds for the NATO Special Operations Headquarters—

“(1) to improve coordination and cooperation between the special operations forces of NATO nations and nations approved by the North Atlantic Council as NATO partner nations;

“(2) to facilitate joint operations by the special operations forces of NATO nations and such NATO partner nations;

“(3) to support special operations forces peculiar command, control, and communications capabilities;

“(4) to promote special operations forces intelligence and informational requirements within the NATO structure; and

“(5) to promote interoperability through the development of common equipment standards, tactics, techniques, and procedures, and through execution of a multinational education and training program.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following new item:

“2350r. North Atlantic Treaty Organization Special Operations Headquarters.”.

(c) REPEAL.—Section 1244 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2541) is repealed.

**SEC. 1235. REPORT ON UNITED STATES MILITARY FORCE POSTURE AND RESOURCING REQUIREMENTS IN EUROPE.**

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the United States military force posture requirements for the United States European Command to support the following objectives:

(1) Implementation of the National Defense Strategy with respect to the area of responsibility of the United States European Command.

(2) Fulfillment of the commitments of the United States to NATO operations, missions, and activities, as modified and agreed upon at the 2022 Madrid Summit.

(3) Reduction of the risk of executing the contingency plans of the Department of Defense.

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

(1) For each military service and warfighting domain, a description of the force structure and posture of assigned and allocated forces in Europe, including consideration of the balance of permanently stationed forces and forces rotating from the United States, to support the objectives described in subsection (a).

(2) An assessment of the military training and all domain exercises to support such objectives, including—

(A) training and exercises on interoperability; and

(B) joint activities with allies and partners.

(3) An assessment of logistics requirements, including personnel, equipment, supplies, pre-positioned storage, host country support and agreements, and maintenance needs, to support such objectives.

(4) An identification of required infrastructure, facilities, and military construction investments to support such objectives.

(5) A description of the requirements for United States European Command integrated air and missile defense throughout the area of responsibility of the United States European Command.

(6) An assessment of United States security cooperation activities and resources required to support such objectives.

(7) A detailed assessment of the resources necessary to address the elements described in paragraphs (1) through (6), categorized by the budget accounts for—

(A) procurement;

(B) research, development, test, and evaluation;

(C) operation and maintenance;

(D) military personnel; and

(E) military construction.

(8) The projected timeline to achieve fulfillment of each such element.

(9) Any other information the Secretary considers relevant.

(c) FORM.—The report required by subsection (a) may be submitted in classified form but shall include an unclassified summary.

**SEC. 1236. SENSE OF THE SENATE AND REPORT ON CIVILIAN HARM.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the members of the Armed Forces of the United States—

(A) uphold the highest standards of professionalism during the conduct of effective, efficient, and decisive military operations around the world in defense of the people of the United States; and

(B) go to great lengths to minimize civilian harm during the conduct of military operations; and

(2) the Russian Federation has demonstrated a complete disregard for the safety of civilians during its unlawful and unprovoked invasion of Ukraine, which has involved indiscriminate bombing of civilian areas and executions of noncombatants.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report detailing the atrocities committed by the Russian Federation against civilians in Ukraine since February 24, 2022.

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form.

**SEC. 1237. SENSE OF THE SENATE ON THE NORTH ATLANTIC TREATY ORGANIZATION.**

It is the sense of the Senate that—

(1) the success of the North Atlantic Treaty Organization (NATO) is critical to advancing United States national security objectives in Europe and around the world;

(2) NATO remains the strongest and most successful military alliance in the world, founded on a commitment by its members to uphold the principles of democracy, individual liberty, and the rule of law;

(3) the contributions of NATO to the collective defense are indispensable to the security, prosperity, and freedom of its members;

(4) the United States reaffirms its ironclad commitment—

(A) to NATO as the foundation of transatlantic security; and

(B) to upholding the obligations of the United States under the North Atlantic Treaty, done at Washington, DC, April 4, 1949, including Article 5 of the Treaty;

(5) the 2022 National Defense Strategy correctly highlights the criticality of alliances and partnerships, stating that “[m]utually-beneficial alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives, as the unified response to Russia’s further invasion of Ukraine has demonstrated”;

(6) the Russian Federation’s premeditated and unprovoked invasion of Ukraine poses the most direct threat to security and stability in Europe since the end of World War II and requires the full attention of the NATO alliance;

(7) the unprovoked and illegal war conducted by the Russian Federation against Ukraine has fundamentally altered the concept of transatlantic security and requires—

(A) a reinvigorated commitment to the shared principles of the NATO alliance; and

(B) a commensurate response to deter further revanchism by the Russian Federation in the Euro-Atlantic region;

(8) as NATO refocuses its deterrence and defense posture to respond to the Russian Federation’s escalatory actions, allies must simultaneously address threats posed across all domains and all areas of the Euro-Atlantic region, including—

(A) threats posed by predatory investments and influence operations carried out by the People’s Republic of China;

(B) border disruptions emanating from Belarus; and

(C) the persistent threat of violent extremist organizations;

(9) to respond to aggression by the Russian Federation and address other threats, the NATO alliance should—

(A) assess opportunities to further bolster the NATO enhanced Forward Presence and enhanced Vigilance Activity battlegroups;

(B) focus efforts on burden sharing agreements made in the Wales Pledge, capability targets, contributions to NATO missions and operations, and resilience commitments;

(C) consider force posture adjustments to address emerging security concerns highlighted by the Russian Federation’s invasion of Ukraine;

(D) explore additional opportunities to strengthen cooperation with non-NATO countries to counter malign activities carried out by the Russian Federation;

(E) continue efforts to identify, coordinate, and deliver humanitarian aid and security assistance to Ukraine;

(F) intensify efforts to work with NATO allies to establish and enhance rapid and assured movement of military forces throughout the North Atlantic region and across the continent of Europe on land, on and under

the sea, and in the air, including through increased investment, coordination, and standardization intended to identify and reduce obstacles to the movement of United States and allied military forces in a time of crisis or conflict;

(G) reaffirm the open-door policy of NATO to allow any European country to apply for membership and be considered on its merits for admission, including—

(i) aspirants such as Ukraine, Georgia, and Bosnia and Herzegovina; and

(ii) Finland and Sweden, which in the wake of the Russian Federation’s invasion of Ukraine, have sought NATO membership to further bolster their own security and the security of the Euro-Atlantic region; and

(H) continue efforts to evaluate whether the NATO alliance is sufficiently funded and resourced to carry out its objectives;

(10) the United States and fellow NATO allies should continue long-term efforts—

(A) to improve interoperability among the military forces of NATO allies and non-NATO allies so as to enhance effective and efficient collective operations, including by the divestment of Soviet-era platforms;

(B) to strive for continued progress on key initiatives set forth in recent NATO summits, including readiness, military mobility, multi-domain operations, and resilience;

(C) to enhance security sector cooperation and explore opportunities to reinforce civil sector preparedness and resilience measures, which may be likely targets of malign influence and hybrid campaigns;

(D) to mitigate the impact of hybrid warfare operations, particularly such operations in the information and cyber domains;

(E) to expand joint research and development initiatives, with a focus on emerging technologies such as quantum computing, artificial intelligence, and machine learning;

(F) to enhance interoperability, build institutional capacity, and strengthen the collective ability of NATO allies to resist malign influence from the Russian Federation and the People’s Republic of China; and

(G) to coordinate and de-conflict security efforts and the dedication of resources with the European Union—

(i) to ensure the fulfillment of European Union and NATO common interests and objectives; and

(ii) to minimize unnecessary overlaps;

(11) the European Deterrence Initiative remains critically important, including for purposes of strengthening allied and partner capability and power projection along the eastern flank of NATO, and has demonstrated its unique value during the current Russian Federation attack on Ukraine;

(12) NATO should maintain cooperation on COVID-19 pandemic response efforts and expand cooperation for future pandemic and disaster preparedness;

(13) the policy of the United States should be to work with NATO and other allies and partners to build permanent mechanisms to strengthen supply chains, enhance supply chain security, fill supply chain gaps, and maintain commitments made at the June 2020 NATO Defense Ministerial, particularly with respect to pandemic response preparations;

(14) the United States and NATO should expand cooperation efforts on cybersecurity issues to prevent adversaries and criminals from compromising critical systems and infrastructure; and

(15) the adoption by NATO of a robust strategy toward the Black Sea is in the interest of the United States, and the United States should consider collaborating with interested allies and partner countries to advance a coordinated strategy that includes diverse elements of the transatlantic security architecture.

**SEC. 1238. SENSE OF THE SENATE ON UKRAINE.**

It is the sense of the Senate that—

(1) the United States stands with the people of Ukraine as they defend their freedom and sovereignty and the pursuit of further Euro-Atlantic integration;

(2) the Russian Federation's premeditated and unprovoked invasion of Ukraine—

(A) willfully violates the territorial sovereignty of Ukraine and the democratic aspirations of the people of Ukraine; and

(B) presents the gravest threat to transatlantic security since World War II;

(3) the Russian Federation continues to commit heinous acts against Ukrainian civilians and members of the military forces of Ukraine;

(4) the Russian Federation has no right or authority to veto Ukraine's pursuit of membership in the North Atlantic Treaty Organization (NATO), or the determination of any country to make its own decision to pursue such membership in accordance with NATO's open door policy;

(5) the United States, fellow NATO allies and partners, and the international community have—

(A) rallied support and coordinated assistance for Ukraine;

(B) bolstered NATO presence and engagement along NATO's eastern flank; and

(C) imposed a severe and far-reaching set of economic measures to respond to the Russia Federation's violation of the sovereignty and territorial integrity of Ukraine; and

(6) the United States should—

(A) continue to work closely with NATO allies and non-NATO allies and partners to support the ability of Ukraine to repel and rebuild from the Russian Federation's invasion, including by—

(i) continuing to provide the Government of Ukraine with targeted security, intelligence, and humanitarian assistance to strengthen the defenses of Ukraine and mitigate suffering wrought by the Russian Federation's brutality, consistent with the security interests of the United States;

(ii) coordinating sanctions, export restrictions, and other economic penalties against the Russian Federation and any country that enables the Russian Federation's invasion of Ukraine; and

(iii) supporting efforts to enhance the cybersecurity capabilities of Ukraine;

(B) consider whether further adjustments to United States strategy or military force posture within the area of responsibility of the United States European Command are necessitated by the upheaval of the security environment caused by the Russian Federation;

(C) explore opportunities to further strengthen partnerships with non-NATO partners in Europe;

(D) continue to support—

(i) efforts to counter disinformation; and

(ii) free media sources such as Voice of America and Radio Free Europe/Radio Liberty; and

(E) support energy diversification efforts across the Euro-Atlantic region to reduce the dependency on energy from the Russian Federation.

**Subtitle D—Matters Relating to the Indo-Pacific Region**

**SEC. 1241. EXTENSION AND MODIFICATION OF PACIFIC DETERRENCE INITIATIVE.**

(a) EXTENSION.—Subsection (c) of section 1251 of the National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

(1) by striking “the National Defense Authorization Act for Fiscal Year 2022” and inserting “the National Defense Authorization Act for Fiscal Year 2023”; and

(2) by striking “fiscal year 2022” and inserting “fiscal year 2023”.

(b) REPORT ON RESOURCING UNITED STATES DEFENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION AND STUDY ON COMPETITIVE STRATEGIES.—Subsection (d)(1) of such section is amended—

(1) in subparagraph (A), by striking “fiscal years 2023 and 2024” and inserting “fiscal years 2024 and 2025”; and

(2) in subparagraph (B)—

(A) in clause (vi)(I)(aa)—

(i) in subitem (AA), by striking “to modernize and strengthen the” and inserting “to improve the posture and”; and

(ii) in subitem (FF)—

(I) by striking “to improve” and inserting “to modernize and improve”; and

(II) by striking the semicolon and inserting “; and”; and

(B) by adding at the end the following new clause:

“(vii) A budget display that compares the independent assessment of the Commander of the United States Pacific Command with the amounts contained in the budget display for the applicable fiscal year under subsection (f).”.

**SEC. 1242. EXTENSION OF AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

Section 1253(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 3955) is amended by striking “fiscal year 2022” and inserting “fiscal year 2023”.

**SEC. 1243. MODIFICATION OF INDO-PACIFIC MARITIME SECURITY INITIATIVE TO AUTHORIZE USE OF FUNDS FOR THE COAST GUARD.**

Section 1263 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note) is amended by striking subsection (f) and inserting the following new subsection (f):

“(f) AVAILABILITY OF FUNDS FOR COAST GUARD PERSONNEL AND CAPABILITIES.—The Secretary of Defense may use funds made available under this section to facilitate the participation of Coast Guard personnel in, and the use of Coast Guard capabilities for, trainings, exercises, and other activities with foreign partners under this section.”.

**SEC. 1244. DEFENSE OF TAIWAN.**

(a) DEFINITIONS.—In this section:

(1) DENY.—The term “deny” means to use combined joint operations to delay, degrade, and ultimately defeat an attempt by the People's Republic of China to execute a fait accompli against Taiwan, resulting in—

(A) the termination of hostilities or at least the attempted fait accompli; or

(B) the neutralization of the ability of the People's Republic of China to execute a fait accompli against Taiwan.

(2) FAIT ACCOMPLI.—The term “fait accompli” refers to the strategy of the People's Republic of China for invading and seizing control of Taiwan before the United States Armed Forces can respond effectively, while simultaneously deterring an effective combined joint response by the United States Armed Forces by convincing the United States that mounting such a response would be prohibitively difficult or costly.

(b) STATEMENT OF POLICY.—Consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.), it shall be the policy of the United States to maintain the ability of the United States Armed Forces to deny a fait accompli against Taiwan in order to deter the People's Republic of China from using military force to unilaterally change the status quo with Taiwan.

**SEC. 1245. MULTI-YEAR PLAN TO FULFILL DEFENSIVE REQUIREMENTS OF MILITARY FORCES OF TAIWAN AND MODIFICATION OF ANNUAL REPORT ON TAIWAN ASYMMETRIC CAPABILITIES AND INTELLIGENCE SUPPORT.**

(a) MULTI-YEAR PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the American Institute in Taiwan, shall seek to engage with appropriate officials of Taiwan to develop and implement a multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities, consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.).

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

(1) An identification of the defensive capability gaps and capacity shortfalls of Taiwan.

(2) An assessment of the relative priority assigned by appropriate officials of Taiwan to address such capability gaps and capacity shortfalls.

(3) An explanation of the annual resources committed by Taiwan to address such capability gaps and capacity shortfalls.

(4) An assessment of—

(A) the defensive capability gaps and capacity shortfalls that could be addressed in a sufficient and timely manner by unilateral efforts of Taiwan; and

(B) the defensive capability gaps and capacity shortfalls that are unlikely to be addressed in a sufficient and timely manner solely through unilateral efforts.

(5) An assessment of the capability gaps and capacity shortfalls described in paragraph (4)(B) that could be addressed in a sufficient and timely manner by—

(A) Department of Defense security assistance authorized by chapter 16 of title 10, United States Code;

(B) the Foreign Military Financing and Foreign Military Sales programs of the Department of State;

(C) the provision of excess defense articles pursuant to the requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(D) section 614(a)(1) of the Foreign Assistance Act of 1961; or

(E) any other authority available to the Secretary of Defense or the Secretary of State.

(6) An identification of opportunities to build interoperability, combined readiness, joint planning capability, and share situational awareness among the United States, Taiwan, and other foreign partners and allies, as appropriate, through combined trainings, exercises, and planning activities, including—

(A) table-top exercises and wargames that allow operational commands to improve joint and combined war planning for contingencies involving a well-equipped adversary in a counter-intervention campaign;

(B) joint and combined exercises that test the feasibility of counter-intervention strategies, develop interoperability across services, and develop the lethality and survivability of combined forces against a well-equipped adversary;

(C) logistics exercises that test the feasibility of expeditionary logistics in an extended campaign with a well-equipped adversary;

(D) service-to-service exercise programs that build functional mission skills for addressing challenges posed by a well-equipped adversary in a counter-intervention campaign; and

(E) any other combined training, exercise, or planning activity with the military forces

of Taiwan that the Secretary of Defense considers relevant.

(c) MODIFICATION OF ANNUAL REPORT.—Section 1248 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 1988) is amended—

(1) in subsection (a)—  
(A) by striking paragraph (7);  
(B) by redesignating paragraph (6) as paragraph (7);

(C) by inserting after paragraph (5) the following new paragraph (6):

“(6) With respect to capabilities and capacities the Secretary of Defense assesses to be most effective in deterring, defeating, or delaying military aggression by the People’s Republic of China, a prioritized list of capability gaps and capacity shortfalls of the military forces of Taiwan, including—

“(A) an identification of—  
(i) any United States, Taiwan, or ally or partner country defense production timeline challenge related to potential materiel solutions to such capability gaps;

“(ii) the associated investment costs of enabling expanded production for items currently at maximum production;

“(iii) the associated investment costs of, or mitigation strategies for, enabling export for items currently not exportable; and

“(iv) existing stocks of such capabilities in the United States and ally and partner countries;

“(B) the feasibility and advisability of procuring solutions to such gaps and shortfalls through United States allies and partners, including through co-development or co-production;

“(C) the feasibility and advisability of assisting Taiwan in the domestic production of solutions to capability gaps, including through—

“(i) the transfer of intellectual property; and

“(ii) co-development or co-production arrangements;

“(D) the estimated costs, expressed in a range of options, of procuring sufficient capabilities and capacities to address such gaps and shortfalls;

“(E) an assessment of the relative priority assigned by appropriate officials of Taiwan to each such gap and shortfall; and

“(F) a detailed explanation of the extent to which Taiwan is prioritizing the development, production, or fielding of solutions to such gaps and shortfalls within its overall defense budget.”;

(D) by redesignating paragraph (11) as paragraph (15); and

(E) by inserting after paragraph (10) the following new paragraphs:

“(11) An assessment of the implications of current levels of pre-positioned war reserve materiel on the ability of the United States to respond to a crisis or conflict involving Taiwan with respect to—

“(A) providing military or non-military aid to the Government of Taiwan; and

“(B) sustaining military installations and other infrastructure of the United States in the Indo-Pacific region.

“(12) An evaluation of the feasibility and advisability of establishing war reserve stockpiles for allies and pre-positioned facilities in Taiwan.

“(13) An assessment of the current intelligence, surveillance, and reconnaissance capabilities of Taiwan, including any existing gaps in such capabilities and investments in such capabilities by Taiwan since the preceding report.

“(14) A summary of changes to pre-positioned war reserve materiel of the United States in the Indo-Pacific region since the preceding report.”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “PLAN” and inserting “PLANS”;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving such subparagraphs 2 ems to the right;

(C) in the matter preceding subparagraph (A), as so redesignated, by striking “The Secretary” and inserting the following:

“(1) ASSISTANCE TO IMPROVE TAIWAN’S DEFENSIVE ASYMMETRIC CAPABILITIES.—The Secretary”; and

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

“(2) EXPEDITED MILITARY ASSISTANCE.—

“(A) IN GENERAL.—The Secretary of Defense, in coordination with the heads of other relevant Federal departments and agencies, shall develop options for the United States to use, to the maximum extent practicable, existing authorities or programs to expedite military assistance to Taiwan in the event of a crisis or conflict.

“(B) ELEMENTS.—The plan required by subparagraph (A) shall include the following:

“(i) A list of defense articles of the United States that may be transferred to Taiwan during a crisis or conflict.

“(ii) A list of authorities that may be used to provide expedited military assistance to Taiwan during a crisis or conflict.

“(iii) An assessment of methods that could be used to deliver such assistance to Taiwan during a crisis or conflict, including—

“(I) the feasibility of employing such methods in different scenarios; and

“(II) recommendations for improving the ability of the Armed Forces to deliver such assistance to Taiwan.

“(iv) An assessment of any challenges in providing such assistance to Taiwan in the event of a crisis or conflict and recommendations for addressing such challenges.”;

(3) in subsection (c)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by amending paragraph (2) to read as follows:

“(2) the plans required by subsection (b), and any updates to such plans, as determined by the Secretary of Defense; and”;

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

“(3) a report on—

“(A) the status of efforts to develop and implement a joint multi-year plan to provide for the acquisition of appropriate defensive capabilities by Taiwan and to engage with Taiwan in a series of combined trainings, exercises, and planning activities consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.); and

“(B) any other matter the Secretary considers necessary.”; and

(4) in subsection (d), by striking “report” and inserting “reports”.

**SEC. 1246. ENHANCING MAJOR DEFENSE PARTNERSHIP WITH INDIA.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall direct appropriate personnel within the Department of Defense to seek to engage their counterparts within the Ministry of Defence of India for the purpose of expanding cooperation on emerging technologies, readiness, and logistics.

(b) TOPICS.—At a minimum, the personnel described in subsection (a) shall seek to engage their counterparts in the Ministry of Defense of India on the following topics:

(1) Intelligence collection capabilities.

(2) Unmanned aerial vehicles.

(3) Fourth and fifth generation aircraft.

(4) Depot-level maintenance.

(5) Joint research and development.

(6) 5G and Open Radio Access Network technologies.

(7) Cyber.

(8) Cold-weather capabilities.

(9) Any other matter the Secretary considers relevant.

(c) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the appropriate committees of Congress that includes—

(1) an assessment of the feasibility and advisability of expanding cooperation with the Ministry of Defence of India on the topics described in subsection (b);

(2) a description of other opportunities to expand cooperation with the Ministry of Defence of India on topics other than the topics described in such subsection;

(3) a description of any challenges, including agreements, authorities, and resourcing, that need to be addressed so as to expand cooperation with the Ministry of Defence of India on the topics described in such subsection;

(4) an articulation of security considerations to ensure the protection of research and development, intellectual property, and United States-provided equipment from being stolen or exploited by adversaries;

(5) an identification of opportunities for academia and private industry to participate in expanded cooperation with the Ministry of Defence of India; and

(6) any other matter the Secretary considers relevant.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1247. ENHANCED INDICATIONS AND WARNING FOR DETERRENCE AND DISSUASION.**

(a) ESTABLISHMENT OF PROGRAM FOR ENHANCED INDICATIONS AND WARNING.—

(1) IN GENERAL.—The Director of the Defense Intelligence Agency shall establish a program to increase warning time of potential aggression by adversary nation states, focusing especially on the United States Indo-Pacific Command and United States European Command areas of operations.

(2) DESIGNATION.—The program established under paragraph (1) shall be known as the “Program for Enhanced Indications and Warning” (in this section the “Program”).

(3) PURPOSE.—The purpose of the Program is to gain increased warning time to provide time for the Department to mount deterrence and dissuasion actions to persuade adversaries to refrain from aggression, including through potential revelations or demonstrations of capabilities and actions to create doubt in the minds of adversary leaders regarding the prospects for military success.

(b) HEAD OF PROGRAM.—

(1) IN GENERAL.—The Director shall appoint a defense intelligence officer to serve as the mission manager for the Program.

(2) DESIGNATION.—The mission manager for the Program shall be known as the “Program Manager for Enhanced Indications and Warning” (in this section the “Program Manager”).

(c) SOURCES OF INFORMATION AND ANALYSIS.—The Program Manager shall ensure that the Program makes use of all available sources of information, from public, commercial, and classified sources across the intelligence community and the Department of Defense, as well as advanced analytics, including artificial intelligence, to establish a

system capable of discerning deviations from normal patterns of behavior and activity that may indicate preparations for military actions.

(d) **INTEGRATION WITH OTHER PROGRAMS.**—

(1) **SUPPORT.**—The Program shall be supported by the Chief Digital and Artificial Intelligence Officer, the Maven project, by capabilities sponsored by the Office of the Under Secretary of Defense for Intelligence and Security, and programs already underway within the Defense Intelligence Agency.

(2) **AGREEMENTS.**—The Director shall seek to engage in agreements to integrate information and capabilities from other components of the intelligence community to facilitate the purpose of the Program.

(e) **BRIEFINGS.**—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each year thereafter through 2027, the Program Manager shall provide the appropriate committees of Congress a briefing on the status of the activities of the Program.

(f) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the congressional defense committees; and

(B) the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(2) The term “intelligence community” has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

**SEC. 1248. PILOT PROGRAM TO DEVELOP YOUNG CIVILIAN DEFENSE LEADERS IN THE INDO-PACIFIC REGION.**

(a) **IN GENERAL.**—The Secretary of Defense may establish, using existing authorities of the Department of Defense, a pilot program to enhance engagement of the Department with young civilian defense and security leaders in the Indo-Pacific region.

(b) **PURPOSES.**—The activities of the pilot program under subsection (a) shall include training of, and engagement with, young civilian leaders from foreign partner ministries of defense and other appropriate ministries with a national defense mission in the Indo-Pacific region for purposes of—

(1) enhancing bilateral and multilateral cooperation between—

(A) civilian leaders in the Department; and

(B) civilian leaders in foreign partner ministries of defense; and

(2) building the capacity of young civilian leaders in foreign partner ministries of defense to promote civilian control of the military, respect for human rights, and adherence to the law of armed conflict.

(c) **PRIORITY.**—In carrying out the pilot program under subsection (a), the Secretary of Defense shall prioritize engagement with civilian defense leaders from foreign partner ministries of defense who are 40 years of age or younger.

(d) **BRIEFINGS.**—

(1) **DESIGN OF PILOT PROGRAM.**—Not later than June 1, 2023, the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the design of the pilot program under subsection (a).

(2) **PROGRESS BRIEFING.**—Not later than December 31, 2023, and annually thereafter until the date on which the pilot program terminates under subsection (e), the Secretary of Defense, in consultation with the Secretary of State, shall provide a briefing to the appropriate committees of Congress on the pilot program that includes—

(A) a description of the activities conducted and the results of such activities;

(B) an identification of existing authorities used to carry out the pilot program;

(C) any recommendations related to new authorities or modifications to existing au-

thorities necessary to more effectively achieve the objectives of the pilot program; and

(D) any other matter the Secretary of Defense considers relevant.

(e) **TERMINATION.**—The pilot program under subsection (a) shall terminate on December 31, 2026.

(f) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1249. CROSS-FUNCTIONAL TEAM FOR MATTERS RELATING TO THE PEOPLE'S REPUBLIC OF CHINA.**

(a) **ESTABLISHMENT.**—Using the authority provided pursuant to section 911(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note), the Secretary of Defense shall establish a cross-functional team—

(1) to integrate Department of Defense efforts to address national security challenges posed by the People's Republic of China; and

(2) to ensure alignment across Department strategies, policies, resourcing, and fielding of relevant capabilities.

(b) **DUTIES.**—The duties of the cross-functional team established under subsection (a) shall be—

(1) to assist the Secretary with integrating Department efforts to address national security challenges posed by the People's Republic of China;

(2) to integrate the efforts of the Department regarding the People's Republic of China with the efforts of other relevant Federal departments and agencies; and

(3) to streamline and strengthen cooperation with United States allies and partners, particularly such allies and partners in the Indo-Pacific region.

(c) **TEAM LEADERSHIP.**—

(1) **IN GENERAL.**—The Secretary shall select an appropriate civilian official to lead the cross-functional team and a senior military officer to serve as the deputy to the civilian official so selected.

(2) **DIRECT REPORTING.**—The leadership of the cross-functional team shall report directly to the Secretary and the Deputy Secretary of Defense.

(d) **BRIEFING.**—Not later than 45 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on—

(1) the progress of the Secretary in establishing the cross-functional team; and

(2) the progress the team has made in—

(A) determining the roles and responsibilities of the organizations and elements of the Department with respect to the cross-functional team; and

(B) carrying out the duties under subsection (b).

**SEC. 1250. REPORT ON BILATERAL AGREEMENTS SUPPORTING UNITED STATES MILITARY POSTURE IN THE INDO-PACIFIC REGION.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the adequacy of existing bilateral agreements between the United States and foreign governments that support the existing and planned military posture of the United States in the Indo-Pacific region.

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

(1) An accounting of existing bilateral agreements that support the military posture of the United States in the Indo-Pacific region, by country and type.

(2) An articulation of the need for new bilateral agreements, by country and type, to support a more distributed United States military posture in the Indo-Pacific region, as outlined by the Global Force Posture Review, including agreements necessary—

(A) to establish new cooperative security locations, forward operating locations, and other locations in support of distributed operations; and

(B) to enable exercises and a more rotational force presence.

(3) A description of the relative priority of the agreements articulated under paragraph (2).

(4) Any specific request, financial or otherwise, made by a foreign government or a Federal agency other than the Department of Defense that complicates the completion of such agreements.

(5) A description of Department activities planned for the current and subsequent fiscal year that are intended to contribute to the completion of such agreements.

(6) A description of the manner in which the necessity for such agreements is communicated to, and coordinated with, the Secretary of State.

(7) Any other matter the Secretary of Defense considers relevant.

**SEC. 1251. SENSE OF THE SENATE ON SUPPORTING PRIORITIZATION OF THE PEOPLE'S REPUBLIC OF CHINA, THE INDO-PACIFIC REGION, AND TAIWAN.**

It is the sense of the Senate that the Senate—

(1) supports the designations by the Department of Defense, as reflected in the 2022 National Defense Strategy and statements by Secretary of Defense Lloyd Austin and other senior Department officials, of—

(A) the People's Republic of China as the Department's pacing challenge;

(B) the Indo-Pacific as the Department's priority theater; and

(C) a Taiwan contingency as the Department's pacing scenario;

(2) underscores the importance of the Department continuing to prioritize the deterrence of aggression by the People's Republic of China, particularly in the form of an invasion of Taiwan by the People's Republic of China, as the Government of the People's Republic of China expands and modernizes the People's Liberation Army; and

(3) strongly urges the Department to manage force allocations across theaters to ensure, consistent with the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.), that the United States Armed Forces maintain the ability to deny a fait accompli against Taiwan by the People's Republic of China in order to deter the People's Republic of China from using force to unilaterally change the status quo with Taiwan.

**SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES AND PARTNERSHIPS IN THE INDO-PACIFIC REGION.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) The United States Indo-Pacific strategy states, “we will prioritize our single greatest asymmetric strength: our network of security alliances and partnerships. Across the region, the United States will work with allies and partners to deepen our interoperability and develop and deploy advanced warfighting capabilities as we support them in defending their citizens and their sovereign interests.”

(2) The fact sheet accompanying the National Defense Strategy states, “[m]utually-beneficial Alliances and partnerships are an enduring strength for the United States, and are critical to achieving our objectives . . . the Department [of Defense] will incorporate ally and partner perspectives, competencies,



and advantages at every stage of defense planning.”.

(3) Chairman of the Joint Chiefs of Staff General Milley testified on April 7, 2022, that “our alliances and partnerships are our most significant asymmetric advantages and are key to maintaining the international rules-based order that offers the best opportunities for peace and prosperity for America and the globe.”.

(4) Commander of the United States Indo-Pacific Command Admiral Aquilino testified on March 10, 2022, that “a key U.S. asymmetric advantage that our security challengers do not possess is our network of strong alliances and partnerships. Because these relationships are based on shared values and people-to-people ties, they provide significant advantages such as long-term mutual trust, understanding, respect, interoperability, and a common commitment to a free and open Indo-Pacific.”.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should continue efforts that strengthen United States defense alliances and partnerships in the Indo-Pacific region so as to further the comparative advantage of the United States in strategic competition with the People’s Republic of China, including by—

(1) enhancing cooperation with Japan, consistent with the Treaty of Mutual Cooperation and Security Between the United States of America and Japan, signed at Washington, January 19, 1960, including by developing advanced military capabilities, fostering interoperability across all domains, and improving sharing of information and intelligence;

(2) reinforcing the United States alliance with the Republic of Korea, including by maintaining the presence of approximately 28,500 members of the United States Armed Forces deployed to the country and affirming the United States commitment to extended deterrence using the full range of United States defense capabilities, consistent with the Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington, October 1, 1953, in support of the shared objective of a peaceful and stable Korean Peninsula;

(3) fostering bilateral and multilateral cooperation with Australia, consistent with the Security Treaty Between Australia, New Zealand, and the United States of America, signed at San Francisco, September 1, 1951, and through the partnership among Australia, the United Kingdom, and the United States (commonly known as “AUKUS”)—

(A) to advance shared security objectives;

(B) to accelerate the fielding of advanced military capabilities; and

(C) to build the capacity of emerging partners;

(4) advancing United States alliances with the Philippines and Thailand and United States partnerships with other partners in the Association of Southeast Asian Nations to enhance maritime domain awareness, promote sovereignty and territorial integrity, leverage technology and promote innovation, and support an open, inclusive, and rules-based regional architecture;

(5) broadening United States engagement with India, including through the Quadrilateral Security Dialogue—

(A) to advance the shared objective of a free and open Indo-Pacific region through bilateral and multilateral engagements and participation in military exercises, expanded defense trade, and collaboration on humanitarian aid and disaster response; and

(B) to enable greater cooperation on maritime security and the threat of global pandemics, including COVID-19;

(6) strengthening the United States partnership with Taiwan, consistent with the

Three Communiques, the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.), and the Six Assurances, with the goal of improving Taiwan’s asymmetric defensive capabilities and promoting peaceful cross-strait relations;

(7) reinforcing the status of the Republic of Singapore as a Major Security Cooperation Partner of the United States and continuing to strengthen defense and security cooperation between the military forces of the Republic of Singapore and the Armed Forces of the United States, including through participation in combined exercises and training;

(8) engaging with the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and other Pacific Island countries, with the goal of strengthening regional security and addressing issues of mutual concern, including protecting fisheries from illegal, unreported, and unregulated fishing;

(9) collaborating with Canada, the United Kingdom, France, and other members of the European Union and the North Atlantic Treaty Organization to build connectivity and advance a shared vision for the region that is principled, long-term, and anchored in democratic resilience; and

(10) investing in enhanced military posture and capabilities in the area of responsibility of the United States Indo-Pacific Command and strengthening cooperation in bilateral relationships, multilateral partnerships, and other international fora to uphold global security and shared principles, with the goal of ensuring the maintenance of a free and open Indo-Pacific region.

**SEC. 1253. PROHIBITION ON USE OF FUNDS TO SUPPORT ENTERTAINMENT PROJECTS WITH TIES TO THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.**

None of the funds authorized to be appropriated by this Act may be used to knowingly provide active and direct support to any film, television, or other entertainment project with respect to which any producer or other person associated with the project—

(1) seeks pre-approval of the content of the project from any entity of the Government of the People’s Republic of China or the Chinese Communist Party; or

(2) modifies or deletes in any way the content of the project as a result of any direction from any entity of the Government of the People’s Republic of China or the Chinese Communist Party.

**Subtitle E—Reports**

**SEC. 1261. REPORT ON FIFTH FLEET CAPABILITY UPGRADES.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) capabilities upgrades necessary to enable the Fifth Fleet to address emerging threats in its area of responsibility; and

(2) any costs associated with such upgrades.

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

(1) An assessment of seaborne threats posed by Iran, and groups linked to Iran, to the military forces of United States allies and partners operating in the waters in and around the broader Middle East.

(2) A description of any capabilities upgrades necessary to enable the Fifth Fleet to address such threats.

(3) An estimate of the costs associated with any such upgrades.

(4) A description of any United States plan to deepen cooperation with other member countries of the Combined Maritime Forces at the strategic, policy, and functional levels

for the purpose of addressing such threats, including by—

(A) enhancing coordination on defense planning;

(B) improving intelligence sharing; and

(C) deepening maritime interoperability.

(c) BROADER MIDDLE EAST DEFINED.—In this section, the term “broader Middle East” means—

(1) the land around the southern and eastern shores of the Mediterranean Sea;

(2) the Arabian Peninsula;

(3) Iran; and

(4) North Africa.

**Subtitle F—Other Matters**

**SEC. 1271. PROHIBITION ON PARTICIPATION IN OFFENSIVE MILITARY OPERATIONS AGAINST THE HOUTHIS IN YEMEN.**

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act shall be made available to provide for Department of Defense participation in offensive operations against the Houthis in Yemen by the coalition led by Saudi Arabia, unless a specific statutory authorization for such use of the United States Armed Forces has been enacted.

(b) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (a) if the Secretary—

(1) determines that such a waiver is in the national security interests of the United States;

(2) issues the waiver in writing; and

(3) not more than 5 days after issuing the waiver, submits to the Committees on Armed Services of the Senate and the House of Representatives a notification that includes the text of the waiver and a justification for the waiver.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit—

(1) United States counterterrorism cooperation with Saudi Arabia or the United Arab Emirates against al-Qaeda, the Islamic State of Iraq and Syria, or associated forces;

(2) support intended to assist Saudi Arabia, the United Arab Emirates, or other members of the Saudi-led coalition in defending against threats emanating from Yemen to their sovereignty or territorial integrity, the sovereignty or territorial integrity of any other United States partner or ally, or the safety of United States persons or property, including—

(A) threats from ballistic missiles, cruise missiles, or unmanned aerial vehicles; and

(B) explosive boat threats to international maritime traffic;

(3) the provision of humanitarian assistance; or

(4) the preservation of freedom of navigation.

(d) EXTENSION OF PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.—Section 1273 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1699) is amended to read as follows:

**“SEC. 1273. PROHIBITION ON IN-FLIGHT REFUELING TO NON-UNITED STATES AIRCRAFT THAT ENGAGE IN HOSTILITIES IN THE ONGOING CIVIL WAR IN YEMEN.**

“For the two-year period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023, the Department of Defense may not provide in-flight refueling pursuant to section 2342 of title 10, United States Code, or any other applicable statutory authority, to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen unless and until a declaration of war or a specific statutory authorization for such use of United States Armed Forces has been enacted.”.

**SEC. 1272. EXTENSION OF AUTHORITY FOR UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS.**

Section 1278(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1702; 22 U.S.C. 8606 note) is amended by striking “December 31, 2024” and inserting “December 31, 2026”.

**SEC. 1273. EXTENSION OF AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS INJURY AND LOSS.**

Section 1213(a) of the National Defense Authorization Act for Fiscal Year 2020 (10 U.S.C. 2731 note) is amended by striking “December 31, 2023” and inserting “December 31, 2024”.

**SEC. 1274. MODIFICATION OF SECRETARY OF DEFENSE STRATEGIC COMPETITION INITIATIVE.**

(a) **AUTHORITY.**—Subsection (a) of section 1332 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2007; 10 U.S.C. 301 note) is amended by striking “that advance” and all that follows through the period at the end and inserting “that—

“(1) advance United States national security objectives for strategic competition by supporting Department of Defense efforts to compete below the threshold of armed conflict; or

“(2) support other Federal departments and agencies in advancing United States interests relating to strategic competition.”.

(b) **AUTHORIZED ACTIVITIES AND PROGRAMS.**—Subsection (b) of such section is amended by adding at the end the following new paragraph:

“(5) Other activities or programs of the Department of Defense, including activities to coordinate with or support other Federal departments and agencies, that the Secretary of Defense determines would advance United States national security objectives for strategic competition.”.

**SEC. 1275. ASSESSMENT OF CHALLENGES TO IMPLEMENTATION OF THE PARTNERSHIP AMONG AUSTRALIA, THE UNITED KINGDOM, AND THE UNITED STATES.**

(a) **IN GENERAL.**—The Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center for the conduct of an independent assessment of resourcing, policy, and process challenges to implementing the partnership among Australia, the United Kingdom, and United States (commonly known as the “AUKUS partnership”) announced on September 21, 2021.

(b) **MATTERS TO BE CONSIDERED.**—In conducting the assessment required by subsection (a), the federally funded research and development center shall consider the following with respect to each of Australia, the United Kingdom, and the United States:

(1) Potential resourcing and personnel shortfalls.

(2) Information sharing, including foreign disclosure policy and processes.

(3) Statutory, regulatory, and other policies and processes.

(4) Intellectual property, including patents.

(5) Export controls, including technology transfer and protection.

(6) Security protocols and practices, including personnel, operational, physical, facility, cybersecurity, counterintelligence, marking and classifying information, and handling and transmission of classified material.

(7) Any other matter the Secretary considers appropriate.

(c) **RECOMMENDATIONS.**—The federally funded research and development center selected to conduct the assessment under this section

shall include, as part of such assessment, recommendations for improvements to resourcing, policy, and process challenges to implementing the AUKUS partnership.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than January 1, 2024, the Secretary shall submit to the congressional defense committees a report that includes an unaltered copy of such assessment, together with the views of the Secretary on the assessment and on the recommendations included in the assessment pursuant to subsection (c).

(2) **FORM OF REPORT.**—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

**TITLE XIII—COOPERATIVE THREAT REDUCTION**

**SEC. 1301. COOPERATIVE THREAT REDUCTION FUNDS.**

(a) **FUNDING ALLOCATION.**—Of the \$341,598,000 authorized to be appropriated to the Department of Defense for fiscal year 2023 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, \$6,860,000.

(2) For chemical weapons destruction, \$15,000,000.

(3) For global nuclear security, \$18,090,000.

(4) For cooperative biological engagement, \$225,000,000.

(5) For proliferation prevention, \$45,890,000.

(6) For activities designated as Other Assessments/Administrative Costs, \$30,760,000.

(b) **SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.**—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2023, 2024, and 2025.

**TITLE XIV—OTHER AUTHORIZATIONS**

**Subtitle A—Military Programs**

**SEC. 1401. WORKING CAPITAL FUNDS.**

Funds are hereby authorized to be appropriated for fiscal year 2023 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

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

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

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

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

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

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

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

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

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2023 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

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

Funds are hereby authorized to be appropriated for fiscal year 2023 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

**Subtitle B—National Defense Stockpile**

**SEC. 1411. MODIFICATION OF ACQUISITION AUTHORITY UNDER STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.**

(a) **IN GENERAL.**—Section 5 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98d) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting “under the authority of paragraph (3) or” after “Except for acquisitions made”; and

(ii) in the second sentence, by striking “for such acquisition” and inserting “for any acquisition of materials under this Act”; and

(B) by adding at the end the following:

“(3) Using funds appropriated for acquisition of materials under this Act, the National Defense Stockpile Manager may acquire materials determined to be strategic and critical under section 3(a) without regard to the requirement of the first sentence of paragraph (1) if the Stockpile Manager determines there is a shortfall of such materials in the stockpile.”; and

(2) in subsection (c), by striking “to carry out the purposes for which appropriated for a period of two fiscal years, if so provided in the appropriations Acts” and inserting “until expended, unless otherwise provided in appropriations Acts”.

(b) **INCREASE IN QUANTITIES OF MATERIALS TO BE STOCKPILED.**—Section 3(c)(2) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(c)(2)) is amended—

(1) by amending the first sentence to read as follows: “The President shall notify Congress in writing of any increase proposed to be made in the quantity of any material to be stockpiled that involves the acquisition of additional materials for the stockpile.”;

(2) in the second sentence, by striking “the change after the end of the 45-day period” and inserting “the increase after the end of the 30-day period”; and

(3) in the third sentence, by striking “change” and inserting “increase”.

**SEC. 1412. BRIEFINGS ON SHORTFALLS IN NATIONAL DEFENSE STOCKPILE.**

Section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h-5) is amended by adding at the end the following new subsection:

“(f)(1) Not later than March 1 each year, the National Defense Stockpile Manager shall provide to the congressional defense committees a briefing on strategic and critical materials that—

“(A) are determined to be in shortfall in the most recent report on stockpile requirements submitted under subsection (a); and

“(B) the acquisition or disposal of which is included in the annual materials plan for the operation of the stockpile during the next fiscal year submitted under section 11(b).”

“(2) Each briefing required by paragraph (1) shall include—

“(A) a description of each material described in that paragraph, including the objective to be achieved if funding is provided, in whole or in part, for the acquisition of the material to remedy the shortfall;

“(B) an estimate of additional amounts required to provide such funding, if any; and

“(C) an assessment of the supply chain for each such material, including any assessment of any relevant risk in any such supply chain.”.

**SEC. 1413. AUTHORITY TO ACQUIRE MATERIALS FOR THE NATIONAL DEFENSE STOCKPILE.**

(a) **ACQUISITION AUTHORITY.**—Of the funds appropriated into the National Defense Stockpile Transaction Fund pursuant to the authorization of appropriations under subsection (c), the National Defense Stockpile Manager may use up to \$1,003,500,000 for acquisition of the following materials determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States:

(1) Neodymium oxide, praseodymium oxide, and neodymium iron boron (NdFeB) magnet block.

(2) Titanium.

(3) Energetic materials.

(4) Iso-molded graphite.

(5) Grain-oriented electric steel.

(6) Tire cord steel.

(7) Cadmium zinc telluride.

(8) Any additional materials identified as stockpile requirements in the most recent report submitted to Congress under section 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–5).

(b) **FISCAL YEAR LIMITATION.**—The authority under subsection (a) is available for purchases during fiscal years 2023 through 2032.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the National Defense Stockpile Transaction Fund \$1,003,500,000 for the acquisition of strategic and critical materials under section 6(a) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98e(a)).

(d) **COMPLIANCE WITH STRATEGIC AND CRITICAL MATERIALS STOCK PILING ACT.**—Any acquisition using funds appropriated pursuant to the authorization of appropriations under subsection (c) shall be carried out in accordance with the provisions of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

**Subtitle C—Other Matters**

**SEC. 1421. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.**

There is hereby authorized to be appropriated for fiscal year 2023 from the Armed Forces Retirement Home Trust Fund the sum of \$152,360,000 for the operation of the Armed Forces Retirement Home.

**SEC. 1422. 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.**

(a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, \$167,600,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) **TREATMENT OF TRANSFERRED FUNDS.**—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) **USE OF TRANSFERRED FUNDS.**—For purposes of subsection (b) of such section 1704, facility operations for which funds trans-

ferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

**TITLE XV—SPACE ACTIVITIES, STRATEGIC PROGRAMS, AND INTELLIGENCE MATTERS**

**Subtitle A—Space Activities**

**SEC. 1501. ADDITIONAL AUTHORITIES OF CHIEF OF SPACE OPERATIONS.**

Section 9082(d) of title 10, United States Code, is amended—

(1) in paragraph (5), by striking “; and” and inserting a semicolon;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following new paragraph:

“(7) be the force design architect for space systems of the armed forces.”.

**SEC. 1502. COMPREHENSIVE STRATEGY FOR THE SPACE FORCE.**

(a) **STRATEGIC OBJECTIVES.**—The Secretary of the Air Force and the Chief of Space Operations shall jointly develop strategic objectives required to organize, train, and equip the Space Force, including objectives that emphasize achieving and maintaining—

(1) United States space superiority;

(2) global communications, command and control, and intelligence, surveillance, and reconnaissance for the combatant commands and the respective components of the combatant commands; and

(3) the retention, development, and deployment of Space Force capabilities to meet the full range of joint warfighting space requirements of the combatant commands.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than June 30, 2023, the Secretary and the Chief shall jointly submit to the congressional defense committees a report on the strategic objectives developed under subsection (a).

(2) **ELEMENTS.**—The report required by paragraph (1) shall include the following:

(A) A description of the strategic objectives developed under subsection (a).

(B) A specific and detailed plan for achieving such strategic objectives that includes—

(i) a budget plan;

(ii) a ground-based infrastructure plan;

(iii) a space architecture plan; and

(iv) a systems acquisitions plan.

(C) An identification of units and resources from other Department of Defense organizations, as applicable, required by the Space Force to achieve and implement such strategic objectives efficiently and effectively.

(D) A plan to provide the number of general officer and senior executive service positions required to meet the needs of the Space Force, and a justification for such number.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(4) **PUBLIC AVAILABILITY.**—Not later than 5 days after the date on which the report is submitted, the Secretary and the Chief shall make the unclassified form of the report available to the public on an internet website of the Department of Defense.

(c) **BRIEFING.**—Not later than 30 days after the date on which the report is submitted, the Secretary and the Chief shall provide a briefing to the congressional defense committees on—

(1) the information contained in the report; and

(2) the plan of the Department of the Air Force to provide the Space Force with the

resources required to achieve the objectives described in the report.

(d) **SPACE SUPERIORITY DEFINED.**—In this section, the term “space superiority” means the degree of control in space of one force over any others that permits the conduct of its operations at a given time and place without prohibitive interference from terrestrial or space-based threats.

**SEC. 1503. REVIEW OF SPACE DEVELOPMENT AGENCY EXEMPTION FROM JOINT CAPABILITIES INTEGRATION AND DEVELOPMENT SYSTEM.**

(a) **IN GENERAL.**—Not later than March 31, 2023, the Secretary of Defense shall complete a review of the exemption of the Space Development Agency from the Joint Capabilities Integration and Development System.

(b) **RECOMMENDATION.**—Not later than 30 days after the date on which the review under subsection (a) is completed, the Secretary of Defense shall submit to the congressional defense committees a recommendation as to whether such exemption should continue to apply to the Space Development Agency.

(c) **IMPLEMENTATION.**—Not later than 60 days after the date on which the recommendation is submitted under subsection (b), the Secretary of the Air Force and the Director of the Space Development Agency shall implement the recommendation.

**SEC. 1504. APPLIED RESEARCH AND EDUCATIONAL ACTIVITIES TO SUPPORT SPACE TECHNOLOGY DEVELOPMENT.**

(a) **IN GENERAL.**—The Secretary of the Air Force and the Chief of Space Operations, in coordination with the Chief Technology and Innovation Office of the Space Force, may carry out applied research and educational activities to support space technology development.

(b) **ACTIVITIES.**—Activities carried out under subsection (a) shall support the applied research, development, and demonstration needs of the Space Force, including by addressing and facilitating the advancement of capabilities related to—

(1) space domain awareness;

(2) positioning, navigation, and timing;

(3) communications;

(4) hypersonics;

(5) cybersecurity; and

(6) any other matter the Secretary of the Air Force considers relevant.

(c) **EDUCATION AND TRAINING.**—Activities carried out under subsection (a) shall—

(1) promote education and training for students so as to support the future national security space workforce of the United States; and

(2) explore opportunities for international collaboration.

(d) **TERMINATION.**—The authority provided by this section shall expire on December 31, 2027.

**SEC. 1505. CONTINUED REQUIREMENT FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

In carrying out Phase 2 of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force shall ensure that launch services are procured only from launch service providers that use launch vehicles meeting Federal requirements with respect to required payloads to reference orbits.

**SEC. 1506. EXTENSION OF ANNUAL REPORT ON SPACE COMMAND AND CONTROL.**

Section 1613(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1731) is amended by striking “2025” and inserting “2030”.

**SEC. 1507. MODIFICATION OF REPORTS ON INTEGRATION OF ACQUISITION AND CAPABILITY DELIVERY SCHEDULES FOR SEGMENTS OF MAJOR SATELLITE ACQUISITIONS PROGRAMS AND FUNDING FOR SUCH PROGRAMS.**

Section 2275(f) of title 10, United States Code, is amended by striking paragraph (3).

**SEC. 1508. UPDATE TO PLAN TO MANAGE INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT SYSTEM AND MULTI-DOMAIN SENSORS.**

(a) **UPDATE REQUIRED.**—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall update the plan that was developed pursuant to section 1669 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91).

(b) **COORDINATION WITH OTHER AGENCIES.**—In developing the update required by subsection (a), the Secretary shall—

(1) coordinate with the Secretary of the Army, the Secretary of the Navy, the Director of the Missile Defense Agency, the Director of the National Reconnaissance Office, and the Director of the Space Development Agency; and

(2) solicit comments on the plan, if any, from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command.

(c) **SUBMITTAL TO CONGRESS.**—Not later than 90 days after the update required by subsection (a) is complete, the Secretary of the Air Force shall submit to the congressional defense committees—

(1) the plan updated pursuant to subsection (a); and

(2) the comments from the Commander of United States Strategic Command, the Commander of United States Northern Command, and the Commander of United States Space Command, if any, solicited under subsection (b)(2).

**Subtitle B—Nuclear Forces**

**SEC. 1511. MATTERS RELATING TO ROLE OF NUCLEAR WEAPONS COUNCIL WITH RESPECT TO BUDGET FOR NUCLEAR WEAPONS PROGRAMS.**

(a) **REPEAL OF TERMINATION OF NUCLEAR WEAPONS COUNCIL CERTIFICATION AND REPORTING REQUIREMENT.**—Section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 10 U.S.C. 111 note) is amended by striking paragraph (10).

(b) **MODIFICATION TO RESPONSIBILITIES OF NUCLEAR WEAPONS COUNCIL.**—Section 179(d)(9) of title 10, United States Code, is amended by inserting “, in coordination with the Joint Requirements Oversight Council,” after “capabilities, and”.

(c) **AMENDMENT TO BUDGET AND FUNDING MATTERS FOR NUCLEAR WEAPONS PROGRAMS.**—

(1) **IN GENERAL.**—Section 179(f) of title 10, United States Code, is amended—

(A) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively;

(B) striking the heading and inserting the following:

“**BUDGET AND FUNDING MATTERS.**—(1)(A) The Council shall review each budget request transmitted by the Secretary of Energy to the Council under section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) and make a determination regarding the adequacy of each such request.

“(B) Not later than 30 days after making a determination described in subparagraph (A), the Council shall notify Congress that such a determination has been made.”; and

(C) by striking paragraph (7), as so redesignated, and inserting the following new paragraph (7):

“(7) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F-35A dual-capable aircraft, the Sentinel weapon system, the Columbia class ballistic missile submarine, the Long Range Standoff Weapon, the B-21 Raider long range bomber, a modernized nuclear command, control, and communications system, or other such nuclear weapons delivery or communications systems in development as of January 1, 2022, the Council shall notify the congressional defense committees of the determination.”.

(2) **TRANSFER OF DETERMINATION OF ADEQUACY REQUIREMENT.**—Subparagraph (B) of section 4717(a)(2) of the Atomic Energy Defense Act (50 U.S.C. 2757) is—

(A) transferred to section 179(f) of title 10, United States Code, as amended by paragraph (1);

(B) inserted after paragraph (1)(A) of such section; and

(C) amended—

(i) by moving such subparagraph 4 ems to the left;

(ii) by striking “**DETERMINATION OF ADEQUACY.**—” and all that follows through “(i) **INADEQUATE REQUESTS.**—” and inserting “(i)”;

(iii) in clause (i), by striking “paragraph (1)” and inserting “section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)”;

(iv) in clause (ii)—

(I) by moving such clause 6 ems to the left;

(II) by striking the heading; and

(III) by striking “paragraph (1)” and inserting “section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757)”;

(v) in clause (iii)—

(I) by moving such clause 6 ems to the left; and

(II) by striking the heading.

(d) **MODIFICATION OF BUDGET REVIEW BY NUCLEAR WEAPONS COUNCIL.**—Section 4717 of the Atomic Energy Defense Act (50 U.S.C. 2757) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) **REVIEW.**—The Council shall review each budget request transmitted to the Council under paragraph (1) in accordance with section 179(f) of title 10, United States Code.”; and

(B) in paragraph (3)(A)—

(i) in the matter preceding clause (i), by striking “paragraph (2)(B)(i)” and inserting “section 179(f)(1)(B)(i) of title 10, United States Code.”; and

(ii) in clause (i), by striking “the description under paragraph (2)(B)(i)” and inserting “that description”;

(2) in subsection (b)—

(A) by striking “**COUNCIL.**—” in the heading and all that follows through “At the time” and inserting “**COUNCIL.**—At the time”;

(B) by striking paragraph (2).

**SEC. 1512. DEVELOPMENT OF RISK MANAGEMENT FRAMEWORK FOR THE UNITED STATES NUCLEAR ENTERPRISE.**

(a) **FRAMEWORK.**—Not later than June 1, 2023, the Under Secretary of Defense for Acquisition and Sustainment and the Administrator for Nuclear Security, in coordination with the other members of the Nuclear Weapons Council, shall develop a joint risk management framework—

(1) to periodically identify, analyze, and respond to risks that affect the nuclear enterprise of the United States; and

(2) to report, internally to other members of the Nuclear Weapons Council and externally to relevant stakeholders, such risks and any associated mitigation efforts.

(b) **ELEMENTS.**—The framework required by subsection (a) shall address—

(1) programs to sustain and modernize the nuclear weapons stockpile of the United States;

(2) efforts to sustain and recapitalize infrastructure and facilities of the National Nuclear Security Administration that support programs of the Department of Defense;

(3) programs to sustain and modernize nuclear weapons delivery systems of the Department of Defense; and

(4) programs to sustain and modernize the nuclear command, control, and communications infrastructure of the United States.

(c) **SUBJECT MATTER EXPERTISE.**—The Under Secretary and the Administrator shall draw upon public and private sector resources to inform the development of the framework required by subsection (a), including by leveraging, to the maximum extent possible, the program management expertise within the Defense Acquisition University.

(d) **BRIEFINGS.**—The Under Secretary and the Administrator shall jointly brief the congressional defense committees—

(1) not later than February 1, 2023, on the progress made toward developing the framework required by subsection (a); and

(2) not later than June 30, 2023, on the completed framework.

**SEC. 1513. BIENNIAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.**

Chapter 24 of title 10, United States Code, is amended by inserting after section 492a the following new section:

**“SEC. 492b. BIENNIAL BRIEFING ON NUCLEAR WEAPONS AND RELATED ACTIVITIES.**

“(a) **IN GENERAL.**—On or about May 1 and November 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to nuclear weapons policies, operations, technology development, and other similar topics as requested by such committees.

“(b) **OFFICIALS SPECIFIED.**—The officials specified in this subsection are the following: “(1) the Assistant Secretary of Defense for Acquisition.

“(2) the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs.

“(3) the Assistant Secretary of Defense for Space Policy.

“(4) the Deputy Administrator for Defense Programs of the National Nuclear Security Administration.

“(5) the Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

“(6) the Director for Capability and Resource Integration (J8) for the United States Strategic Command.

“(c) **DELEGATION.**—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

“(d) **TERMINATION.**—This section terminates on January 1, 2028.”.

**SEC. 1514. PLAN FOR DEVELOPMENT OF REENTRY VEHICLES.**

(a) **IN GENERAL.**—The Under Secretary of Defense for Acquisition and Sustainment, in consultation with the Administrator for Nuclear Security and the Under Secretary of Defense for Research and Engineering, shall produce a plan for the development, during the 20 year period beginning on the date of the enactment of this Act, of—

(1) the Mark 21A reentry vehicle for the Air Force;

(2) the Mark 7 reentry vehicle for the Navy; and

(3) any other reentry vehicles for—

(A) the Sentinel intercontinental ballistic missile weapon system;

(B) the Trident II (D5) submarine-launched ballistic missile, or subsequent missile; and

(C) any other long range ballistic or hypersonic strike missile that may rely upon technologies similar to the technologies used in the missiles described in subparagraphs (A) and (B).

(b) ELEMENTS.—The plan required by subsection (a) shall—

(1) with respect to the development of each reentry vehicle described in subsection (a), describe—

(A) timed phases of production for the reentry aeroshell and the planned production and fielding of the reentry vehicle;

(B) the required developmental and operational testing capabilities and capacities, including such capabilities and capacities of the reentry vehicle;

(C) the technology development and manufacturing capabilities that may require use of authorities under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.); and

(D) the industrial base capabilities and capacities, including the availability of sufficient critical materials and staffing to ensure adequate competition between entities developing the reentry vehicle;

(2) provide estimated cost projections for the development of the first operational reentry vehicle and the production of subsequent reentry vehicles to meet Navy and Air Force requirements; and

(3) provide for the coordination with and account for the needs of the development by the Department of Defense of hypersonic systems using materials, staffing, and an industrial base similar to that required for the development of reentry vehicles described in subsection (a).

(c) ASSESSMENTS.—

(1) COST PROJECTIONS.—The Director of the Office of Cost Assessment and Program Evaluation of the Department of Defense and the Director of the Office of Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall jointly conduct an assessment of the costs of the plan required by subsection (a).

(2) TECHNOLOGY AND MANUFACTURING READINESS.—The Under Secretary of Defense for Acquisition and Sustainment shall enter into an agreement with a federally funded research and development center to conduct an assessment of the technology and manufacturing readiness levels with respect to the plan required by subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees the plan required by subsection (a) and the assessments required by subsection (c).

**SEC. 1515. INDUSTRIAL BASE MONITORING FOR B-21 AND SENTINEL PROGRAMS.**

(a) IN GENERAL.—The Secretary of the Air Force, acting through the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics, shall designate a senior official to monitor the combined industrial base supporting the acquisition of B-21 aircraft and Sentinel programs.

(b) REQUIREMENTS FOR MONITORING.—In monitoring the combined industrial base described in subsection (a), the senior official designated under that subsection shall—

(1) appoint individuals to key staff positions;

(2) monitor the acquisition of—

(A) personnel with critical skills;

(B) materials, technologies, and components associated with nuclear weapons systems; and

(C) commodities purchased on a large scale; and

(3) assess whether public and private personnel with critical skills and knowledge, intellectual property on manufacturing processes, and facilities and equipment necessary to design, develop, manufacture, repair, and support a program are available and affordable within the scopes of the B-21 aircraft and Sentinel programs.

(c) ANNUAL REPORT.—Contemporaneously with the submission of the budget of the President pursuant to section 1105(a) of title 31 for a fiscal year, the Secretary shall submit to the congressional defense committees a report with respect to the status of the combined industrial base described in subsection (a).

**SEC. 1516. ESTABLISHMENT OF INTERCONTINENTAL BALLISTIC MISSILE SITE ACTIVATION TASK FORCE FOR SENTINEL PROGRAM.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Air Force Global Strike Command a directorate to be known as the Sentinel Intercontinental Ballistic Missile Site Activation Task Force (referred to in this section as the “Task Force”).

(2) SITE ACTIVATION TASK FORCE.—The Task Force shall serve as the Site Activation Task Force (as that term is defined in Air Force Instruction 10-503, updated October 14, 2020) for purposes of overseeing the construction of fixed facilities and emplacements and the installation and checkout of supporting subsystems and equipment leading to the deployment and achievement of full operational capability of the LGM-35A Sentinel intercontinental ballistic missile weapon system at each intercontinental ballistic missile wing for use by the Air Force Global Strike Command in support of plans and operations of the United States Strategic Command.

(b) DIRECTOR.—

(1) IN GENERAL.—The Task Force shall be headed by the Director of Intercontinental Ballistic Missile Modernization (referred to in this section as the “Director”).

(2) APPOINTMENT.—

(A) IN GENERAL.—The Secretary of the Air Force shall appoint the Director from among general officers (as defined in section 101(b) of title 10, United States Code) of the Air Force.

(B) QUALIFICATIONS.—In appointing the Director, the Secretary of the Air Force shall give preference to individuals with expertise in large construction projects.

(3) TERM OF OFFICE.—

(A) TERM.—The Director shall be appointed for a term of three years. The Secretary may reappoint the Director for one additional three-year term.

(B) REMOVAL.—The Secretary may remove the Director for cause at any time.

(4) DUTIES OF THE DIRECTOR.—The Director shall—

(A) oversee—

(i) the deployment of the LGM-35A Sentinel intercontinental ballistic missile weapon system; and

(ii) the retirement of the LGM-30G Minuteman III intercontinental ballistic missile weapon system; and

(B) subject to the authority, direction, and control of the Commander of the Air Force Global Strike Command, the Chief of Staff of the Air Force, and the Secretary of the Air Force, prepare, justify, and execute the personnel, operation and maintenance, and construction budgets for such deployment and retirement.

(c) REPORTS.—

(1) REPORT TO SECRETARIES.—Not later than one year after the date of the enactment of this Act, and annually thereafter,

the Director, in consultation with the milestone decision authority (as defined in section 2366a(d) of title 10, United States Code) for the LGM-35A Sentinel intercontinental ballistic missile program, shall submit to the Secretary of the Air Force and the Secretary of Defense a report on the progress of the Air Force in achieving initial and full operational capability for the LGM-35A Sentinel intercontinental ballistic missile weapon system.

(2) REPORT TO CONGRESS.—Not later than 30 days after receiving a report required by paragraph (1), the Secretary of the Air Force and the Secretary of Defense jointly shall transmit the report to the congressional defense committees.

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

(4) QUARTERLY BRIEFING.—Not later than one year after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Air Force shall brief the congressional defense committees with respect to progress made on activities by the Task Force to bring the LGM-35A Sentinel intercontinental ballistic missile weapon system to operational capability at each intercontinental ballistic missile wing.

(d) WEAPON SYSTEM DESIGNATION.—

(1) IN GENERAL.—For purposes of nomenclature and life cycle maintenance, each wing level configuration of the LGM-35A Sentinel intercontinental ballistic missile shall be considered a weapon system.

(2) DEFINITIONS.—In this subsection:

(A) WEAPON SYSTEM.—The term “weapon system” has the meaning given the term in Department of the Air Force Pamphlet 63-128, updated February 3, 2021.

(B) WING LEVEL CONFIGURATION.—The term “wing level configuration” means the complete arrangement of subsystems and equipment of the LGM-35A Sentinel intercontinental ballistic missile required to function as a wing.

(e) TERMINATION.—The Task Force shall terminate not later than 90 days after the Commander of the United States Strategic Command and the Commander of the Air Force Global Strike Command (or the heads of successor agencies of the United States Strategic Command and the Air Force Global Strike Command) jointly declare that the LGM-35A Sentinel intercontinental ballistic missile weapon system has achieved full operational capability.

**SEC. 1517. SENSE OF THE SENATE AND BRIEFING ON NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.**

(a) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the United States strategic nuclear deterrent, and the independent strategic nuclear deterrents of the United Kingdom and the French Republic, are the supreme guarantee of the security of the North Atlantic Treaty Organization (commonly referred to as “NATO”) and continue to underwrite peace and security for all members of the NATO alliance;

(2) the security of the NATO alliance also relies upon nuclear sharing arrangements that predate, and are fully consistent with, the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1960 (commonly referred to as the “Nuclear Non-Proliferation Treaty”);

(3) such arrangements provide for the forward deployment of United States nuclear weapons in Europe, along with the supporting capabilities, infrastructure, and dual-capable aircraft dedicated to the delivery of United States nuclear weapons, provided by European NATO allies;

(4) in parallel to the independent commitments of the United States and the United Kingdom to the enduring security of NATO, the nuclear programs of the United States and the United Kingdom have enjoyed significant collaborative benefits as a result of the cooperative relationship formalized in the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958, and entered into force August 4, 1958, between the United States and the United Kingdom (commonly referred to as the “Mutual Defense Agreement”);

(5) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and resulted in the sharing of costs;

(6) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an increasingly important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(7) additionally, the extension of the nuclear deterrence commitments of the United Kingdom to members of the NATO alliance strengthens collective security while reducing the burden placed on United States nuclear forces to deter potential adversaries and assure allies of the United States;

(8) it is in the national security interest of the United States to support the United Kingdom with respect to the decision of the Government of the United Kingdom to maintain its nuclear forces to deter countries that are “significantly increasing and diversifying their nuclear arsenals” and “investing in novel nuclear technologies and developing new “warfighting” nuclear systems” that could threaten NATO allies, as outlined in the March 2021 report of the Government of the United Kingdom entitled, “Global Britain in a Competitive Age: The Integrated Review of Security, Defence, Development and Foreign Policy”;

(9) as the United States continues to modernize its aging nuclear forces to ensure its ability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge;

(10) bilateral cooperation on such programs as the Trident II D5 weapons system, the common missile compartment for the future Dreadnought and Columbia classes of submarines, and the parallel development of the W93/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, will allow the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—

(A) preserves independent, sovereign control;

(B) is consistent with each country’s obligations under the Nuclear Non-Proliferation Treaty; and

(C) supports nonproliferation objectives; and

(11) continued cooperation between the nuclear programs of United States and the United Kingdom is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace, preventing coercion, and deterring aggression.

(b) BRIEFING.—Not later than March 4, 2023, the Under Secretary of Defense for Acquisition and Sustainment shall brief the Committees on Armed Services of the Senate and the House of Representatives on opportunities to further enhance and strengthen the bilateral partnership between the nuclear enterprises of the United States and the United Kingdom, including potential cooperation in

areas such as advanced manufacturing, microelectronics, supercomputing, and production modernization.

**SEC. 1518. LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF REPORTS ON INTERCONTINENTAL BALLISTIC MISSILE FORCE.**

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 50 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the reports and documents required under section 1647 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2097).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than the date specified in paragraph (2), the Secretary of Defense shall submit to the congressional defense committees—

(A) any covered review completed in 2021 or 2022; and

(B) a report summarizing any policy, programmatic, operational, or budgetary decisions of the Secretary of Defense arising from the results of any covered review completed in 2021 or 2022.

(2) DATE SPECIFIED.—The date specified in this paragraph is the latter of—

(A) the date that is 15 days after the date of the enactment of this Act; or

(B) the date that is 15 days after the President submits to Congress a budget for fiscal year 2023 pursuant to section 1105 of title 31, United States Code.

(3) COVERED REVIEW DEFINED.—In this section, the term “covered review” means any review initiated in 2021 or 2022 by an entity pursuant to an agreement or contract with the Federal Government regarding—

(A) a service life extension program for LGM-30G Minuteman III intercontinental ballistic missiles; or

(B) the future of the intercontinental ballistic missile force.

**SEC. 1519. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.**

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance, sustainment, or replacement of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

**SEC. 1520. LIMITATION ON USE OF FUNDS FOR B83-1 RETIREMENT AND REPORT ON DEFEATING HARD AND DEEPLY BURIED TARGETS.**

(a) LIMITATION ON USE OF FUNDS.—Except as provided in subsection (c), none of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Department of Defense or the Department of Energy for the purpose of deactivating, dismantling, or retiring the B83-1 nuclear gravity bomb may be obligated or expended until the Secretary of Defense and the Secretary of Energy submit to the Committees on Armed Services of

the Senate and the House of Representatives the report required by subsection (b).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense and the Secretary of Energy, acting through the Nuclear Weapons Council established under section 179 of title 10, United States Code, and the Joint Requirements Oversight Council and in consultation with the Director of National Intelligence, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the defeat of hard and deeply buried targets.

(2) ELEMENTS.—The report required by paragraph (1) shall include—

(A) a review of Department of Defense requirements for defeating hard and deeply buried targets, including facilities designed for the storage or manufacture of nuclear, chemical, and biological weapons and their precursors;

(B) an evaluation of the sufficiency of current and planned conventional and nuclear military capabilities to satisfy such requirements;

(C) an identification of likely future trajectories in the worldwide use and proliferation of hard and deeply buried targets;

(D) an assessment of the resources, research and development efforts, and capability options needed to ensure that the United States maintains the ability to defeat hard and deeply buried targets and other related requirements; and

(E) a determination of the capability and cost of each resource, effort, and option assessed under subparagraph (D).

(3) ASSESSMENT.—In order to perform the assessment required by paragraph (2)(D), the Secretary of Defense and the Secretary of Energy may conduct any limited research and development that either such Secretary determines is necessary to perform the assessment.

(4) FORM.—The report required under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.

(c) EXCEPTION.—The limitation on the use of funds under subsection (a) does not apply to the deactivation, dismantling, or retirement of B83-1 nuclear gravity bombs for the express purpose of supporting sustainment, life extension, or modification programs for other weapons currently in, or planned to become part of, the United States nuclear weapons stockpile.

**SEC. 1521. LIMITATION ON USE OF FUNDS FOR NAVAL NUCLEAR FUEL SYSTEMS BASED ON LOW-ENRICHED URANIUM.**

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2023 for the National Nuclear Security Administration for the purposes of conducting research and development of an advanced naval nuclear fuel system based on low-enriched uranium may be obligated or expended until the following determinations are submitted to the congressional defense committees:

(1) A determination made jointly by the Secretary of Energy and the Secretary of Defense with respect to whether the determination made jointly by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue research and development of an advanced naval nuclear fuel system based on low-enriched uranium, remains valid.

(2) A determination by the Secretary of the Navy with respect to whether an advanced naval nuclear fuel system based on low-enriched uranium can be produced that would



not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2022 for nonproliferation fuels development, including a description of any progress made toward technological or nonproliferation goals as a result of such activities.

**SEC. 1522. FURTHER LIMITATION ON USE OF FUNDS UNTIL SUBMISSION OF ANALYSIS OF ALTERNATIVES FOR NUCLEAR SEA-LAUNCHED CRUISE MISSILE.**

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Policy, not more than 75 percent may be obligated or expended until the Secretary of Defense submits to the congressional defense committees the analysis and provides to such committees the briefing required by section 1641 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 135 Stat. 2092).

**SEC. 1523. MODIFICATION OF REPORTS ON NUCLEAR POSTURE REVIEW IMPLEMENTATION.**

Section 491(c) of title 10, United States Code is amended—

(1) in the heading, by striking “2010” and inserting “2022”;

(2) in the matter preceding paragraph (1)—  
(A) by striking “2012 through 2021” and inserting “2022 through 2031”;

(B) by striking “2010” and inserting “2022”;

(3) by striking paragraph (1) and inserting the following new paragraph (1.):

“(1) ensure that the report required by section 492a of this title is transmitted to Congress, if so required under such section;”.

**SEC. 1524. MODIFICATION OF REQUIREMENTS FOR PLUTONIUM PIT PRODUCTION CAPACITY PLAN.**

(a) NOTIFICATION REQUIRED.—Section 4219(c) of the Atomic Energy Defense Act (50 U.S.C. 2538a(c)) is amended—

(1) by striking “that subsection, by” and inserting the following: “that subsection—”

“(1) by not later than March 5 of such year, the Chairman of the Nuclear Weapons Council shall notify the congressional defense committees whether the Administration has provided the Nuclear Weapons Council with sufficient information to develop the plan required by paragraph (2); and

“(2) by”;

(2) by striking “subsection (a). Such plan” and inserting “subsection (a), which”.

(b) LIMITATION ON USE OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the Office of the Under Secretary of Defense for Acquisition and Sustainment, not more than 75 percent may be obligated or expended until the Chairman of the Nuclear Weapons Council submits to the congressional defense committees a plan required by section 4219(c)(2) of the Atomic Energy Defense Act, as amended by subsection (a).

**SEC. 1525. EXTENSION OF REQUIREMENT TO REPORT ON NUCLEAR WEAPONS STOCKPILE.**

Section 492a(a)(1) of title 10, United States Code, is amended by striking “2024” and inserting “2029”.

**SEC. 1526. EXTENSION OF REQUIREMENT FOR ANNUAL ASSESSMENT OF CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.**

Section 499(e) of title 10, United States Code, is amended by striking “December 31, 2027” and inserting “December 31, 2032”.

**SEC. 1527. EXTENSION OF REQUIREMENT FOR UNENCUMBERED URANIUM PLAN.**

Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking “2026” and inserting “2030”.

**SEC. 1528. EXTENSION OF PIT PRODUCTION ANNUAL CERTIFICATION.**

Section 3120(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2294) is amended in the matter preceding paragraph (1) by striking “2025” and inserting “2030”.

**SEC. 1529. ELIMINATION OF OBSOLETE REPORTING REQUIREMENTS RELATING TO PLUTONIUM PIT PRODUCTION.**

Section 3120 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 2292) is amended—

(1) by striking subsections (b), (c), (d), and (g);

(2) by redesignating subsections (e) and (f) as subsections (b) and (c), respectively;

(3) in subsection (b), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “2025” and inserting “2029”;

(B) in paragraph (3), by inserting “, as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2023” after “subsection (c)(1)”;

(4) in subsection (c), as so redesignated, by striking “subsection (e)” each place it appears and inserting “subsection (b)”.

**SEC. 1530. TECHNICAL AMENDMENT TO ADDITIONAL REPORT MATTERS ON STRATEGIC DELIVERY SYSTEMS.**

Section 495(b) of title 10, United States Code, is amended in the matter preceding paragraph (1) by striking “1043 of the National Defense Authorization Act for Fiscal Year 2012” and inserting “492a of this title”.

**Subtitle C—Missile Defense**

**SEC. 1541. PERSISTENT CYBERSECURITY OPERATIONS FOR BALLISTIC MISSILE DEFENSE SYSTEMS AND NETWORKS.**

(a) PLAN.—Not later than May 1, 2023, the Director of the Missile Defense Agency, in coordination with the Director for Operational Test and Evaluation, shall develop a plan to conduct persistent cybersecurity operations across all networks and information systems supporting the Ballistic Missile Defense System.

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

(1) An inventory of all networks and information systems that support the Ballistic Missile Defense System.

(2) A strategy—  
(A) for coordinating with the applicable Combatant Commands on persistent cybersecurity operations; and

(B) in which the Director for Operational Test and Evaluation monitors and reviews such operations and provides independent assessments of their adequacy and sufficiency.

(3) A plan for how the Missile Defense Agency will respond to cybersecurity testing recommendations made by the Director for Operational Test and Evaluation.

(4) The timeline required to execute the plan.

(c) BRIEFINGS.—The Director of the Missile Defense Agency shall provide to the congressional defense committees a briefing—

(1) not later than May 15, 2023, on the plan developed under subsection (a); and

(2) not later than December 30, 2023, on progress made towards implementing such plan.

**SEC. 1542. MIDDLE EAST INTEGRATED AIR AND MISSILE DEFENSE.**

(a) IN GENERAL.—The Secretary of Defense shall seek to cooperate with allies and partners in the Middle East to identify an archi-

ture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(b) COUNTRIES SPECIFIED.—The countries specified in this subsection are as follows:

(1) Countries of the Gulf Cooperation Council.

(2) Iraq.

(3) Israel.

(4) Jordan.

(5) Egypt.

(6) Such other regional allies or partners of the United States as the Secretary may identify.

(c) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a strategy on cooperation with allies and partners in the Middle East to identify an architecture and develop an acquisition approach for the countries specified in subsection (b) to implement an integrated air and missile defense capability to protect the people, infrastructure, and territory of such countries from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran.

(2) CONTENTS.—The strategy submitted under paragraph (1) shall include the following:

(A) An assessment of the threat of ballistic and cruise missiles, manned and unmanned aerial systems, and rocket attacks from Iran and groups linked to Iran to the countries specified in subsection (b).

(B) A description of current efforts to coordinate indicators and warnings from such attacks with the countries specified in subsection (b).

(C) A description of current systems to defend against attacks in coordination with the countries specified in subsection (b).

(D) An explanation of how an integrated air and missile defense architecture would improve collective security in the region covered by the countries specified in subsection (b).

(E) A description of efforts to engage specified foreign partners in establishing such an architecture.

(F) An identification of elements of the integrated air and missile defense architecture that—

(i) can be acquired and operated by specified foreign partners; and

(ii) can only be provided and operated by members of the Armed Forces.

(G) An identification of any challenges in establishing an integrated air and missile defense architecture with specified foreign partners.

(H) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics identified under paragraph (4).

(I) Recommendations for improvements in the implementation of the strategy based on the metrics identified under paragraph (4).

(J) Such other matters as the Secretary considers relevant.

(3) PROTECTION OF SENSITIVE INFORMATION.—Any activity carried out under paragraph (1) shall be conducted in a manner that appropriately protects sensitive information and the national security interests of the United States.

(4) METRICS.—The Secretary shall identify metrics to assess progress in the implementation of the strategy required in paragraph (1).

(5) **FORMAT.**—The strategy submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) **FEASIBILITY STUDY.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this act, the Secretary of Defense shall—

(A) complete a study on the feasibility and advisability of establishing a fund for an integrated air and missile defense system to counter the threats from cruise and ballistic missiles, manned and unmanned aerial systems, and rocket attacks for the countries specified in subsection (b) from Iran and groups linked with Iran; and

(B) submit to the congressional defense committees the findings of the Secretary with respect to the study completed under subparagraph (A).

(2) **ASSESSMENT OF CONTRIBUTIONS.**—The study completed under paragraph (1)(A) shall include an assessment of funds that could be contributed by allies of the United States and countries that are partners with the United States.

**SEC. 1543. DESIGNATION OF A DEPARTMENT OF DEFENSE INDIVIDUAL RESPONSIBLE FOR MISSILE DEFENSE OF GUAM.**

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall designate a senior Department of Defense individual responsible for the missile defense of Guam.

(b) **DUTIES.**—The duties of the individual designated under subsection (a) shall include the following:

(1) Designing the architecture of the missile defense system for defending Guam.

(2) Overseeing development of an integrated missile defense acquisition strategy for the missile defense of Guam.

(3) Ensuring the military service and Defense agency component budgets are appropriate for the strategy described in paragraph (2).

(4) Siting the integrated missile defense system described in paragraph (2).

(5) Overseeing long-term acquisition and sustainment of the missile defense system for Guam.

(6) Such other duties as the Secretary considers appropriate.

(c) **PROGRAM TREATMENT.**—The integrated missile defense system referred to in subsection (b) shall be designated as special interest acquisition category 1D program and shall be managed as consistent with Department of Defense Instruction 5000.85 “Major Capability Acquisition”.

(d) **REPORT.**—Concurrent with the submission of each budget of the President under section 1105(a) of title 31, United States Code, the individual designated under subsection (a) shall submit to the congressional defense committees a report on the actions taken by the individual to carry out the duties set forth under subsection (b).

(e) **TERMINATION.**—Subsections (a) and (d) shall terminate on the date that is three years after the date on which the individual designated under subsection (a) determines that the integrated missile defense system described in subsection (b)(2) has achieved initial operational capability.

**SEC. 1544. MODIFICATION OF PROVISION REQUIRING FUNDING PLAN FOR NEXT GENERATION INTERCEPTORS FOR MISSILE DEFENSE OF UNITED STATES HOMELAND.**

Section 1668 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81) is amended—

(1) in subsection (a)(2), by striking “at least 20” and inserting “no fewer than 64”;

(2) in subsection (b), by striking “fiscal year 2023” and inserting “fiscal year 2024”;

and

(3) in subsection (c)—

(A) in the matter before paragraph (1)—

(i) by striking “30 days prior to any” and inserting “90 days prior to implementation of a”; and

(ii) by striking “Director” and inserting “Secretary of Defense”; and

(B) in paragraph (2), by striking “Director” and inserting “Secretary”.

**SEC. 1545. BIENNIAL BRIEFING ON MISSILE DEFENSE AND RELATED ACTIVITIES.**

(a) **IN GENERAL.**—On or about June 1 and December 1 of each calendar year, the officials specified in subsection (b) shall brief the Committees on Armed Services of the Senate and the House of Representatives on matters relating to missile defense policies, operations, technology development, and other similar topics as requested by such committees.

(b) **OFFICIALS SPECIFIED.**—The officials specified in this subsection are the following:

(1) The Assistant Secretary of Defense for Acquisition.

(2) The Assistant Secretary of Defense for Space Policy.

(3) The Director of the Missile Defense Agency.

(4) The Director for Strategy, Plans, and Policy (J5) of the Joint Staff.

(c) **DELEGATION.**—An official specified in subsection (b) may delegate the authority to provide a briefing required by subsection (a) to any employee of such official who is a member of the Senior Executive Service.

(d) **TERMINATION.**—This section terminates on January 1, 2028.

**SEC. 1546. IMPROVING ACQUISITION ACCOUNTABILITY REPORTS ON THE BALLISTIC MISSILE DEFENSE SYSTEM.**

Section 225 of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)(C), by striking “and flight” and inserting “, flight, and cybersecurity”;;

(B) in paragraph (2), by striking subparagraph (C) and inserting the following new subparagraph (C):

“(C) how the proposed capability satisfies a capability requirement or performance attribute identified through—

“(i) the missile defense warfighter involvement process, as governed by United States Strategic Command Instruction 538-03 or the document that amends or replaces it; or

“(ii) processes and products approved by the Joint Chiefs of Staff or Joint Requirements Oversight Council;”;

(C) in paragraph (3)—

(i) in subparagraph (C), by striking “; and” and inserting a semicolon;

(ii) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subparagraph:

“(E) an explanation for why a program joint cost analysis requirements description has not been prepared and approved, and, if a program joint cost analysis requirements description is not applicable, the rationale.”;

(2) in subsection (c)(2)—

(A) in subparagraph (B)(ii)—

(i) in subclause (I)—

(I) by striking “initial” and inserting “original”; and

(II) by striking “; and” and inserting a semicolon;

(ii) in subclause (II), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new subclause:

“(III) the most recent adjusted or revised acquisition baseline for such program element or major subprogram under subsection (d).”; and

(B) by adding at the end the following new subparagraph:

“(C)(i) In this paragraph, the term ‘original acquisition baseline’ means the first acquisition baseline created.

“(ii) An original acquisition baseline has no previous iterations; it has not been adjusted or revised.

“(iii) Any acquisition baselines resulting from adjustments or revisions to the original acquisition baseline shall not be considered the original acquisition baseline for the purposes of reporting under this section.

“(iv) Any acquisition baseline adjusted or revised pursuant to subsection (d) shall not be considered an original acquisition baseline.”;

(3) in subsection (e)—

(A) in paragraph (1), by striking “; and” and inserting a semicolon;

(B) by paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

“(3) the amount of operations and sustainment costs (dollar value and base year) for which the military department or other Department entity is responsible; and

“(4)(A) a citation to the source (such as a joint cost estimate or one or more military department estimates) that captures the operations and sustainment costs for which a military department or other Department entity is responsible;

“(B) the date the source was prepared; and

“(C) if and when the source was independently verified by the Office for Cost Assessment and Program Evaluation.”;

(4) by adding at the end the following new subsections:

“(f) **TOTAL SYSTEM COSTS.**—(1) The Director shall identify the total system costs for each element that comprises the missile defense system, without regard to funding source or management control (such as the Missile Defense Agency, a military department, or other Department entity), in annual reports submitted under subsection (c).

“(2) The elements referred to in paragraph (1) shall include the following:

“(A) Research and development.

“(B) Procurement.

“(C) Military construction.

“(D) Operations and sustainment.

“(E) Disposal.

“(3) In this subsection, the term ‘total system costs’ means all combined costs from closed, canceled, and active acquisition baselines, as well as any costs shifted to or a part of future efforts without an established acquisition baseline, and any costs under the responsibility of a military department or other Department entity.”.

**SEC. 1547. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.**

(a) **IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.**—

(1) **AVAILABILITY OF FUNDS.**—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than \$80,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) **CONDITIONS.**—

(A) **AGREEMENT.**—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel

Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than \$40,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2023 for procurement, Defense-wide, and available for the Missile Defense Agency not more than \$80,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and Production Readiness Reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1548. MAKING PERMANENT PROHIBITIONS RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.**

Section 130h of title 10, United States Code, is amended by striking subsection (e).

**SEC. 1549. LIMITATION ON USE OF FUNDS UNTIL MISSILE DEFENSE DESIGNATIONS HAVE BEEN MADE.**

Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 90 percent may be obligated or expended until the date on which the Secretary notifies the congressional defense committees that designations required by section 1684(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328) have been made.

**Subtitle D—Other Matters**

**SEC. 1551. INTEGRATION OF ELECTRONIC WARFARE INTO TIER 1 AND TIER 2 JOINT TRAINING EXERCISES.**

(a) IN GENERAL.—During fiscal years 2023 through 2027, the Chairman of the Joint Chiefs of Staff shall require that offensive and defensive electronic warfare capabilities be integrated into Tier 1 and Tier 2 joint training exercises.

(b) REQUIREMENT TO INCLUDE OPPOSING FORCE.—The Chairman shall require exercises conducted under subsection (a) to include an opposing force design based on a current intelligence assessment of the electronic warfare order of battle and capabilities of an adversary.

(c) WAIVER.—The Chairman may waive the requirement under subsection (a) with respect to an exercise if the Chairman determines that—

(1) the exercise does not require—

(A) a demonstration of electronic warfare capabilities; or

(B) a militarily significant threat from electronic warfare attack; or

(2) the integration of offensive and defensive electronic warfare capabilities into the exercise is cost prohibitive or not technically feasible based on the overall goals of the exercise.

(d) BRIEFING REQUIRED.—Concurrent with the submission of the budget of the President to Congress pursuant to section 1105(a) of title 31, United States Code, for fiscal years 2023 through 2027, the Chairman shall provide to the congressional defense committees a briefing on exercises conducted under subsection (a) that includes—

(1) a description of such exercises planned and included in the budget submission for that fiscal year; and

(2) the results of each such exercise conducted in the preceding fiscal year, including—

(A) the extent to which offensive and defensive electronic warfare capabilities were integrated into the exercise;

(B) an evaluation and assessment of the exercise to determine the impact of the adversary on the participants in the exercise, including—

(i) joint lessons learned;

(ii) high interest training issues; and

(iii) high interest training requirements; and

(C) whether offensive and defense electronic warfare capabilities were part of an overall joint fires and, if so, a description of how.

(e) DEFINITIONS.—In this section:

(1) JOINT FIRES.—The term “joint fires” has the meaning of that term as used in the publication of the Joint Staff entitled, “Insights and Best Practices Focus Paper on Integration and Synchronization of Joint Fires”, and dated July 2018.

(2) TIER 1; TIER 2.—The term “Tier 1” and “Tier 2”, with respect to joint training exercises, have the meanings given those terms in the Joint Training Manual for the Armed Forces of the United States (Document No. CJCSM 3500.03E), dated April 20, 2015.

**SEC. 1552. RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS.**

Section 1053(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 113 note), as amended by section 907 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81), is further amended—

(1) by striking paragraphs (1) and (2);

(2) by inserting the following new paragraph (1):

“(1) REPORT REQUIRED.—(A) Not later than March 31, 2023, the Secretary of Defense shall

submit to the congressional defense committees a report on the appropriate alignment of electromagnetic spectrum operations responsibilities and functions.

“(B) CONSIDERATIONS.—In developing the report required by subparagraph (A), the Secretary shall consider the following:

“(i) All appropriate entities that are in effect, including elements of the Joint Staff, the functional and geographic combatant commands, the offices and agencies of the Department of Defense, and other organizations and the establishment of a new entity for electromagnetic spectrum operations within any of the entities currently in effect.

“(ii) Whether electromagnetic spectrum operations organization should have unitary structure or hybrid structure (in which operational and capability development and direction are headed by separate organizations).

“(C) The resources required to fulfill the specified responsibilities and functions.”;

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(4) in the subsection heading, by inserting “REPORTS AND PLANS CONCERNING” before “TRANSFER”.

**SEC. 1553. EXTENSION OF AUTHORIZATION FOR PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.**

Section 1301(i) of title 10, United States Code, is amended by striking “2023” both places it appears and inserting “2026”.

**SEC. 1554. DEPARTMENT OF DEFENSE SUPPORT FOR REQUIREMENTS OF THE WHITE HOUSE MILITARY OFFICE.**

(a) MEMBERSHIP ON COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.—Section 171a(b) of title 10, United States Code, is amended by—

(1) redesignating paragraph (7) as paragraph (8); and

(2) inserting after paragraph (6) the following new paragraph (7):

“(7) The Director of the White House Military Office.”.

(b) ACQUISITION PORTFOLIO MANAGER.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall designate a senior official to oversee, coordinate, and advocate for the portfolio of Department of Defense acquisitions in support of requirements of the White House Military Office.

(c) ACCESSIBILITY OF INFORMATION.—The programmatic and budgetary information required to assess the efficacy of Department of Defense acquisitions supporting requirements of the White House Military Office shall be provided to the senior official designated under subsection (b) by the following officials:

(1) The Secretary of each military department.

(2) The Under Secretary of Defense for Policy.

(3) The Under Secretary of Defense for Research and Engineering.

(4) The Chairman of the Joint Chiefs of Staff.

(5) The Director of Cost Assessment and Program Evaluation.

(d) ANNUAL BRIEFING.—Not later than 30 days after the date on which the President submits to Congress a budget for each of fiscal years 2024 through 2027 pursuant to section 1105(a) of title 31, United States Code, the Under Secretary of Defense for Acquisition and Sustainment and the Director of the White House Military Office shall jointly brief the congressional defense committees on acquisition programs, plans, and other activities supporting the requirements of the White House Military Office.

**TITLE XVI—CYBERSPACE-RELATED MATTERS**

**Subtitle A—Matters Relating to Cyber Operations and Cyber Forces**

**SEC. 1601. ANNUAL ASSESSMENTS AND REPORTS ON ASSIGNMENT OF CERTAIN BUDGET CONTROL RESPONSIBILITY TO COMMANDER OF UNITED STATES CYBER COMMAND.**

(a) ANNUAL ASSESSMENTS.—

(1) IN GENERAL.—In fiscal year 2023 and not less frequently than once each fiscal year thereafter through fiscal year 2028, the Commander of United States Cyber Command, in coordination with the Principal Cyber Advisor of the Department of Defense, shall assess the implementation of the transition of responsibilities assigned to the Commander by section 1507(a)(1) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

(2) ELEMENTS.—Each assessment carried out under paragraph (1) shall include the following:

(A) Assessment of the operational and organizational effect of the transition on the training, equipping, operation, sustainment, and readiness of the Cyber Mission Forces.

(B) Development of a description of the cyber systems, activities, capabilities, resources, and functions that have been transferred from the military departments to control of the Commander and those that have not been transitioned.

(C) Formulation of an opinion by the Commander as to whether the cyber systems, activities, capabilities, resources, and functions that have not been transitioned should be transitioned.

(D) Assessment of the adequacy of resources, authorities, and policies required to implement the transition, including organizational, functional, and personnel matters.

(E) Assessment of reliance on resources, authorities, policies, or personnel external to United States Cyber Command in support of the budget control of the Commander.

(F) Identification of any outstanding areas for transition.

(G) Such other matters as the Commander considers appropriate.

(b) ANNUAL REPORTS.—For each fiscal year in which the Commander conducted an assessment under subsection (a)(1), the Commander shall, not later than 90 days after the end of such fiscal year, submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the Commander with respect to such assessment.

**SEC. 1602. ALIGNMENT OF DEPARTMENT OF DEFENSE CYBER INTERNATIONAL STRATEGY WITH NATIONAL DEFENSE STRATEGY AND DEPARTMENT OF DEFENSE CYBER STRATEGY.**

(a) ALIGNMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy and in coordination with the Commander of United States Cyber Command, the Director of the Joint Staff J5, and the commanders of geographic combatant commands, undertake efforts to align the Department of Defense cybersecurity cooperation enterprise and the Department’s cyberspace operational partnerships with the National Defense Strategy, Department of Defense Cyber Strategy, and the 2019 Department of Defense International Cyberspace Security Cooperation Guidance.

(b) ELEMENTS.—The alignment efforts required by subsection (a) shall include the following efforts within the Department of Defense:

(1) Efforts to build the Department’s internal capacity to support international strat-

egy policy engagements with allies and partners.

(2) Efforts to coordinate and align cyberspace operations with foreign partners, including alignment between hunt forward missions and other cyber international strategy activities conducted by the Department, including identification of processes, working groups, and methods to facilitate coordination between geographic combatant commands and United States Cyber Command.

(3) Efforts to deliberately cultivate operational and intelligence-sharing partnerships with key allies and partners to advance the cyberspace operations objectives of the Department.

(4) Efforts to identify key allied and partner networks, infrastructure, and systems that the Joint Force will rely upon for warfighting and to—

(A) support the cybersecurity and cyber defense of those networks, infrastructure, and systems;

(B) build partner capacity to actively defend those networks, infrastructure, and systems;

(C) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems, such as when identified through hunt forward operations; and

(D) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(5) Efforts to secure United States mission partner environments and networks used to hold United States origin intelligence and information.

(6) Prioritization schemas, funding requirements, and efficacy metrics to drive cyberspace security investments in the tools, technologies, and capacity-building efforts that will have the greatest positive impact on the ability of the Department’s resilience and ability to execute its operational plans and achieve integrated deterrence.

(c) ORGANIZATION.—The Under Secretary of Defense for Policy shall lead efforts to implement this section. In doing so, the Under Secretary shall consult with the Secretary of State, the National Cyber Director, the Director of Cybersecurity and Infrastructure Security Agency, and the Director of the Federal Bureau of Investigation, to align plans and programs as appropriate.

(d) ANNUAL BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once each fiscal year until September 30, 2025, the Under Secretary of Defense for Policy shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives annual briefings on the implementation of this section.

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of efforts undertaken pursuant to this section.

(B) An accounting of all the Department’s security cooperation activities germane to cyberspace and changes made pursuant to implementation of this section.

(C) A detailed schedule with target milestones and required expenditures for all planned activities related to the efforts described in subsection (b).

(D) Interim and final metrics for building the cyberspace security cooperation enterprise of the Department.

(E) Identification of such additional funding, authorities, and policies, as the Under Secretary determines may be required.

(F) Such recommendations as the Under Secretary may have for legislative action to

improve the effectiveness of cyberspace security cooperation of the Department with foreign partners and allies.

(e) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once each year thereafter until January 1, 2025, the Under Secretary of Defense for Policy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an annual report summarizing the cyber international strategy activities of the Department, including within the cybersecurity cooperation enterprise of the Department and the cyber operational partnerships of the Department.

**SEC. 1603. CORRECTING CYBER MISSION FORCE READINESS SHORTFALLS.**

(a) PLAN AND BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall jointly—

(1) develop a plan to correct readiness shortfalls in the Cyber Mission Forces;

(2) develop recommendations for such legislative action as the Secretary and the Chairman jointly consider appropriate to correct the readiness shortfalls described in paragraph (1); and

(3) provide the congressional defense committees a briefing on the plan developed under paragraph (1) and the recommendations developed under paragraph (2).

(b) IMPLEMENTATION.—Not later than 30 days after the date of the briefing provided under paragraph (3) of subsection (a), the Secretary and the Chairman shall commence implementation of the aspects of the plan developed under paragraph (1) of such subsection that are not dependent upon legislative action.

(c) MATTERS TO BE ADDRESSED.—In developing the plan, the Secretary and the Chairman shall consider and explicitly address through analysis the following potential courses of action, singly and in combination, to increase the availability of personnel in key work roles:

(1) Determining the correct number of personnel necessary to fill key work roles, including the proper force mix of civilian, military, and contractor personnel, and the means necessary to meet those requirements.

(2) Employing civilians rather than military personnel in key work roles.

(3) Expanding training capacity.

(4) Modifying or creating new training models.

(5) Maximizing use of compensation and incentive authorities, including increasing bonuses and special pays, and alternative compensation mechanisms.

(6) Modifying career paths and service policies to permit consecutive assignments in key work roles without jeopardizing promotion opportunities.

(7) Increasing service commitments following training commensurate with the value of the key work role training.

(8) Standardizing compensation models across the services.

(9) Requiring multiple rotations within the Cyber Mission Forces for key work roles.

(10) Adopting and implementing what are known as “rank in person” policies that enable civilian personnel to be promoted on the basis of skills and abilities demonstrated in a given position.

(d) KEY WORK ROLES DEFINED.—In this section, the term “key work roles” means work roles that consist of access development, tool development, and exploitation analysis.

**SEC. 1604. CYBERSECURITY COOPERATION TRAINING AT JOINT MILITARY ATTACHE SCHOOL.**

(a) REFINING AND EXPANDING TRAINING.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, refine and expand current cybersecurity cooperation training at the Joint Military Attaché School.

(b) ELEMENTS.—The cybersecurity cooperation training developed under subsection (a) shall include the following:

(1) An overview of the different purposes of cyberspace engagements with partners and allies, including threat awareness, cybersecurity, mission assurance, and operations.

(2) An overview of the types of cybersecurity cooperation available for partners and allies of the United States, including bilateral and multilateral cyberspace engagements, information and intelligence sharing, training, and exercises.

(3) An overview of the United States Cyber Command cyberspace operations with partners, including an overview of the Hunt Forward mission and process.

(4) Description of roles and responsibilities of United States Cyber Command, the geographic combatant commands, and the Defense Security Cooperation Agency for cybersecurity cooperation within the Department of Defense.

(5) Such other matters as the Under Secretary of Defense for Intelligence and Security, in coordination with the Under Secretary of Defense for Policy and the Commander of United States Cyber Command, consider appropriate.

(c) REQUIREMENTS.—The training developed under subsection (a) shall be a required element for all participants in the Attaché Training Program and the Attaché Staff Training Program of the Joint Military Attaché School.

(d) BRIEFING.—Not later than 30 days after completing development of the training under subsection (a), the Under Secretary of Defense for Intelligence and Security shall, in coordination with the Commander of United States Cyber Command and the Under Secretary of Defense for Policy, provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the training and the timeline for implementation within the program specified in subsection (c). Such briefing shall also include a plan for future updates and sustainment of the training developed in subsection (a).

**SEC. 1605. STRATEGY, FORCE, AND CAPABILITY DEVELOPMENT FOR CYBER EFFECTS AND SECURITY IN SUPPORT OF OPERATIONAL FORCES.**

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Deputy Secretary of Defense shall, in coordination with the Vice Chairman of the Joint Chiefs of Staff and in consultation with the Director of National Intelligence, develop a strategy for converged cyber and electronic warfare conducted by and through deployed military and intelligence assets operating in the radio-frequency domain to provide strategic, operational, and tactical effects in support of combatant commanders.

(2) MEANS.—The strategy developed under paragraph (1) shall specify means for supporting the strategy that include apertures and emitters that are space-based, airborne, ground-based, and sea-based.

(3) TARGETS.—The strategy developed under paragraph (1) may specify targets of the strategy that include the range of elec-

tronic systems embedded in adversary space-based, airborne, ground-based, and maritime forces.

(4) ACCESS TO INFORMATION.—In developing the strategy required by paragraph (1), the Deputy Secretary shall ensure that the strategy development team has access to all relevant programs, activities, and capabilities ongoing within the Department of Defense, including special access programs and other compartmented access programs.

(b) RECOMMENDATIONS FOR DECONFLICTION AND COORDINATION.—The Vice Chairman shall, in consultation with the geographic combatant commanders, the Commander of United States Cyber Command, and the Commander of Strategic Command, submit to the Deputy Secretary and the Chairman of the Joint Chiefs of Staff recommendations regarding command and control, deconfliction, and coordination relationships and processes between combatant commanders and the Commander of United States Cyber Command regarding tactical cyber operations and converged cyber and electronic warfare operations conducted prior to and during armed conflict.

(c) REQUIREMENTS FOR SERVICE RETAINED CYBER FORCES.—In parallel and in coordination with the development of the strategy under subsection (a), the Deputy Secretary and the Vice Chairman shall develop requirements for service-retained tactical cyber forces for offensive and defensive cyber missions—

(1) to defend deployed information technology and operational technology networks, intelligence systems, command and control nodes, tactical data networks, and weapon platforms and systems;

(2) to conduct offensive actions to achieve effects against adversary weapons systems, platforms, sensor systems, and tactical and operational command and control networks and communications systems; and

(3) to develop the intelligence requirements, strategy, and requisite data flows to support converged cyber and electronic warfare operations.

(d) CAPABILITY DEVELOPMENT AND TRANSITION PROCESSES.—The Deputy Secretary shall identify, designate, and create organizational constructs and processes to continuously generate and deliver cyber and converged cyber and electronic warfare capabilities into the Cyber Mission Forces, service-retained cyber forces, and other appropriate platforms and systems that can—

(1) achieve effects against adversary weapons systems, sensor systems, and tactical and operational command and control networks and communications systems; and

(2) enhance the cybersecurity of deployed information technology and operational technology networks, and weapon platforms and systems operating in or from space, air, ground, and maritime domains.

(e) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Deputy Secretary shall brief the congressional defense committees and the congressional intelligence committees (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) on the status of the implementation of this section.

**SEC. 1606. TOTAL FORCE GENERATION FOR THE CYBERSPACE OPERATIONS FORCES.**

(a) STUDY.—

(1) IN GENERAL.—Not later than June 1, 2024, the Secretary of Defense shall complete a study on the responsibilities of the military services for organizing, training, and presenting the total force to United States Cyber Command.

(2) ELEMENTS.—The study required by paragraph (1) shall assess the following:

(A) Which military services should organize, train, and equip civilian assets and

military Cyberspace Operations Forces for assignment, allocation, and apportionment to United States Cyber Command.

(B) Sufficiency of the military service accession and training model to provide forces to the Cyberspace Operations Forces, as well as the sufficiency of the accessions and personnel resourcing of the supporting command and control staffs necessary as a component to United States Cyber Command.

(C) The organization of the Cyberspace Operations Forces and whether the total forces or elements of the forces function best as a collection of independent teams or through a different model.

(D) Under-represented work roles or skills within the Cyberspace Operations Forces, including additional work roles or skills required to enable infrastructure management and access generation.

(E) What unique or training-intensive expertise is required for each of these work roles and whether native talents to master unique and training-intensive work roles can be identified and how personnel with those talents can be developed, retained, and employed across the active and reserve components.

(F) The appropriate pay scales, rotation or force management policies, career paths and progression, expertise-based grading, talent management practices, and training for each of those work roles, given expected operational requirements.

(G) Whether a single military service should be responsible for basic, intermediate, and advanced training for the Cyberspace Operations Forces, or at a minimum for the Cyber Mission Force.

(H) The level of training required before an individual should be assigned, allocated, or apportioned to United States Cyber Command.

(I) Whether or how the duties of the Director of the National Security Agency and the duties of Commander of United States Cyber Command, resting with a single individual, enable each respective organization, and whether technical directors and intelligence experts of the National Security Agency should serve rotations in the Cyberspace Operations Forces.

(J) How nonmilitary personnel, such as civilian government employees, contracted experts, commercial partners, and domain or technology-specific experts in industry or the intelligence community can augment or support Cyber Mission Force teams.

(K) What work roles in the Cyberspace Operations Forces can only be filled by military personnel, which work roles can be filled by civilian employees or contractors, and which work roles should be filled partially or fully by civilians due to the need for longevity of service to achieve required skill levels or retention rates.

(L) How specialized cyber experience, developed and maintained in the reserve component, can be more effectively leveraged to support the Cyberspace Operations Forces through innovative force generation models.

(M) Whether the Department of Defense should create a separate service to organize, train, and equip the Cyberspace Operations Forces or at a minimum the Cyber Mission Force.

(N) What resources, including billets, are required to account for any recommended changes.

(O) What resources the Commander of United States Cyber Command should be responsible for with respect to planning, programming, and budgeting as part of the implementation of section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81).

(P) Whether the Department of Defense is maximizing partnerships with industry and

other nontraditional sources of expertise in the areas of critical infrastructure protection and information sharing.

(Q) Whether the Defense Readiness Reporting System of the Department of Defense is sufficient to capture Cyberspace Mission Force readiness metrics.

(3) CONSIDERATIONS.—The study required by paragraph (1) shall consider existing models for total force generation practices and programs, as well as nontraditional and creative alternatives.

(b) RECOMMENDATION.—

(1) IN GENERAL.—Not later than June 1, 2024, the Principal Cyber Advisor and the Commander of United States Cyber Command shall, jointly or separately as they consider appropriate, submit to the Secretary of Defense a recommendation or recommendations, respectively, as to the future total force generation model for the Cyberspace Operations Forces.

(2) MATTERS ADDRESSED.—The recommendation or recommendations submitted under paragraph (1) shall address, at a minimum, each of the elements identified in subsection (a)(2).

(c) ESTABLISHMENT OF A NEW OR REVISED MODEL REQUIRED.—

(1) IN GENERAL.—Not later than December 31, 2024, the Secretary of Defense shall establish a new or revised total force generation model for the Cyberspace Operations Forces.

(2) ELEMENTS.—In establishing a new total force generation model or revising a total force generation model under paragraph (1), the Secretary shall explicitly determine the following:

(A) Whether the Navy should no longer be responsible for developing and presenting forces to the United States Cyber Command as part of the Cyber Mission Force or Cyberspace Operations Forces, including recommendations for corresponding transfer of responsibilities and associated resources and personnel for the existing and future year programmed Cyberspace Operations Forces or Cyber Mission Force resources.

(B) Whether a single military service should be responsible for organizing, training, and equipping the Cyberspace Operations Forces, or if different services should be responsible for different components of the Cyberspace Operations Forces.

(C) Whether modification of United States Cyber Command enhanced budget control authorities are necessary to further improve total force generation for Cyberspace Operations Forces.

(D) Implications of low service retention rates for critical roles within the Cyberspace Operations Forces, specifically addressing Cyber Mission Force rotations, length of service commitments, repeat tours within the Cyber Mission Force, retention incentives across the entire Cyberspace Operations Forces, and best practices for generating the future force.

(d) IMPLEMENTATION PLAN.—Not later than June 1, 2025, the Secretary shall submit to the congressional defense committees an implementation plan for effecting the total force generation model established or revised under subsection (c).

(e) PROGRESS BRIEFING.—Not later than 90 days after the date of the enactment of this Act and not less frequently than once every 180 days thereafter until receipt of the plan required by subsection (d), the Secretary shall provide the congressional defense committees with a briefing on the progress made in carrying out this section.

(f) ADDITIONAL CONSIDERATIONS.—The Secretary shall ensure that subsections (a) through (c) are carried out with consideration to matters relating to the following:

(1) The cybersecurity service providers, local defenders, and information technology

personnel who own, operate, and defend the information networks of the Department of Defense.

(2) Equipping the Cyberspace Operations Forces to include infrastructure management.

(3) Providing intelligence support to the Cyberspace Operations Forces.

(4) The resources, including billets, needed to account for any recommended changes.

#### SEC. 1607. MANAGEMENT AND OVERSIGHT OF JOINT CYBER WARFIGHTING ARCHITECTURE.

(a) ESTABLISHMENT OF PROGRAM EXECUTIVE OFFICE.—The Deputy Secretary of Defense shall, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Commander of United States Cyber Command, establish a program executive office (in this section referred to as the “Office”) to manage and provide oversight of the implementation and integration of the Joint Cyber Warfighting Architecture (in this section referred to as the “Architecture”) and the components of the Architecture.

(b) INDEPENDENCE OF OFFICE.—

(1) IN GENERAL.—The Deputy Secretary shall establish the Office outside of a military service.

(2) HEAD OF OFFICE.—The Deputy Secretary shall appoint the head of the Office and the head of the Office shall report to the Under Secretary and the Commander.

(c) CHIEF ARCHITECT AND SYSTEMS ENGINEER.—The Deputy Secretary shall ensure that the Office includes a chief architect and a systems engineer to provide the management and oversight described in subsection (a).

(d) APPOINTMENT OF EXPERTS.—The Deputy Secretary shall appoint to the Office personnel from organizations with relevant and high levels of technical and operational expertise, including the following:

(1) The Capabilities Directorate of the National Security Agency.

(2) The Information Innovation Office of the Defense Advanced Research Projects Agency.

(3) The Strategic Capabilities Office.

(4) The Cyber Capabilities Support Office of the Air Force.

(5) The Air Force Research Laboratory.

(6) The Office of Special Projects in the Navy.

(7) The operational units of the Cyber National Mission Force and cyber components of the military services.

(e) BUDGET EXECUTION CONTROL.—The head of the Office shall exercise budget execution control over component programs of the Architecture that are subject to the responsibilities assigned to the Commander by section 1507 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 167b note).

(f) COMPLIANCE WITH DIRECTION.—The program managers of the components of the Architecture shall comply with direction from the head of the Office, without intermediary communications from the Commander or the Under Secretary to the senior acquisition executive of the relevant military service.

(g) COORDINATION.—The Director of the Defense Advanced Research Projects Agency shall coordinate closely with the head of the Office in planning and executing the Constellation program via transactions under section 4021 of title 10, United States Code, between the Agency and the companies executing the components of the Architecture to create an effective framework and pipeline system for transitioning cyber applications for operational use from the Agency and other sources.

(h) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this



Act, the head of the Office and the Director shall jointly provide to the congressional defense committees a briefing on the status of the implementation of this section.

(1) INDEPENDENT REVIEW.—

(2) AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall enter into an agreement with an appropriate third-party to perform the services covered by this subsection.

(2) INDEPENDENT REVIEW AND BRIEFING.—(A) Under an agreement between the Deputy Secretary and an appropriate third-party, the appropriate third-party shall—

(i) carry out an independent review of the Joint Cyberspace Warfight Architecture concept, activities, and programs of record that comprise the Architecture; and

(ii) provide the congressional defense committees a briefing on the findings of the appropriate third-party with respect to the independent review conducted under clause (i).

(B) The independent review conducted under subparagraph (A)(i) shall include an assessment of and recommendations for improving:

(i) The effectiveness of the system integration and systems engineering efforts and governance structures of the Architecture.

(ii) The acquisition model of the activities comprising the Architecture, including recommendations for expanded use of Budget Activity 8 (BA-8) authorities.

(iii) The pipeline for rapidly developing and incorporating new capabilities to respond to the rapidly-evolving cyber threat environment.

(iv) Such other matters as the Deputy Secretary considers appropriate.

(3) APPROPRIATE THIRD-PARTY.—For purposes of this subsection, an appropriate third-party is a person who—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has such expertise and objectivity as the Deputy Secretary considers appropriate to carry out the independent review under paragraph (2).

**SEC. 1608. STUDY TO DETERMINE THE OPTIMAL STRATEGY FOR STRUCTURING AND MANNING ELEMENTS OF THE JOINT FORCE HEADQUARTERS-CYBER ORGANIZATIONS, JOINT MISSION OPERATIONS CENTERS, AND CYBER OPERATIONS-INTEGRATED PLANNING ELEMENTS.**

(a) STUDY.—

(1) IN GENERAL.—The Principal Cyber Advisor of the Department of Defense shall conduct a study to determine the optimal strategy for structuring and manning elements of the following:

(A) Joint Force Headquarters Cyber Organizations.

(B) Joint Mission Operations Centers.

(C) Cyber Operations-Integrated Planning Elements.

(D) Joint Cyber Centers.

(2) ELEMENTS.—The study conducted under paragraph (1) shall include assessment of the following:

(A) Operational effects on the military services if each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are restructured from organizations that are service component organizations to joint organizations.

(B) Organizational effects on the military services if the billets associated with each of the entities listed in subparagraphs (A) through (C) of paragraph (1) are transferred to United States Cyber Command and designated as joint billets for joint qualification purposes.

(C) Operational and organizational effects on the military services, United States

Cyber Command, other combatant commands, and the Joint Staff if the entities listed in subparagraphs (A) through (D) of paragraph (1) are realigned, restructured, or consolidated.

(D) Operational and organizational effects and advisement of standardizing a minimum set of roles and responsibilities of the Joint Cyber Centers, or the equivalent entity, of the combatant commands.

(E) Clarification of the relationship and differentiation between Cyber Operations-Integrated Planning Elements and Joint Cyber Centers of the combatant commands.

(F) A description of mission essential tasks for the entities listed in subparagraphs (A) through (D) of paragraph (1).

(G) A description of cyber activities in geographic and functional combatant command campaign plans and resources aligned to those activities.

(b) BRIEFINGS.—Not later than 180 after the date of the enactment of this Act, and not less frequently than once every 120 days until March 31, 2024, the Principal Cyber Advisor shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the status of the study conducted under subsection (a).

(c) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2024, the Principal Cyber Advisor shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall contain the following:

(A) The findings of the Principal Cyber Advisor with respect to the study conducted under subsection (a).

(B) Details of the operational and organizational effects assessed under subsection (a)(2).

(C) A plan to carry out the transfer described in subsection (a)(2)(B) and the associated costs, as appropriate.

(D) A plan to realign, restructure, or consolidate the entities listed in subparagraphs (A) through (D) of subsection (a)(1).

(E) Such other matters as the Principal Cyber Advisor considers appropriate.

**SEC. 1609. ANNUAL BRIEFING ON RELATIONSHIP BETWEEN NATIONAL SECURITY AGENCY AND UNITED STATES CYBER COMMAND.**

(a) ANNUAL BRIEFINGS REQUIRED.—Not later than March 1, 2023, and not less frequently than once each year thereafter until March 1, 2028, the Secretary of Defense shall provide the congressional defense committees a briefing on the relationship between the National Security Agency and United States Cyber Command.

(b) ELEMENTS.—Each briefing provided under subsection (a) shall include an annual assessment of the following:

(1) The resources, authorities, activities, missions, facilities, and personnel used to conduct the relevant missions at the National Security Agency as well as the cyber offense and defense missions of United States Cyber Command.

(2) The processes used to manage risk, balance tradeoffs, and work with partners to execute operations.

(3) An assessment of the operating environment and the continuous need to balance tradeoffs to meet mission necessity and effectiveness.

(4) An assessment of the operational effects resulting from the relationship between the National Security Agency and United States Cyber Command, including a list of specific operations conducted over the previous year that were enabled by or benefitted from the relationship.

(5) Such other topics as the Director of the National Security Agency and the Commander of United States Cyber Command may consider appropriate.

**SEC. 1610. REVIEW OF CERTAIN CYBER OPERATIONS PERSONNEL POLICIES.**

(a) REVIEW REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall require the Secretaries of the military departments and the Commander of United States Cyber Command to complete a review of, and appropriately update, departmental guidance and processes consistent with section 167b(d)(2)(A)(x) of title 10, United States Code, with respect to the authority of the Commander to monitor the promotions of certain cyber operations forces and coordinate with the Secretaries regarding the assignment, retention, training, professional military education, and special and incentive pays of certain cyber operations forces.

(b) ELEMENTS OF REVIEW.—The review and updates to departmental guidance and processes required under subsection (a) shall address the respective roles of the military departments and United States Cyber Command with respect to the following:

(1) The recruiting, retention, professional military education, and promotion of certain cyber operations personnel.

(2) The sharing of personnel data between the military departments and United States Cyber Command.

(3) Structures, departmental guidance, and processes developed between the military departments and United States Special Operations Command with respect to the authority of the Commander of United States Special Operations Command described in section 167(e)(2)(J) of title 10, United States Code, that could be used as a model for United States Cyber Command.

(4) Such other matters as the Secretary of Defense determines necessary.

(c) REPORT REQUIRED.—Not later than 90 days after the date on which the review and the updates required by subsection (a) are completed, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretaries of the military departments and the Commander of United States Cyber Command with respect to the review and the updates made pursuant to such subsection. Such report shall also include any such recommendations as the Secretary may have for legislative or administrative action.

**SEC. 1611. MILITARY CYBERSECURITY COOPERATION WITH KINGDOM OF JORDAN.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Policy, in coordination with the Commander of United States Cyber Command, the Commander of United States Central Command, and the Secretary of State, seek to engage their counterparts within the Ministry of Defence of the Kingdom of Jordan for the purpose of expanding cooperation of military cybersecurity activities.

(b) COOPERATION EFFORTS.—The efforts to expand cooperation required by subsection (a) may include the following efforts between the Department of Defense and the Ministry of Defence of the Kingdom of Jordan:

(1) Bilateral cybersecurity training activities and exercises.

(2) Efforts to—

(A) actively defend military networks, infrastructure, and systems;

(B) eradicate malicious cyber activity that has compromised those networks, infrastructure, and systems; and

(C) leverage United States commercial and military cybersecurity technology and services to harden and defend those networks, infrastructure, and systems.

(3) Establishment of a regional cybersecurity center.

(c) BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in coordination with the Secretary of State, provide to the appropriate committees of Congress a briefing on the implementation of this section.

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of efforts undertaken pursuant to this section.

(B) A description of the feasibility and advisability of expanding cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(C) Identification of any challenges and resources that need to be addressed so as to expand cooperation with the Ministry of Defence of the Kingdom of Jordan on military cybersecurity.

(D) Any other matter the Secretary considers relevant.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

**SEC. 1612. COMMANDER OF THE UNITED STATES CYBER COMMAND.**

Section 167b(c) of title 10, United States Code, is amended

(1) by striking “GRADE OF COMMANDER.—The commander” and inserting “COMMANDER OF CYBER COMMAND.—(1)The commander”;

and

(2) by adding at the end the following new paragraph:

“(2) The commander shall be appointed for a term of four years, and the President may nominate and appoint the commander for one additional 4-year term with the advice and consent of the Senate.”.

**SEC. 1613. ASSESSMENT AND REPORT ON SHARING MILITARY CYBER CAPABILITIES WITH FOREIGN OPERATIONAL PARTNERS.**

(a) ASSESSMENT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall conduct an assessment on sharing military cyber capabilities of the Armed Forces with foreign partners of the United States for immediate operational use to cause effects on targets or enable collection of information from targets.

(b) ELEMENTS.—The assessment conducted under subsection (a) shall include—

(1) a description of the military requirements of the Department of Defense for rapid sharing of military cyber capabilities with foreign partners of the United States in relevant operational timeframes;

(2) a description of the understanding by the Secretary of Defense and the Secretary of State of the current legal framework governing the sharing of military cyber capabilities of the Department with foreign partners of the United States for operational use by the foreign partner, including prohibitions or restrictions on sharing such military cyber capabilities with foreign partners in relevant operational timeframes, including under—

(A) the War Powers Resolution (50 U.S.C. 1541 et seq.);

(B) an alliance or treaty with a foreign country or countries; and

(C) export control laws or security assistance programs; and

(3) recommendations for legislative action that the Secretary of Defense and the Sec-

retary of State jointly agree are necessary to address gaps or misalignment in authorities that would enhance the sharing of military cyber capabilities of the Department with foreign operational partners of the United States.

(c) REPORT REQUIRED.—Not later than April 1, 2023, the Secretary of Defense, with the concurrence of the Secretary of State, shall provide the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on the assessment conducted under subsection (a).

**SEC. 1614. REPORT ON PROGRESS IN IMPLEMENTING PILOT PROGRAM TO ENHANCE CYBERSECURITY AND RESILIENCY OF CRITICAL INFRASTRUCTURE.**

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security, submit to Congress a report on the progress made in implementing the 2018 memorandum of understanding that was entered into by the Secretaries pursuant to the authority provided by section 1650(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 711 note prec.).

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A description of the efforts to develop and approve plans of action and milestones for each line of effort in the memorandum of understanding described in subsection (a).

(2) A description of the activities executed pursuant to such memorandum of understanding.

(3) Identification of any impediments that limit the abilities of the Secretaries to fully implement all lines of effort in such memorandum of understanding.

**SEC. 1615. PROTECTION OF CRITICAL INFRASTRUCTURE.**

(a) IN GENERAL.—In the event that the President determines that there is an active, systematic, and ongoing campaign of attacks in cyberspace by a foreign power against the Government or the critical infrastructure of the United States, the President may authorize the Secretary of Defense, acting through the Commander of the United States Cyber Command, to conduct military cyber activities or operations pursuant to section 394 of title 10, United States Code, in foreign cyberspace to deter, safeguard, or defend against such attacks.

(b) AFFIRMATION OF SCOPE OF CYBER ACTIVITIES OR OPERATIONS.—Congress affirms that the cyber activities or operations referred to in subsection (a), when appropriately authorized, shall be conducted consistent with section 394 of title 10, United States Code.

(c) DEFINITION OF CRITICAL INFRASTRUCTURE.—In this section, the term “critical infrastructure” has the meaning given that term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

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

**SEC. 1621. BUDGET DISPLAY FOR CRYPTOGRAPHIC MODERNIZATION ACTIVITIES FOR CERTAIN SYSTEMS OF THE DEPARTMENT OF DEFENSE.**

(a) DISPLAY REQUIRED.—Beginning with fiscal year 2024, and for each fiscal year thereafter, the Secretary of Defense shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for that fiscal year (as submitted with the budget of the

President under section 1105(a) of title 31, United States Code) a consolidated cryptographic modernization budget justification display for each Department of Defense system or asset that is protected by cryptography and subject to certification by the National Security Agency (in this section, referred to as “covered items”).

(b) ELEMENTS.—Each display included under subsection (a) for a fiscal year shall include the following:

(1) CRYPTOGRAPHIC MODERNIZATION ACTIVITIES.—(A) Whether, in accordance with the schedule established under section 153(a) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 142 note), the cryptographic modernization for each covered item is pending, in progress, complete, or pursuant to paragraph (2) of such section, extended.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year of the Future Years Defense Program to complete the pending or in progress cryptographic modernization by the required replacement date of each covered item.

(C)(i) A description of deviations between the funding annually required to complete the modernization prior to the required replacement date and the funding requested and planned within the Future Years Defense Program.

(ii) An explanation—

(I) justifying the deviations; and

(II) of whether or how any delays resulting from a deviation shall be overcome to meet the required replacement date.

(D) A description of operational or security risks resulting from each deviation from the modernization schedule required to meet replacement dates, including a current intelligence assessment of adversary progress on exploiting the covered item.

(E) For any covered item that remains in service past its required replacement date, a description of the number of times the covered item has been extended and the circumstances attending each such extension.

(2) MITIGATION ACTIVITIES FOR COVERED ITEMS.—(A) Whether activities to mitigate the risks associated with projected failure to replace a covered item by the required replacement date are planned, in progress, or complete.

(B) The funding required for the covered fiscal year and for each subsequent fiscal year for required mitigation activities to complete any planned, pending, or in progress mitigation activities for a covered item.

(C) A description of the activities planned in the covered fiscal year and each subsequent fiscal year to complete mitigation activities and an explanation of the efficacy of the mitigations.

(c) FORM.—The display required by subsection (a) shall be included in unclassified form, but may include a classified annex.

**SEC. 1622. ESTABLISHING PROJECTS FOR DATA MANAGEMENT, ARTIFICIAL INTELLIGENCE, AND DIGITAL SOLUTIONS.**

(a) ESTABLISHMENT OF PRIORITY PROJECTS.—The Deputy Secretary of Defense shall—

(1) establish priority enterprise projects for data management, artificial intelligence, and digital solutions for both business efficiency and warfighting capabilities intended to accelerate decision advantage; and

(2) assign responsibilities for execution and funding of the projects established under paragraph (1).

(b) ACTIONS REQUIRED.—To ensure implementation of the priority projects of the Deputy Secretary of Defense under subsection (a), and to instill data science and

technology as a core discipline in the Department of Defense, the Deputy Secretary shall—

(1) hold the heads of Department components accountable for—

(A) making their component's data available for use in common enterprise data sets in accordance with plans developed and approved by the head of the component and the Deputy Secretary;

(B) developing, implementing, and reporting measurable actions to acquire, preserve, and grow the population of government and contractor personnel with expertise in data management, artificial intelligence, and digital solutions;

(C) making their components use data management practices, analytics processes, computing environments, and operational test environments that are made available and specifically approved by the head of the component and the Deputy Secretary;

(D) identifying and reporting on an annual basis for Deputy Secretary approval those ongoing programs and activities and new initiatives within their components to which the component head determines should be applied advanced analytics, digital technology, and artificial intelligence; and

(E) developing and implementing cybersecurity solutions, including red team assessments, to protect artificial intelligence systems, data, development processes, and applications from adversary actions;

(2) require the Chief Digital and Artificial Intelligence Officer and the heads of Department components to develop and report on an actionable plan for the Deputy Secretary to promulgate to reform the technologies, policies, and processes used to support accreditation and authority to operate decisions to enable rapid deployment into operational environments of newly developed government, contractor, and commercial software;

(3) require the Chief Digital and Artificial Intelligence Officer and heads of Department components to define and establish career paths, work roles, and occupational specialties for civilian and military personnel in the fields of data management, artificial intelligence, and digital solutions for the Deputy Secretary's approval; and

(4) establish a Departmental management reform goal for adoption and integration artificial intelligence or machine learning into business and warfighting processes, including the tracking of metrics, milestones, and initiatives to measure the progress of the Department in meeting that goal.

(c) BRIEFINGS REQUIRED.—Not later than 180 days after the date of the enactment of this Act and not less frequently than once every six months thereafter until December 31, 2025, the Deputy Secretary shall provide to the congressional defense committees a briefing on directives issued by the Deputy Secretary to implement the requirements of this section and the status of implementation actions.

(d) COMPONENT DEFINED.—In this section, the term “component” means a military department, a combatant command, or a defense agency of the Department of Defense.

**SEC. 1623. OPERATIONAL TESTING FOR COMMERCIAL CYBERSECURITY CAPABILITIES.**

(a) REQUIREMENT.—Subject to subsection (c), the Secretary of Defense may not operate a commercial cybersecurity capability on a network of the Department of Defense until such capability has received a satisfactory determination from the Director of Operational Test and Evaluation in each of the following areas:

- (1) Operational effectiveness.
- (2) Operational suitability.
- (3) Cyber survivability.

(b) ASSESSMENTS.—In determining whether a commercial cybersecurity capability is satisfactory in each of the areas set forth under subsection (a), the Director of Operational Test and Evaluation shall conduct an assessment that includes consideration of the following:

(1) Threat-realistic operational testing, including representative environments, variation of operational conditions, and inclusion of a realistic opposing force.

(2) The use of Department of Defense Cyber Red Teams, as well as any enabling contract language required to permit threat-representative Red Team assessments.

(3) Collaboration with the personnel using the commercial cybersecurity capability regarding the results of the testing to improve operators' ability to recognize and defend against cyberattacks.

(4) The extent to which additional resources may be needed to remediate any shortfalls in capability to make the commercial cybersecurity capability effective, suitable, and cyber survivable in an operational environment of the Department.

(5) Identification of training requirements, and changes to training, sustainment practices, or concepts of operation or employment that may be needed to ensure the effectiveness, suitability, and cyber survivability of the commercial cybersecurity capability.

(c) WAIVER.—

(1) IN GENERAL.—An acquisition executive of a military service or a component of the Department may waive the requirement in subsection (a) for a commercial cybersecurity capability for the military service or component of the acquisition executive if the acquisition executive determines that operational necessity does not allow for time to conduct an assessment under subsection (b) in a timeframe to meet the needs of the military service or component.

(2) PERIOD OF WAIVER.—A waiver under paragraph (1) may be issued for a period of up to three years before a new waiver is required, or a waiver is otherwise no longer required.

(d) POLICIES AND REGULATIONS.—Not later than February 1, 2024, the Secretary shall issue such policies and guidance and promulgate such regulations as the Secretary considers necessary to carry out this section.

(e) REPORT.—Not later than January 31, 2025, and not less frequently than once each year thereafter until January 31, 2030, the Director shall include in each annual report required by section 139(h) of title 10, United States Code, the status of the determinations required by subsection (a), including the following:

(1) A summary of such determinations and the associated assessments under subsection (b).

(2) The number and type of test and evaluation events completed in the past year for such assessments, disaggregated by component of the Department, and including resources devoted to each event.

(3) The results from such test and evaluation events, including any resource shortfalls affecting the number of commercial cybersecurity capabilities that could be assessed.

(4) A summary of identified categories of common gaps and shortfalls found during testing.

(5) The extent to which entities responsible for developing and testing commercial cybersecurity capabilities have responded to recommendations made by the Director in an effort to gain favorable determinations.

(6) Any identified lessons learned that would impact training, sustainment, or concepts of operation or employment decisions relating to the assessed commercial cybersecurity capabilities.

(f) DEFINITION.—In this section, the term “commercial cybersecurity capabilities” means either—

(1) commercial products (as defined in section 103 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components; or

(2) commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) acquired and deployed by the Department of Defense to satisfy the cybersecurity requirements of one or more Department components.

(g) EFFECTIVE DATE.—This section shall take effect on February 1, 2024.

**SEC. 1624. PLAN FOR COMMERCIAL CLOUD TEST AND EVALUATION.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with commercial industry, shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a policy and plan for test and evaluation of the cybersecurity of the clouds of commercial cloud service providers.

(b) CONTENTS.—The policy and plan submitted under subsection (a) shall include the following:

(1) A requirement that all future contracts with cloud service providers include provisions that permit the Department to conduct independent, threat-realistic assessments, including penetration testing, of the commercial cloud infrastructure, including the control plane and virtualization hypervisor.

(2) An explanation as to how the Department intends to proceed on amending existing contracts with cloud service providers to permit the same level of rigorous assessments that will be required for all future contracts.

(3) Identification and description of any proposed tiered test and evaluation requirements aligned with different impact and classification levels.

(c) WAIVER AUTHORITY.—The policy and plan required under subsection (a) may provide an authority to waive any requirements described in subsection (b) conditioned upon the approval of the Chief Information Officer of the Department of Defense and the Director of Operational Test and Evaluation.

**SEC. 1625. REPORT ON RECOMMENDATIONS FROM NAVY CIVILIAN CAREER PATH STUDY.**

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the recommendations made in the report submitted to the congressional defense committees under section 1653(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; relating to improving cyber career paths in the Navy).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) A description of each recommendation described in such subsection that has already been implemented.

(B) A description of each recommendation described in such subsection that the Secretary has commenced implementing, including a justification for determining to commence implementing the recommendation.

(C) A description of each recommendation described in such subsection that the Secretary has not implemented or commenced implementing and a determination as to whether or not to implement the recommendation.

(D) For each recommendation under subparagraph (C) that the Secretary determines to implement, the following:

- (i) A timeline for implementation.
  - (ii) A description of any additional resources or authorities required for implementation.
  - (iii) The plan for implementation.
- (E) For each recommendation under subparagraph (C) that the Secretary determines not to implement, a justification for the termination not to implement.

(3) **FORMAT.**—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) **REVIEW BY COMPTROLLER GENERAL OF THE UNITED STATES.**—

(1) **REVIEW.**—Not later than 180 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General of the United States shall conduct a review of such report.

(2) **ELEMENTS.**—The review required by paragraph (1) shall include an assessment of the following:

(A) The extent to which the Navy has implemented the recommendations made in the study described in subsection (a)(1).

(B) Additional recommended actions for the Navy to take to improve the readiness and retention of their cyber workforce.

(3) **INTERIM BRIEFING.**—Not later than 90 days after the date of the submittal of the report required by subsection (a)(1), the Comptroller General shall provide to the congressional defense committees a briefing on the preliminary findings of the Comptroller General with respect to the review conducted under paragraph (1).

(4) **FINAL REPORT.**—The Comptroller General shall submit to the congressional defense committees a report on the findings of the Comptroller General with respect to the review conducted under paragraph (1) at such time and in such format as is mutually agreed upon by the committees and the Comptroller General at the time of the briefing under paragraph (3).

**SEC. 1626. REVIEW OF DEPARTMENT OF DEFENSE IMPLEMENTATION OF RECOMMENDATIONS FROM DEFENSE SCIENCE BOARD CYBER REPORT.**

(a) **REVIEW REQUIRED.**—

(1) **IN GENERAL.**—Not later than March 1, 2023, the Secretary of Defense shall complete a review of the findings and recommendations presented in the June 2018 Defense Science Board report entitled “Cyber as a Strategic Capability”.

(2) **ELEMENTS.**—The review completed under paragraph (1) shall include the following:

(A) Identification of, and description of implementation for, recommendations that have been implemented by the Department of Defense.

(B) Identification of recommendations that have not yet been fully implemented by the Department.

(C) Development of a plan to fully implement the recommendations identified under subparagraph (B).

(D) Identification of the reasons why the recommendations identified under subparagraph (B) were not implemented.

(E) Identification of such legislative or administrative action as the Secretary determines necessary to implement the recommendations identified under subparagraph (B).

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than April 1, 2023, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the review completed under paragraph (1) of sub-

section (a). In such report, the Secretary shall disclose the matters identified and developed under paragraph (2) of such subsection.

(2) **FORM.**—The report submitted under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 1627. REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.**

(a) **REQUIREMENT FOR SOFTWARE BILL OF MATERIALS.**—

(1) **IN GENERAL.**—The Secretary of Defense shall amend the Department of Defense Supplement to the Federal Acquisition Regulation to require a software bill of materials (SBOM) for all noncommercial software created for or acquired by the Department of Defense.

(2) **WAIVERS.**—The amendment required by paragraph (1) may provide for waivers that require approval by an official whose appointment is subject to confirmation by the Senate.

(b) **RECOMMENDATIONS TO THE SECRETARY.**—The Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, and the Under Secretary of Defense for Research and Engineering shall jointly submit to the Secretary recommendations regarding the content of the amendment required by subsection (a).

(c) **STUDY REGARDING APPLICATION TO SOFTWARE ALREADY ACQUIRED.**—

(1) **STUDY REQUIRED.**—The Secretary shall conduct a study of the feasibility and advisability of acquiring a software bill of materials for software already acquired by the Department.

(2) **BRIEFING.**—Not later than 270 days after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the study conducted under paragraph (1) and such recommendations as the Secretary may have with respect to acquiring a software bill of materials for software already acquired by the Department.

(d) **COMMERCIAL SOFTWARE.**—Not later than one year after the date of the enactment of this Act, the Secretary shall, in consultation with industry, develop an approach for commercial software in use by the Department and future acquisitions of commercial software that provides, to the maximum extent practicable, policies and processes for operationalizing software bills of materials to enable the Department to understand promptly the cybersecurity risks to Department capabilities posed by discoveries of vulnerabilities and compromises in commercial and open source software.

(e) **SOLICITATION OF INFORMATION.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a request for information from the public and private sectors regarding technical and procedural options to identify software deployed in the Department to enable risk assessments and patching of security vulnerabilities when such vulnerabilities are discovered in the absence of reliable bills of materials.

(2) **BRIEFING.**—Not later than one year after the date of the enactment of this Act, the Secretary shall provide the congressional defense committees a briefing on the findings of the Secretary with respect to the solicitation for information under paragraph (1).

(f) **DEFINITION OF SOFTWARE BILL OF MATERIALS.**—In this section, the term “software bill of materials” means a complete, formally structured list of components, libraries, and modules that are required to build, compile, and link a given piece of software and an identification of the provenance and supply chain relationships between them.

**SEC. 1628. ESTABLISHMENT OF SUPPORT CENTER FOR CONSORTIUM OF UNIVERSITIES THAT ADVISE SECRETARY OF DEFENSE ON CYBERSECURITY MATTERS.**

Section 1659 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 391 note) is amended by adding at the end the following new subsection:

“(f) **SUPPORT CENTER.**—

“(1) **ESTABLISHMENT.**—The Secretary shall establish a center to provide support to the consortium established under subsection (a).

“(2) **COMPOSITION.**—(A) The center established under paragraph (1) shall be composed of one or two universities, as the Secretary considers appropriate, that—

“(i) have been designated as centers of academic excellence by the Director of the National Security Agency or the Secretary of Homeland Security; and

“(ii) are eligible for access to classified information.

“(B) The Secretary shall publish in the Federal Register the process for selection of universities to serve as the center established under paragraph (1).

“(3) **FUNCTIONS.**—The functions of the center established under paragraph (1) are as follows:

“(A) To promote the consortium established under subsection (a).

“(B) To distribute on behalf of the Department requests for information or assistance to members of the consortium.

“(C) To collect and assemble responses from requests distributed under subparagraph (B).

“(D) To provide additional administrative support for the consortium, as determined by the National Center of Academic Excellence in Cybersecurity Program Management Office.”

**SEC. 1629. ROADMAP AND IMPLEMENTATION PLAN FOR CYBER ADOPTION OF ARTIFICIAL INTELLIGENCE.**

(a) **ROADMAP AND IMPLEMENTATION PLAN REQUIRED.**—Not later than 270 days after the date of the enactment of this Act, the Commander of United States Cyber Command and the Chief Information Officer of the Department of Defense, in coordination with the Chief Digital and Artificial Intelligence Officer of the Department, the Director of the Defense Advanced Research Projects Agency, the Director of the National Security Agency, and the Under Secretary of Defense for Research and Engineering, shall jointly develop a five-year roadmap and implementation plan for rapidly adopting and acquiring artificial intelligence systems, applications, and supporting data and data management processes for the Cyberspace Operations Forces of the Department of Defense.

(b) **ELEMENTS.**—The roadmap and implementation plan required by subsection (a) shall include the following:

(1) Identification and prioritization of artificial intelligence systems, applications, data identification, and processing to cyber missions within the Department, and ameliorating threats to, and from, artificial intelligence systems, including—

(A) advancing the cybersecurity of Department systems with artificial intelligence;

(B) uses of artificial intelligence for cyber effects operations;

(C) assessing and mitigating vulnerabilities of artificial intelligence systems supporting cybersecurity and cyber operations to attacks; and

(D) defending against adversary artificial intelligence-based cyber attacks.

(2) A plan to develop, acquire, adopt, and sustain the artificial intelligence systems, applications, data, and processing identified in paragraph (1).

(3) Roles and responsibilities for the following for adopting and acquiring artificial intelligence systems, applications, and data to cyber missions within the Department:

(A) The Commander of United States Cyber Command.

(B) The Commander of Joint-Force Headquarters Department of Defense Information Networks.

(C) The Chief Information Officer of the Department.

(D) The Chief Digital and Artificial Intelligence Officer of the Department.

(E) The Under Secretary of Defense for Research and Engineering.

(F) The Secretaries of the military departments.

(G) The Director of the National Security Agency.

(4) Identification of currently deployed, adopted, and acquired artificial intelligence systems, applications, ongoing prototypes, and data.

(5) Identification of current capability and skill gaps that must be addressed prior to the development and adoption of artificial intelligence applications identified in paragraph (1).

(6) Identification of opportunities to solicit operator utility feedback through inclusion into research and development processes and wargaming or experimentation events by developing a roadmap for such processes and events, as well as a formalized process for capturing and tracking lessons learned from such events to inform the development community.

(7) Identification of long-term technology gaps for fulfilling the Department's cyber warfighter mission to be addressed by research relating to artificial intelligence by the science and technology enterprise within the Department.

(8) Definition of a maturity model describing desired cyber capabilities, agnostic of the enabling technology solutions, including phases in the maturity model or identified milestones and clearly identified areas for collaboration with relevant commercial off the shelf and government off the shelf developers to address requirements supporting capability gaps.

(9) Assessment, in partnership with the Director of the Defense Intelligence Agency, of the threat posed by adversaries' use of artificial intelligence to the cyberspace operations and the security of the networks and artificial intelligence systems of the Department in the next five years, including a net technical assessment of United States and adversary activities to apply artificial intelligence to cyberspace operations, and actions planned to address that threat.

(10) A detailed schedule with target milestones, investments, and required expenditures.

(11) Interim and final metrics of adoption of artificial intelligence for each activity identified in the roadmap.

(12) Identification of such additional funding, authorities, and policies as the Commander of United States Cyber Command and the Chief Information Officer jointly determine may be required.

(13) Such other topics as the Commander and the Chief Information Officer jointly consider appropriate.

(c) BRIEFING.—Not later than 30 days after the date on which the Commander and the Chief Information Officer complete development of the roadmap and implementation plan required in subsection (a), the Commander and the Chief Information Officer shall provide the congressional defense committees a classified briefing on the roadmap and implementation plan.

**SEC. 1630. DEMONSTRATION PROGRAM FOR CYBER AND INFORMATION TECHNOLOGY BUDGET DATA ANALYTICS.**

(a) DEMONSTRATION PROGRAM REQUIRED.—  
(1) IN GENERAL.—Not later than February 1, 2024, the Chief Information Officer of the Department of Defense shall, in coordination with the Chief Digital and Artificial Intelligence Officer, complete a pilot program to demonstrate the application of data analytics to the fiscal year 2024 cyber and information technology budget data of a military service.

(2) COORDINATION WITH MILITARY SERVICES.—In carrying out the demonstration program required by subsection (a), the Chief Information Officer shall, in coordination with the Secretary of the Air Force, the Secretary of the Army, and the Secretary of the Navy, select a military service for participation in the demonstration program.

(b) ELEMENTS.—The demonstration program shall include—

(1) efforts to determine, execute, and validate in an auditable manner data curation activities for the cyber and information technology budget of a military service;

(2) efforts to improve transparency in cyber and information technology budget information to identify cybersecurity efforts funded out of noncyber information technology lines, including qualitative techniques such as semantic analysis or natural language processing techniques;

(3) metrics developed to assess the effectiveness of the demonstration program;

(4) a cost tradeoff analysis of implementing data analytics across the all of the cyber and information technology budgets of the Department of Defense;

(5) effort to utilize data analytics to make budget trade-offs; and

(6) efforts to incorporate data analytics into the congressional budget submission process.

(c) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a brief on the plans and status of the Chief Information Officer with respect to the demonstration program required by subsection (a).

(2) FINAL BRIEFING.—(A) Not later than March 1, 2024, the Chief Information Officer shall provide the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the results and findings of the Chief Information Officer with respect to the pilot program required by subsection (a).

(B) The briefing required by subparagraph (A) shall include the following:

(i) Recommendations for expansion of the demonstration program to the entire cyber and information technology budget of the Department.

(ii) Plans for incorporating data analytics into the congressional budget submission process for the cyber and information technology budget of the Department.

**SEC. 1631. LIMITATION ON AVAILABILITY OF FUNDS FOR OPERATION AND MAINTENANCE FOR OFFICE OF SECRETARY OF DEFENSE UNTIL FRAMEWORK TO ENHANCE CYBERSECURITY OF UNITED STATES DEFENSE INDUSTRIAL BASE IS COMPLETED.**

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the framework required by section 1648 of the

National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 2224 note) is completed and submitted to the congressional defense committees.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 30 days after the date of the submittal of the framework in accordance with subsection (a), the Secretary of Defense shall provide the congressional defense committees with a briefing on such framework.

(2) CONTENTS.—The briefing required by paragraph (1) shall include the following:

(A) An overview of the framework submitted in accordance with subsection (a).

(B) Identification of such pilot programs as the Secretary considers may be required to improve the cybersecurity of the defense industrial base.

(C) Implementation timelines and identification of costs.

(D) Such recommendations as the Secretary may have for legislative action to improve the cybersecurity of the defense industrial base.

**SEC. 1632. ASSESSMENTS OF WEAPONS SYSTEMS VULNERABILITIES TO RADIO-FREQUENCY ENABLED CYBER ATTACKS.**

(a) IN GENERAL.—The Secretary of Defense shall ensure that the activities required by and conducted pursuant to section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1118), section 1637 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 221 note), and the amendments made by section 1712 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 134 Stat. 4087) include regular assessments of the vulnerabilities to and risks presented by radio-frequency enabled cyber attacks with respect to the operational technology embedded in weapons systems, aircraft, ships, ground vehicles, space systems, sensors, and datalink networks of the Department of Defense.

(b) ELEMENTS.—The assessments required under subsection (a) with respect to vulnerabilities and risks described in such subsection shall include—

(1) identification of such vulnerabilities and risks;

(2) ranking of vulnerability, severity, and priority;

(3) development and selection of options, with associated costs and schedule, to correct such vulnerabilities, including installation of intrusion detection capabilities; and

(4) development of integrated risk-based plans to implement the corrective actions selected.

(c) DEVELOPMENT OF CORRECTIVE ACTIONS.—In developing corrective actions under subsection (b)(3), the assessments required under subsection (a) shall address requirements for deployed members of the Armed Forces to analyze data collected on the weapons systems and respond to attacks.

(d) INTELLIGENCE INFORMED ASSESSMENTS.—The assessments required under subsection (a) shall be informed by intelligence, if available, and technical judgment regarding potential threats to embedded operational technology during operations of the Armed Forces.

(e) COORDINATION.—

(1) COORDINATION AND INTEGRATION OF ACTIVITIES.—The assessments required under subsection (a) shall be fully coordinated and integrated with activities described in such subsection.

(2) COORDINATION OF ORGANIZATIONS.—The Secretary shall ensure that the organizations conducting the assessments under subsection (a) in the military departments, the United States Special Operations Command,

and the Defense Agencies coordinate with each other and share best practices, vulnerability analyses, and technical solutions.

(f) BRIEFINGS.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees briefings from the organizations specified under subsection (e)(2), as appropriate, on the activities and plans required under this section.

**DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS**

**SEC. 2001. SHORT TITLE.**

This division may be cited as the “Military Construction Authorization Act for Fiscal Year 2023”.

**SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.**

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military con-

struction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

- (1) October 1, 2025; or
- (2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

- (1) October 1, 2025; or
- (2) the date of the enactment of an Act authorizing funds for fiscal year 2026 for military construction projects, land acquisition, family housing projects and facilities, or

contributions to the North Atlantic Treaty Organization Security Investment Program.

**SEC. 2003. EFFECTIVE DATE.**

Titles XXI through XXVII shall take effect on the later of—

- (1) October 1, 2022; or
- (2) the date of the enactment of this Act.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

**SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Army: Inside the United States**

State	Installation or Location	Amount
Alabama .....	Redstone Arsenal .....	\$96,000,000
Alaska .....	Fort Wainwright .....	\$99,000,000
Colorado .....	Fort Carson .....	\$14,200,000
Hawaii .....	Fort Shafter .....	\$33,000,000
	Schofield Barracks .....	\$111,000,000
	Tripler Army Medical Center .....	\$27,000,000
Louisiana .....	Fort Polk .....	\$32,000,000
Mississippi .....	Engineer Research and Development Center .....	\$20,000,000
North Carolina .....	Fort Bragg .....	\$34,000,000
Pennsylvania .....	Letterkenny Army Depot .....	\$38,000,000
Texas .....	Corpus Christi Army Depot .....	\$103,000,000
	Fort Bliss .....	\$15,000,000
Washington .....	Joint Base Lewis-McChord .....	\$49,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Army: Outside the United States**

Country	Installation or Location	Amount
Germany .....	East Camp Grafenwoehr .....	\$168,000,000
Japan .....	Kadena Air Force Base .....	\$99,000,000
Kwajalein .....	Kwajalein Atoll .....	\$69,000,000

**SEC. 2102. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section

2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Army: Family Housing**

Country	Installation	Units	Amount
Germany .....	Baumholder .....	Family Housing Replacement Construction ..	\$77,000,000
Italy .....	Vicenza .....	Family Housing New Construction .....	\$95,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$17,339,000.

**SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after Sep-

tember 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2104. EXTENSION AND MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.**

(a) KUNSAN AIR BASE, KOREA .—

(1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2101(b) of that Act (131 Stat. 1819) for Kunsan Air Base, Korea, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.



(2) MODIFICATION.—In the case of the authorization contained in the table in section 2101(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1819) for Kunsan Air Base, Korea, for construction of an unmanned aerial vehicle hangar at the installation, the Secretary of the Army may construct the hangar at Camp Humphries, Korea, and may remove primary scope associated with the relocation of the Air Defense Artillery (ADA) Battalion facilities, to include the ground based missile defense equipment area, fighting positions, missile resupply area ADA, ready building or command post, battery command post area, safety shelter, and guard booth.

(b) KWAJALEIN ATOILL, KWAJALEIN.—  
 (1) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the author-

ization contained in the table in section 2102 of that Act (131 Stat. 1820) for Kwajalein Atoll, Kwajalein, shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) MODIFICATION.—Section 2879(a)(1)(A) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1874) is amended by striking “at least 26 family housing units” and inserting “not more than 26 family housing units”.

**SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2019 PROJECT AT CAMP TANGO, KOREA.**

In the case of the authorization contained in the table in section 2101(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2242) for Camp Tango,

Korea, for construction of a command and control facility at the installation, the Secretary of the Army may increase scope for a dedicated, enclosed egress pathway out of the underground facility to facilitate safe escape in case of fire.

**TITLE XXII—NAVY MILITARY CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Navy: Inside the United States**

State or Territory	Installation or Location	Amount	
California	Marine Corps Air Ground Combat Center Twentynine Palms	\$120,382,000	
	Marine Corps Base Camp Pendleton	\$117,310,000	
	Marine Corps Recruit Depot San Diego	\$83,200,000	
	Naval Air Station Lemoore	\$201,261,000	
	Naval Base San Diego	\$132,700,000	
	Naval Base Point Loma Annex	\$56,450,000	
	Naval Surface Warfare Center Corona Division	\$15,000,000	
	Connecticut	Naval Submarine Base New London	\$15,514,000
		Naval Air Station Jacksonville	\$86,232,000
	Florida	Naval Air Station Whiting Field	\$199,289,000
Naval Surface Warfare Center Carderock Division		\$2,073,000	
Georgia	Naval Submarine Base Kings Bay	\$279,171,000	
Guam	Marine Corps Base Camp Blaz	\$330,589,000	
Hawaii	Joint Base Pearl Harbor-Hickam	\$3,754,192,000	
	Marine Corps Base Kaneohe Bay	\$87,900,000	
Maryland	Naval Surface Warfare Center Indian Head Division	\$8,039,000	
Michigan	Marine Forces Reserve Battle Creek	\$24,300,000	
Nevada	Naval Air Station Fallon	\$146,165,000	
North Carolina	Marine Corps Air Station Cherry Point	\$38,415,000	
	Marine Corps Air Station New River	\$210,600,000	
Pennsylvania	Marine Corps Base Camp Lejeune	\$47,475,000	
	Naval Surface Warfare Center Philadelphia Division	\$86,610,000	
South Carolina	Marine Corps Recruit Depot Parris Island	\$75,900,000	
Virginia	Naval Station Norfolk	\$16,863,000	
	Naval Surface Warfare Center Dahlgren Division	\$2,503,000	
Washington	Naval Air Station Whidbey Island	\$105,561,000	

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction

projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Australia	Royal Australian Air Force Base Darwin	\$258,831,000
Djibouti	Camp Lemonnier	\$106,700,000
Japan	Kadena Air Base	\$195,400,000
Spain	Naval Station Rota	\$76,300,000

**SEC. 2202. FAMILY HOUSING.**

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section

2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may construct or acquire family hous-

ing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

**Navy: Family Housing**

Territory	Installation or Location	Units	Amount
Guam	NAVSUPPACT Andersen	Replace Andersen Housing PH IV	\$86,390,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH V	\$93,259,000
	NAVSUPPACT Andersen	Replace Andersen Housing PH VI	\$68,985,000

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of

title 10, United States Code, and using amounts appropriated pursuant to the au-

thorization of appropriations in section 2203(a) and available for military family

housing functions as specified in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed \$74,540,000.

(c) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed \$14,123,000.

**SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family hous-

ing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT AT JOINT REGION MARIANAS, GUAM.**

Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization contained in the table in section 2201(a) of that Act (131 Stat. 1822) at Joint Region Marianas, Guam, for Navy-Commercial Tie-in

Hardening, as specified in the funding table in section 4601 of that Act (131 Stat. 2001), shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

**TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION**

**SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alabama .....	Maxwell Air Force Base .....	\$15,000,000
Alaska .....	Clear Space Force Station .....	\$68,000,000
	Joint Base Elmendorf-Richardson .....	\$5,200,000
Arizona .....	Davis-Monthan Air Force Base .....	\$7,500,000
California .....	Travis Air Force Base .....	\$7,500,000
	Vandenberg Space Force Base .....	\$89,000,000
Hawaii .....	Air Force Research Laboratory - Maui Experimental Site #1 .....	\$89,000,000
Illinois .....	Scott Air Force Base .....	\$19,893,000
New York .....	Air Force Research Laboratory - Rome Research Site .....	\$4,200,000
Ohio .....	Wright Patterson Air Force Base .....	\$29,000,000
Oklahoma .....	Tinker Air Force Base .....	\$247,600,000
South Carolina .....	Shaw Air Force Base .....	\$10,000,000
South Dakota .....	Ellsworth Air Force Base .....	\$328,000,000
Tennessee .....	Arnold Air Force Base .....	\$38,000,000
Texas .....	Joint Base San Antonio-Randolph .....	\$29,000,000
Utah .....	Hill Air Force Base .....	\$84,000,000
Washington .....	Fairchild Air Force Base .....	\$8,000,000
Wyoming .....	F.E. Warren Air Force Base .....	\$186,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military con-

struction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Hungary .....	Pápa Air Base .....	\$71,000,000
Iceland .....	Naval Air Station Keflavik .....	\$94,000,000
Italy .....	Aviano Air Base .....	\$46,500,000
Japan .....	Kadena Air Base .....	\$307,000,000
Jordan .....	Muwaffaq Salti Air Base .....	\$50,000,000
Norway .....	Rygge Air Station .....	\$8,200,000
Spain .....	Moron Air Base .....	\$29,000,000
United Kingdom .....	Royal Air Force Molesworth .....	\$421,000,000

**SEC. 2302. FAMILY HOUSING.**

(a) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed \$233,858,000.

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect

to the construction or improvement of family housing units in an amount not to exceed \$17,730,000.

**SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total

amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.**

(a) AIR FORCE CONSTRUCTION AND LAND ACQUISITION.—

(1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorizations set forth in the table in paragraph (2), as provided in section 2301(a) of that Act (131 Stat. 1825), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Florida .....	Tyndall Air Force Base .....	Fire Station .....	\$17,000,000
Texas .....	Joint Base San Antonio .....	BMT Classrooms/Dining .....	\$38,000,000
	Joint Base San Antonio .....	Camp Bullis Dining Facility .....	\$18,500,000
Wyoming .....	F. E. Warren Air Force Base .....	Consolidated Helo/TRF Ops/AMU and Alert Fac. ....	\$62,000,000

(b) OVERSEAS CONTINGENCY OPERATIONS.—  
 (1) IN GENERAL.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115-91; 131 Stat. 1817), the author-

izations set forth in the table in paragraph (2), as provided in section 2903 of that Act (131 Stat. 1876), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an

Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(2) TABLE.—The table referred to in paragraph (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary .....	Keckskemet Air Base .....	ERI: Airfield Upgrades .....	\$12,900,000
	Keckskemet Air Base .....	ERI: Construct Parallel Taxiway .....	\$30,000,000
	Keckskemet Air Base .....	ERI: Increase POL Storage Capacity .....	\$12,500,000
Luxembourg .....	Sanem .....	ERI: ECAOS Deployable Airbase System Storage .....	\$67,400,000
Slovakia .....	Malacky .....	ERI: Airfield Upgrades .....	\$4,000,000
	Malacky .....	ERI: Increase POL Storage Capacity .....	\$20,000,000
	Sliac Airport .....	ERI: Airfield Upgrades .....	\$22,000,000

**SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS AT TYNDALL AIR FORCE BASE, FLORIDA.**

In the case of the authorization contained in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116-92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of Lodging Facilities Phases 1-2, as specified in the funding table in section 4603 of that Act (133 Stat. 2103) and modified by subsection (a)(7) of section 2306 of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4302), the Secretary of the Air Force may construct an emergency backup generator;

(2) for construction of Dorm Complex Phases 1-2, as specified in such funding table and modified by subsection (a)(8) of such section 2306, the Secretary of the Air Force may construct two emergency backup generators;

(3) for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table and modified by subsection (a)(6) of such section 2306, the Secretary of the Air Force may construct—

(A) up to 6,248 lineal meters of storm water utilities;

(B) up to 55,775 square meters of roads;

(C) up to 4,334 lineal meters of gas pipeline; and

(D) up to 28,958 linear meters of electrical;

(4) for construction of Tyndall AFB Gate Complex, as specified in such funding table and modified by subsection (a)(9) of such section 2306, the Secretary of the Air Force may construct up to 55,694 square meters of roadway with serpentine; and

(5) for construction of Deployment Center/Flight Line Dining/AAFES, as specified in such funding table and modified by subsection (a)(11) of such section 2306, the Secretary of the Air Force may construct up to 164 square meters of AAFES (Shoppette).

**SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2021 PROJECT AT HILL AIR FORCE BASE, UTAH.**

In the case of the authorization contained in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2021 (division B of Public Law 116-283; 134 Stat. 4299) for Hill Air Force Base, Utah, for con-

struction of GBSD Organic Software Sustainment Center, as specified in the funding table in section 4601 of such Act (134 Stat. 4502), the Secretary of the Air Force may construct—

(1) up to 7,526 square meters of surface parking lot in lieu of constructing a 13,434 square meters vehicle parking garage; and

(2) up to 402 square meters of storage igloo.

**TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION**

**SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama .....	Redstone Arsenal .....	\$151,000,000
California .....	Naval Base Coronado .....	\$75,712,000
Florida .....	Hurlburt Field .....	\$9,100,000
North Carolina .....	Fort Bragg .....	\$34,470,000
Texas .....	Joint Base San Antonio .....	\$58,600,000
Virginia .....	Dam Neck .....	\$26,600,000
	Pentagon .....	\$18,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construc-

tion projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction

projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany .....	Baumholder .....	\$149,023,000
Japan .....	Yokota Air Base .....	\$72,154,000

**SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.**

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the au-

thorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under

chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State or Territory	Installation or Location	Amount
Alabama .....	Missile and Space Intelligence Center, Redstone Arsenal .....	\$10,700,000
California .....	Marine Corps Mountain Warfare Training Center .....	\$25,560,000
Florida .....	Naval Base Ventura County .....	\$13,360,000
	Naval Air Station Jacksonville .....	\$2,400,000
Georgia .....	Patrick Space Force Base .....	\$15,700,000
	Fort Stewart-Hunter Army Airfield .....	\$25,400,000
Guam .....	Naval Submarine Base Kings Bay .....	\$11,200,000
	Naval Base Guam .....	\$34,360,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$25,000,000
Kansas .....	Fort Riley .....	\$25,780,000
Maryland .....	National Security Agency-Washington, Fort Meade .....	\$23,310,000
Texas .....	Fort Hood .....	\$31,500,000
	U.S. Army Reserve Center, Conroe .....	\$9,600,000
Virginia .....	National Geospatial-Intelligence Agency Campus East, Fort Belvoir .....	\$1,100,000
	Naval Support Activity Hampton Roads .....	\$22,400,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation

projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code,

for the installations or locations outside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Djibouti .....	Camp Lemonnier .....	\$24,000,000
Japan .....	Kadena Air Base .....	\$780,000
Kuwait .....	Camp Arifjan .....	\$26,850,000

**SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of

title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

**SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authoriza-

tion Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the authorization set forth in the table in subsection (b), as provided in section 2401(b) of that Act (131 Stat. 1829), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Japan .....	Iwakuni .....	Construct Bulk Storage Tanks PH 1 .....	\$30,800,000
Puerto Rico .....	USCG Station; Punta Borinquen .....	Ramey Unit School Replacement .....	\$61,071,000

**TITLE XXV—INTERNATIONAL PROGRAMS**  
**Subtitle A—North Atlantic Treaty Organization Security Investment Program**

**SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and

the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

**SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security

Investment Program authorized by section 2501 as specified in the funding table in section 4601.

**Subtitle B—Host Country In-Kind Contributions**

**SEC. 2511. REPUBLIC OF KOREA-FUNDED CONSTRUCTION PROJECTS.**

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea,

and in the amounts, set forth in the following table:

Republic of Korea-Funded Construction Projects

Country	Installation or Location	Project	Amount
Army	Camp Humphreys	Quartermaster Laundry/Dry Cleaner Facility	\$24,000,000
Army	Camp Humphreys	MILVAN CONNEX Storage Yard	\$20,000,000
Navy	Camp Mujuk	Replace Ordnance Storage Magazines	\$150,000,000
Navy	Fleet Activities Chinhae	Water Treatment Plant Relocation	\$6,000,000
Air Force	Gimhae Air Base	Refueling Vehicle Shop	\$8,800,000
Air Force	Osan Air Base	Combined Air and Space Operations Intelligence Center	\$306,000,000
Air Force	Osan Air Base	Upgrade Electrical Distribution West, Phase 3	\$235,000,000

**SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CONSTRUCTION PROJECT AT CAMP HUMPHREYS, REPUBLIC OF KOREA.**

Section 2511 of the Military Construction Authorization Act for Fiscal Year 2022 (division B of Public Law 117-81; 135 Stat. 2177) is amended—

(1) in subsection (a), by striking “(a) AUTHORITY TO ACCEPT PROJECTS.—Pursuant to” and inserting “Pursuant to”;

(2) by striking subsection (b).

**TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES**

**SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the fund-

ing table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State or Territory	Location	Amount
Alaska	Joint Base Elmendorf-Richardson	\$63,000,000
Arkansas	Camp Robinson	\$9,500,000
Delaware	New Castle	\$16,000,000
Florida	Gainesville	\$21,000,000
	Palm Coast	\$12,000,000
Hawaii	Kapolei	\$29,000,000
Indiana	Atlanta	\$20,000,000
Iowa	West Des Moines	\$15,000,000
Minnesota	New Ulm	\$17,000,000
Nevada	Reno	\$18,000,000
New York	Troy	\$17,000,000
North Carolina	McLeansville	\$15,000,000
Oregon	Camp Umatilla	\$14,243,000
Puerto Rico	Arroyo	\$28,602,000
	Camp Santiago	\$161,337,000
	San Juan	\$64,000,000
West Virginia	Buckhannon	\$14,000,000
Wyoming	Camp Guernsey	\$19,500,000
	Sheridan	\$14,800,000

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry

out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

State or Territory	Location	Amount
California	Camp Pendleton	\$13,000,000
Florida	Perrine	\$46,000,000
Ohio	Wright-Patterson Air Force Base	\$16,000,000
Puerto Rico	Fort Buchanan	\$24,000,000
Washington	Yakima	\$22,000,000
Wisconsin	Fort McCoy	\$64,000,000

**SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the

Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Hawaii	Marine Corps Base Kaneohe Bay	\$102,600,000
Virginia	Marine Forces Reserve Dam Neck Virginia Beach	\$10,400,000

**SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

**Air National Guard**

State	Location	Amount
Alabama	Birmingham International Airport	\$7,500,000
	Montgomery Regional Airport	\$9,200,000
Arizona	Morris Air National Guard Base	\$12,000,000
	Tucson International Airport	\$10,000,000
Florida	Jacksonville International Airport	\$22,200,000
Indiana	Fort Wayne International Airport	\$12,800,000
Tennessee	McGhee-Tyson Airport	\$23,800,000
Rhode Island	Quonset State Airport	\$35,000,000
West Virginia	McLaughlin Air National Guard Base	\$10,000,000

**SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**

Using amounts appropriated pursuant to the authorization of appropriations in sec-

tion 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and

carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

**Air Force Reserve**

State	Location	Amount
Arizona	Davis-Monthan Air Force Base	\$8,000,000
Mississippi	Keesler Air Force Base	\$10,000,000
Oklahoma	Tinker Air Force Base	\$12,500,000
Virginia	Langley Air Force Base	\$10,500,000

**SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisi-

tion of land for those facilities), as specified in the funding table in section 4601.

**SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECTS.**

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1817), the author-

izations set forth in the table in subsection (b), as provided in section 2604 of that Act (131 Stat. 1836), for the projects specified in that table shall remain in effect until October 1, 2023, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

**Army National Guard: Outside the United States**

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Airport	Construct Small Arms Range	\$8,000,000
South Dakota	Joe Foss Field	Aircraft Maintenance Shops	\$12,000,000
Wisconsin	Dane County Regional/Airport Truax Field	Construct Small Arms Range	\$8,000,000

**SEC. 2608. CORRECTIONS TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2022 PROJECTS.**

The table in section 2601 of the Military Construction Authorization Act Fiscal Year 2022 (division B of Public law 117–81; 135 Stat. 2178) is amended—

(1) in the item relating to Redstone Arsenal, Alabama, by striking “Redstone Arsenal” and inserting “Huntsville”;

(2) in the item relating to Jerome National Guard Armory, Idaho, by striking “National Guard Armory”;

(3) in the item relating to Nickell Memorial Armory Topeka, Kansas, by striking “Nickell Memorial Armory”;

(4) in the item relating to Lake Charles National Guard Readiness Center, Louisiana, by striking “National Guard Readiness Center”;

(5) in the item relating to Camp Grayling, Michigan, by striking “Camp”;

(6) in the item relating to Butte Military Entrance Testing Site, Montana, by striking “Military Entrance Testing Site”;

(7) in the item relating to Mead Army National Guard Readiness Center, Nebraska, by striking “Army National Guard Readiness Center” and inserting “Training Site”;

(8) in the item relating to Dickinson National Guard Armory, North Dakota, by striking “National Guard Armory”;

(9) in the item relating to Bennington National Guard Armory, Vermont, by striking “National Guard Armory”; and

(10) in the item relating to Camp Ethan Allen Training Site, Vermont, by striking “Camp Ethan Allen Training Site” and inserting “Ethan Allen Air Force Base TS”.

**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.**

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2022, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Au-

thorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140), as specified in the funding table in section 4601.

**SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.**

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

**TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS**

**Subtitle A—Military Construction Program**

**SEC. 2801. MODIFICATION OF COST THRESHOLDS FOR AUTHORITY OF DEPARTMENT OF DEFENSE TO ACQUIRE LOW-COST INTERESTS IN LAND.**

Section 2663(c) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking “\$750,000” and inserting “\$6,000,000”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in paragraph (2), as redesignated by paragraph (3), by striking “unless the total cost is not more than \$750,000, in the case of an acquisition under paragraph (1), or \$1,500,000, in the case of an acquisition under



paragraph (2)” and inserting “unless the total cost is not more than \$6,000,000”.

**SEC. 2802. CLARIFICATION OF EXCEPTIONS TO LIMITATIONS ON COST VARIATIONS FOR MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.**

Subparagraph (D) of section 2853(c)(1) of title 10, United States Code, is amended to read as follows:

“(D) The Secretary concerned may not use the authority provided by subparagraph (A) to waive the cost limitation applicable to a military construction project with a total authorized cost greater than \$500,000,000 or a military family housing project with a total authorized cost greater than \$500,000,000 if that waiver would increase the project cost by more than 50 percent of the total authorized cost of the project.”.

**SEC. 2803. ELIMINATION OF SUNSET OF AUTHORITY TO CONDUCT UNSPECIFIED MINOR MILITARY CONSTRUCTION FOR LAB REVITALIZATION.**

Section 2805(d) of title 10, United States Code, is amended by striking paragraph (5).

**SEC. 2804. REQUIREMENT FOR INCLUSION OF DEPARTMENT OF DEFENSE FORMS 1391 WITH ANNUAL BUDGET SUBMISSION BY PRESIDENT.**

Concurrently with the submission to Congress by the President of the annual budget of the Department of Defense for a fiscal year under section 1105(a) of title 31, United States Code, the President shall include each Department of Defense Form 1391, or successor similar form, for a military construction project to be carried out during that fiscal year.

**SEC. 2805. DETERMINATION AND NOTIFICATION RELATING TO EXECUTIVE ORDERS THAT IMPACT COST AND SCOPE OF WORK OF MILITARY CONSTRUCTION PROJECTS.**

(a) DETERMINATION AND UPDATE OF FORM 1391.—Not later than 30 days after the date on which an Executive order is signed by the President, the Secretary concerned shall—

(1) determine whether the Executive order would cause a cost or scope of work variation for a military construction project under the jurisdiction of the Secretary concerned; and

(2) update the Department of Defense Form 1391 for each military construction project under the jurisdiction of the Secretary concerned that would be impacted by such cost or scope of work variation that has not been submitted to Congress for consideration, including—

(A) projects for the next fiscal year; and

(B) projects covered by the future-years defense program submitted under section 221 of title 10, United States Code.

(b) NOTIFICATION TO CONGRESS.—Not later than 10 days after determining under subsection (a)(1) that an Executive order would cause a cost or scope of work variation for a military construction project, the Secretary concerned shall submit to the congressional defense committees a report indicating all military construction projects under the jurisdiction of the Secretary concerned with respect to which costs would increase due to the Executive order.

(c) CERTIFICATION.—Before the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code, each Secretary concerned shall certify to Congress that each Department of Defense Form 1391 provided to Congress for that fiscal year for a military construction project has been updated with any cost or scope of work variation specified in subsection (a)(1) caused by an Executive order signed during the four-year period preceding such certification, including an indication of any cost increases for such project

that is directly attributable to such Executive order.

(d) SECRETARY CONCERNED DEFINED.—In this section, the term “Secretary concerned” has the meaning given that term in section 101 of title 10, United States Code.

**SEC. 2806. EXTENSION OF AUTHORIZATION OF DEPOT WORKING CAPITAL FUNDS FOR UNSPECIFIED MINOR MILITARY CONSTRUCTION.**

Section 2208(u)(4) of title 10, United States Code, is amended by striking “September 30, 2023”, and inserting “September 30, 2025”.

**SEC. 2807. TEMPORARY INCREASE OF AMOUNTS IN CONNECTION WITH AUTHORITY TO CARRY OUT UNSPECIFIED MINOR MILITARY CONSTRUCTION.**

For the period beginning on the date of the enactment of this Act and ending on December 1, 2025, section 2805 of title 10, United States Code, shall be applied and administered—

(1) in subsection (a)(2), by substituting

“\$9,000,000” for “\$6,000,000”;

(2) in subsection (c), by substituting

“\$4,000,000” for “\$2,000,000”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by substituting

“\$9,000,000” for “\$6,000,000”; and

(ii) in subparagraph (B), by substituting

“\$9,000,000” for “\$6,000,000”; and

(B) in paragraph (2), by substituting

“\$9,000,000” for “\$6,000,000”; and

(4) in subsection (f)(1), by substituting

“\$14,000,000” for “\$10,000,000”.

**SEC. 2808. ELECTRICAL CHARGING CAPABILITY CONSTRUCTION REQUIREMENTS RELATING TO PARKING FOR FEDERAL GOVERNMENT MOTOR VEHICLES.**

(a) IN GENERAL.—If the Secretary concerned develops plans for a project to construct any facility that includes or will include parking for covered motor vehicles, the Secretary concerned shall include in any Department of Defense Form 1391, or successor form, submitted to Congress for that project—

(1) the provision of electric vehicle charging capability at the facility adequate to provide electrical charging, concurrently, for not less than 15 percent of all covered motor vehicles planned to be parked at the facility;

(2) the inclusion of the cost of constructing such capability in the overall cost of the project; and

(3) an analysis of whether a parking structure or lot will be the primary charging area for covered motor vehicles or if another area, such as public works or the motor pool, will be the primary charging area.

(b) DEFINITIONS.—In this section:

(1) COVERED MOTOR VEHICLE.—The term “covered motor vehicle” means a Federal Government motor vehicle, including a motor vehicle leased by the Federal Government.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of a military department with respect to facilities under the jurisdiction of that Secretary; and

(B) the Secretary of Defense with respect to matters concerning the Defense Agencies and facilities of a reserve component owned by a State rather than the United States.

**SEC. 2809. USE OF INTEGRATED PROJECT DELIVERY CONTRACTS.**

(a) IN GENERAL.—In fiscal year 2023, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall each enter into at least one integrated project delivery contract for the delivery of a military construction project.

(b) INTEGRATED PROJECT DELIVERY CONTRACT DEFINED.—In this section, the term “integrated project delivery contract” means a contract, including a multi-party contract, that—

(1) includes at least the owner, builder, and architect engineer; and

(2) shares the risks and rewards among all parties to the contract.

**SEC. 2810. EXPANSION OF PILOT PROGRAM ON INCREASED USE OF SUSTAINABLE BUILDING MATERIALS IN MILITARY CONSTRUCTION TO INCLUDE LOCATIONS THROUGHOUT THE UNITED STATES.**

Section 2861(b)(2) of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 2802 note) is amended, in the matter preceding subparagraph (A), by striking “continental”.

**Subtitle B—Military Housing**

**SEC. 2821. SPECIFICATION OF ASSISTANT SECRETARY OF DEFENSE FOR ENERGY, INSTALLATIONS, AND ENVIRONMENT AS CHIEF HOUSING OFFICER.**

Subsection (a) of section 2851a of title 10, United States Code, is amended to read as follows:

“(a) IN GENERAL.—The Assistant Secretary of Defense for Energy, Installations, and Environment shall serve as the Chief Housing Officer, who shall oversee family housing and military unaccompanied housing under the jurisdiction of the Department of Defense or acquired or constructed under subchapter IV of this chapter (in this section referred to as ‘covered housing units’).”.

**SEC. 2822. DEPARTMENT OF DEFENSE MILITARY HOUSING READINESS COUNCIL.**

(a) IN GENERAL.—Chapter 88 of title 10, United States Code, is amended by inserting after section 1781c the following new section:

**“§1781d. Department of Defense Military Housing Readiness Council**

“(a) IN GENERAL.—There is in the Department of Defense the Department of Defense Military Housing Readiness Council (in this section referred to as the ‘Council’).

“(b) MEMBERS.—

“(1) IN GENERAL.—The Council shall be composed of the following members:

“(A) The Assistant Secretary of Defense for Energy, Installations, and Environment, who shall serve as chair of the Council and who may designate a representative to chair the Council in the absence of the Assistant Secretary.

“(B) One representative of each of the Army, Navy, Air Force, Marine Corps, and Space Force, each of whom shall be a member of the armed force to be represented and not fewer than two of which shall be from an enlisted component.

“(C) One spouse of an active component member of each of the Army, Navy, Air Force, Marine Corps, and Space Force, not fewer than two of which shall be the spouse of an enlisted component member.

“(D) One individual appointed by the Secretary of Defense among representatives of the International Code Council.

“(E) One individual appointed by the Secretary of Defense among representatives of the Institute of Inspection Cleaning and Restoration Certification.

“(F) One individual appointed by the Chair of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(G) One individual appointed by the Ranking Member of the Committee on Armed Services of the Senate who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(H) One individual appointed by the Chair of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(I) One individual appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives who is not described in subparagraph (B) or (C) and is not a representative of an organization specified in subparagraph (D) or (E).

“(2) TERMS.—The term on the Council of the members specified under subparagraphs (B) through (H) of paragraph (1) shall be two years and may be renewed by the Secretary of Defense.

“(3) ATTENDANCE BY LANDLORDS.—The chair of the Council shall extend an invitation to each landlord for one representative of each landlord to attend such meetings of the Council as the chair considers appropriate.

“(c) MEETINGS.—The Council shall meet not less often than four times each year.

“(d) DUTIES.—The duties of the Council shall include the following:

“(1) To review and make recommendations to the Secretary of Defense regarding policies for privatized military housing, including inspections practices, resident surveys, landlord payment of medical bills for residents of housing units that have not maintained minimum standards of habitability, and access to maintenance work order systems.

“(2) To monitor compliance by the Department with and effective implementation by the Department of statutory improvements to policies for privatized military housing, including the Military Housing Privatization Initiative Tenant Bill of Rights developed under section 2890 of this title and the complaint database established under section 2894a of this title.

“(3) To make recommendations to the Secretary of Defense to improve collaboration, awareness, and promotion of accurate and timely information about privatized military housing, accommodations available through the Exceptional Family Member Program of the Department of Defense, and other support services among policymakers, service providers, and targeted beneficiaries.

“(e) PUBLIC REPORTING.—

“(1) AVAILABILITY OF DOCUMENTS.—Subject to section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), the records, reports, transcripts, minutes, appendices, working papers, drafts, studies, agenda, and other documents made available to or prepared for or by the Council shall be available for public inspection and copying at a single location in a publicly accessible format on a website of the Department of Defense until the Council ceases to exist.

“(2) MINUTES.—

“(A) IN GENERAL.—Detailed minutes of each meeting of the Council shall be kept and shall contain—

“(i) a record of the individuals present;

“(ii) a complete and accurate description of matters discussed and conclusions reached; and

“(iii) copies of all reports received, issued, or approved by the Council.

“(B) CERTIFICATION.—The chair of the Council shall certify the accuracy of the minutes of each meeting of the Council.

“(f) ANNUAL REPORTS.—

“(1) IN GENERAL.—Not later than March 1 each year, the Council shall submit to the Secretary of Defense and the congressional defense committees a report on privatized military housing readiness.

“(2) ELEMENTS.—Each report under this subsection shall include the following:

“(A) An assessment of the adequacy and effectiveness of the provision of privatized military housing and the activities of the Department of Defense in meeting the needs of military families relating to housing during the preceding fiscal year.

“(B) A description of activities of the Council during the preceding fiscal year, including—

“(i) analyses of complaints of tenants of housing units;

“(ii) data received by the Council on maintenance response time and completion of maintenance requests relating to housing units;

“(iii) assessments of dispute resolution processes;

“(iv) assessments of overall customer service for tenants;

“(v) assessments of results of housing inspections conducted with and without notice;

“(vi) any survey results conducted on behalf of or received by the Council.

“(C) Recommendations on actions to be taken to improve the capability of the provision of privatized military housing and the activities of the Department of Defense to meet the needs and requirements of military families relating to housing, including actions relating to the allocation of funding and other resources.

“(3) PUBLIC AVAILABILITY.—Each report under this subsection shall be made available in a publicly accessible format on a website of the Department of Defense.

“(g) DEFINITIONS.—In this section:

“(1) LANDLORD.—The term ‘landlord’ has the meaning given that term in section 2871 of this title.

“(2) PRIVATIZED MILITARY HOUSING.—The term ‘privatized military housing’ means housing provided under subchapter IV of chapter 169 of this title.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1781c the following new item:

“1781d. Department of Defense Military Housing Readiness Council.”

**SEC. 2823. MANDATORY DISCLOSURE OF POTENTIAL PRESENCE OF MOLD AND HEALTH EFFECTS OF MYCOTOXINS BEFORE A LEASE IS SIGNED FOR PRIVATIZED MILITARY HOUSING.**

(a) IN GENERAL.—Subchapter V of chapter 169 of title 10, United States Code, is amended by inserting after section 2890 the following new section:

**“§ 2890a. Disclosure of potential presence of mold and health effects of mycotoxins**

“(a) IN GENERAL.—The Secretary of Defense shall develop a mold disclosure document, which shall be provided by each landlord to a prospective tenant of a housing unit owned or managed by such landlord.

“(b) ELEMENTS OF DOCUMENT.—The mold disclosure document developed under subsection (a) shall include the following:

“(1) A notification that mold could be present in the housing unit.

“(2) An instruction that any tenant that discovers mold in the housing unit should notify the landlord not later than 48 hours after discovering mold.

“(3) Information regarding the human health effects of mycotoxins.”

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by inserting after the item relating to section 2890 the following new item:

“2890a. Disclosure of potential presence of mold and health effects of mycotoxins.”

**SEC. 2824. IMPLEMENTATION OF RECOMMENDATIONS FROM AUDIT OF MEDICAL CONDITIONS OF RESIDENTS IN PRIVATIZED MILITARY HOUSING.**

Not later than March 1, 2023, the Secretary of Defense shall implement the recommendations contained in the report of the Inspector General of the Department of Defense dated April 1, 2022, and entitled, “Audit of Medical

Conditions of Residents in Privatized Military Housing” (DODIG–2022–078).

**Subtitle C—Land Conveyances**

**SEC. 2841. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH CAROLINA.**

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force (in this section referred to as the “Secretary”) may convey to the City of North Charleston, South Carolina (in this section referred to as the “City”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 26 acres known as the Old Navy Yard at Joint Base Charleston, South Carolina, for the purpose of permitting the City to use the property for economic development.

(b) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the City shall pay to the United States an amount equal to not less than the fair market value, as determined by the Secretary, based on an appraisal of the property to be conveyed under such subsection, which may consist of cash payment, in-kind consideration as described under paragraph (3), or a combination thereof.

(2) SUFFICIENCY OF CONSIDERATION.—

(A) IN GENERAL.—Consideration paid to the Secretary under paragraph (1) must be sufficient, as determined by the Secretary, to provide replacement space for, and for the relocation of, any personnel, furniture, fixtures, equipment, and personal property of any kind belonging to any military department located upon the property to be conveyed under subsection (a).

(B) COMPLETION PRIOR TO CONVEYANCE.—Any cash consideration must be paid in full and any in-kind consideration must be complete, useable, and delivered to the satisfaction of the Secretary at or prior to the conveyance under subsection (a).

(3) IN-KIND CONSIDERATION.—In-kind consideration paid by the City under paragraph (1) may include the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any facilities or infrastructure with proximity to Joint Base Charleston Weapons Station (South Annex) and located on Joint Base Charleston, that the Secretary considers acceptable.

(4) TREATMENT OF CASH CONSIDERATION RECEIVED.—Any cash consideration received by the United States under paragraph (1) shall be deposited in the special account in the Treasury under subparagraph (A) of section 572(b)(5) of title 40, United States Code, and shall be available in accordance with subparagraph (B)(ii) of such section.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary may require the City to cover all costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, appraisal costs, costs related to environmental documentation, and any other administrative costs related to the conveyance.

(B) REFUND OF AMOUNTS.—If amounts paid by the City to the Secretary in advance exceed the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the City.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out the conveyance under subsection (a) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the

conveyance or to an appropriate fund or account currently available to the Secretary for the purposes for which the costs were paid. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and to the same conditions and limitations, as amounts in such fund or account.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) **CONDITION OF CONVEYANCE.**—The conveyance under subsection (a) shall be subject to all valid existing rights and the City shall accept the property (and any improvements thereon) in its condition at the time of the conveyance (commonly known as a conveyance “as is”).

(f) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(g) **OLD NAVY YARD DEFINED.**—In this section, the term “Old Navy Yard” includes the facilities used by the Naval Information Warfare Center Atlantic, including buildings 1602, 1603, 1639, 1648, and such other facilities, infrastructure, and land along or near the Cooper River waterfront at Joint Base Charleston as the Secretary considers appropriate.

#### Subtitle D—Other Matters

#### SEC. 2861. INTEGRATED MASTER INFRASTRUCTURE PLAN TO SUPPORT DEFENSE OF GUAM.

(a) **UPDATE OF PLAN AND REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the heads of such Federal agencies as the Secretary considers pertinent—

(1) update the plan detailing descriptions of work, costs, and a schedule for completion of construction, improvements, and repairs to the nonmilitary utilities, facilities, and infrastructure, if any, on Guam affected by the realignment of forces, required by section 2822 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), to reflect current and future plans for the introduction of additional military and supporting nonmilitary capabilities on the island; and

(2) submit to the congressional defense committees a report on the updates made under paragraph (1).

(b) **MATTERS INCLUDED.**—In preparing the update required by subsection (a)(1), the Secretary shall ensure that, at a minimum, the resulting updated plan addresses:

(1) necessary improvements to the existing civilian electrical power grid and electric power generation capabilities to ensure that the expected increase in Department of Defense power requirements can be satisfied without adversely affecting the general population;

(2) opportunities for increasing energy resilience for Department of Defense facilities and reducing expected demands on civilian resources;

(3) expediting the ability to remove unexploded ordinance during construction;

(4) required enhancements to potable water supplies and sewer systems to sustain expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(5) needed civilian roadway rehabilitation efforts and enhancements to support increased traffic and heavy equipment movements;

(6) advisable commercial airport and seaport rehabilitation and capacity expansion

projects that could improve logistical effectiveness and efficiency;

(7) expanded public safety infrastructure needs to provide adequate fire and police services for expected increases in Department of Defense employees, military, supporting personnel, and dependents;

(8) projected timelines for completion and anticipated phasing for projects; and

(9) other topics the Secretary deems appropriate to include.

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

#### SEC. 2862. REPEAL OF REQUIREMENT FOR INTER-AGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835 of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111-84; 10 U.S.C. 2687 note) is repealed.

#### SEC. 2863. TEMPORARY AUTHORITY FOR ACCEPTANCE AND USE OF FUNDS FOR CERTAIN CONSTRUCTION PROJECTS IN THE REPUBLIC OF KOREA.

Section 2863 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1899) is amended—

(1) in the section heading, by striking “**MUTUALLY BENEFICIAL TO THE DEPARTMENT OF DEFENSE AND**” and inserting “**IN**”;

(2) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking “cash”; and

(B) in subparagraph (B), by inserting “and construction” after “The design”;

(3) in subsection (b), by striking “Contributions” and inserting “Cash contributions”; and

(4) by amending subsection (e) to read as follows:

“(e) **METHOD OF CONTRIBUTION.**—Contributions may be accepted under subsection (a) in any of the following forms:

“(1) Irrevocable letter of credit issued by a financial institution acceptable to the Treasurer of the United States.

“(2) Drawing rights on a commercial bank account established and funded by the Republic of Korea, which account is blocked such that funds deposited cannot be withdrawn except by or with the approval of the United States.

“(3) Cash, which shall be deposited into the account established under subsection (b).”.

#### SEC. 2864. MODIFICATION OF QUITCLAIM DEED BETWEEN THE UNITED STATES AND THE CITY OF CLINTON, OKLAHOMA.

(a) **IN GENERAL.**—The Secretary of Defense shall abrogate and release the City of Clinton, Oklahoma, or any subsequent grantee, from the conditions specified in subsection (b) for the land specified in subsection (d).

(b) **CONDITIONS SPECIFIED.**—The conditions specified in this subsection are the following:

(1) That during any national emergency declared by the President or Congress, the Department of Defense shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport located on the land specified in subsection (d), or of such portion thereof as the President may desire.

(2) That the Department of Defense shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession or control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession.

(3) That the Department of Defense shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without aid from the Department.

(c) **PAYMENT OF COSTS.**—The City of Clinton, Oklahoma, or any subsequent grantee, shall pay all costs related to any survey, legal description, contract modification, or deed modification necessary to carry out subsection (a).

(d) **LAND SPECIFIED.**—The land specified in this subsection—

(1) is the land owned or maintained by the Department of Defense that is—

(A) adjacent to the City of Clinton Spaceport covered within the quitclaim deed dated January 27, 1949, between the United States and the City of Clinton, Oklahoma;

(B) east of the Clinton Sherman Airport with—

(i) northern boundary of Sooner Drive between 7th Street and 2nd Street;

(ii) southern boundary of East 1160 Road extending from 2nd Street past Little Elk Creek;

(iii) western boundary running parallel to 2nd Street; and

(iv) western boundary extending past Little Elk Creek to Woodland Street; and

(C) encompassing the Greens Burns Flat Golf Course; and

(2) does not include—

(A) the Clinton Sherman Airport or runway; or

(B) any land west of 2nd Street adjacent to the Oklahoma Space Industry Development Authority maintenance building or its surrounding support west of 2nd Street.

#### SEC. 2865. PROHIBITION ON JOINT USE OF HOMESTEAD AIR RESERVE BASE WITH CIVIL AVIATION.

On or before September 30, 2026, the Secretary of the Air Force may not enter into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft.

#### SEC. 2866. INCLUSION OF INFRASTRUCTURE IMPROVEMENTS IDENTIFIED IN THE REPORT ON STRATEGIC SEAPORTS IN DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM.

Section 2391(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) In selecting community infrastructure projects to receive assistance under this subsection, the Secretary shall consider infrastructure improvements identified in the report on strategic seaports required by section 3515 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 133 Stat. 1985).”.

#### SEC. 2867. PROCUREMENT OF ELECTRIC, ZERO EMISSION, ADVANCED-BIOFUEL-POWERED, OR HYDROGEN-POWERED VEHICLES FOR THE DEPARTMENT OF DEFENSE.

(a) **PROCUREMENT REQUIREMENT.**—

(1) **IN GENERAL.**—Section 2922g of title 10, United States Code, is amended to read as follows:

#### “§ 2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles

“(a) **REQUIREMENT.**—Except as provided in subsection (b), all covered nontactical vehicles purchased or leased by or for the use of the Department of Defense shall be—

“(1) an electric or zero emission vehicle that uses a charging connector type (or other means to transmit electricity to the vehicle) that meets applicable industry accepted standards for interoperability and safety;

“(2) an advanced-biofuel-powered vehicle; or

“(3) a hydrogen-powered vehicle.

“(b) RELATION TO OTHER VEHICLE TECHNOLOGIES THAT REDUCE CONSUMPTION OF FOSSIL FUELS.—Notwithstanding the requirement under subsection (a), the Secretary of Defense may authorize the purchase or lease of covered nontactical vehicles that are not described in such subsection if the Secretary determines, on a case by case basis, that—

“(1) the technology used in the vehicles to be purchased or leased reduces the consumption of fossil fuels compared to vehicles that use conventional internal combustion technology;

“(2) the purchase or lease of such vehicles is consistent with the energy performance goals and plan of the Department of Defense required by section 2911 of this title; and

“(3) the purchase or lease of vehicles described in subsection (a) is impracticable under the circumstances.

“(c) WAIVER.—

“(1) IN GENERAL.—The Secretary of Defense may waive the requirement under subsection (a).

“(2) NONDELEGATION.—The Secretary of Defense may not delegate the waiver authority under paragraph (1).

“(d) DEFINITIONS.—In this section:

“(1) ADVANCED-BIOFUEL-POWERED VEHICLE.—The term ‘advanced-biofuel-powered vehicle’ includes a vehicle that uses a fuel described in section 9001(3)(A) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101(3)(A)).

“(2) COVERED NONTACTICAL VEHICLE.—The term ‘covered nontactical vehicle’ means any vehicle—

“(A) that is not a tactical vehicle designed for use in combat; and

“(B) that is purchased or leased by the Department of Defense pursuant to a contract entered into, renewed, modified, or amended on or after October 1, 2030.

“(3) HYDROGEN-POWERED VEHICLE.—The term ‘hydrogen-powered vehicle’ means a vehicle that uses hydrogen as the main source of motive power, either through a fuel cell or internal combustion.”

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 173 of such title is amended by striking the item relating to section 2922g and inserting the following new item:

“2922g. Procurement of electric, zero emission, advanced-biofuel-powered, or hydrogen-powered vehicles.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2030.

## **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.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 23–D–516, Energetic Materials Characterization Facility, Los Alamos Na-

tional Laboratory, Los Alamos, New Mexico, \$19,000,000.

Project 23–D–517, Electrical Power Capacity Upgrade, Los Alamos National Laboratory, Los Alamos, New Mexico, \$24,000,000.

Project 23–D–518, Plutonium Modernization Operations and Waste Management Office Building, Los Alamos National Laboratory, Los Alamos, New Mexico, \$48,500,000.

Project 23–D–519, Special Materials Facility, Y-12 National Security Complex, Oak Ridge, Tennessee, \$49,500,000.

Project 23–D–533, Component Test Complex Project, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, \$57,420,000.

#### **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 23–D–402, Calcine Construction, Idaho National Laboratory, Idaho Falls, Idaho, \$10,000,000.

Project 23–D–403 200 West Area Tank Farms Risk Management Project, Hanford Site, Richland, Washington, \$4,408,000.

Project 23–D–404, 181D Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, \$6,770,000

Project 23–D–405, 181B Export Water System Reconfiguration and Upgrade, Hanford Site, Richland, Washington, \$480,000.

#### **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for other defense activities in carrying out programs as specified in the funding table in section 4701.

#### **SEC. 3104. NUCLEAR ENERGY.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2023 for nuclear energy as specified in the funding table in section 4701.

#### **Subtitle B—Program Authorizations, Restrictions, and Limitations**

#### **SEC. 3111. WORKFORCE ENHANCEMENT FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) FIXED-TERM APPOINTMENT FOR ADMINISTRATOR FOR NUCLEAR SECURITY.—

(1) IN GENERAL.—Section 202(c) of the Department of Energy Organization Act (42 U.S.C. 7132(c)) is amended—

(A) in paragraph (1)—

(i) by inserting “(A)” after “(1)”; and

(ii) by striking “shall be appointed” and all that follows through “Code.” and inserting the following: “shall—

“(i) be appointed by the President, by and with the advice and consent of the Senate; and

“(ii) serve—

“(I) except as provided in subclause (II), for a term of not more than 5 years; or

“(II) until a successor is appointed, by and with the advice and consent of the Senate.”; and

(iii) by adding at the end the following:

“(B) A person appointed to serve as the Under Secretary for Nuclear Security may continue to serve in that position after the expiration of the person’s term under subparagraph (A)(ii) until a successor is appointed, by and with the advice and consent of the Senate.”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph (2):

“(2) The Under Secretary for Nuclear Security shall be compensated at the rate provided for at level III of the Executive Schedule under section 5314 of title 5, United States Code.”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) apply with respect to an individual appointed to serve as the Under Secretary for Nuclear Security on or after January 20, 2023.

(b) REPEAL OF CAP ON FULL-TIME EQUIVALENT EMPLOYEES OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.—

(1) IN GENERAL.—Section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by striking the item relating to section 3241A.

#### **SEC. 3112. ACCELERATION OF DEPLETED URANIUM MANUFACTURING PROCESSES.**

(a) ACCELERATION OF MANUFACTURING.—The Administrator for Nuclear Security shall require the nuclear security enterprise to accelerate the modernization of manufacturing processes for depleted uranium so that the nuclear security enterprise—

(1) by not later than 2026—

(A) demonstrates bulk cold hearth melting of depleted uranium to replace existing technologies; and

(B) manufactures, on a repeatable and ongoing basis, war reserve depleted uranium components using net shape casting; and

(2) by not later than 2028, produces bulk depleted uranium using cold hearth melting on an operational basis for war reserve components.

(b) OPERATION OF MANUFACTURING FACILITY.—

(1) ACQUISITION OF FACILITY.—By not later than 2026, the Administrator shall demonstrate, if possible through the use of leased real estate options, a production facility for manufacturing depleted uranium components outside the current perimeter security fencing of the Y-12 National Security Complex, Oak Ridge, Tennessee.

(2) OPERATION.—The Administrator shall ensure that, by not later than 2029, the facility acquired under paragraph (1) conducts routine operations for the manufacture of war reserve components.

(c) CONVERSION OF DEPLETED URANIUM HEXAFLUORIDE TO DEPLETED URANIUM TETRAFLUORIDE.—The Administrator shall ensure that the nuclear security enterprise—

(1) by not later than 2026, demonstrates the conversion of depleted uranium hexafluoride to depleted uranium tetrafluoride;

(2) by not later than 2028, converts depleted uranium hexafluoride to depleted uranium tetrafluoride on an operational basis; and

(3) by not later than 2030, has available high purity depleted uranium for the production of war reserve components.

(d) BRIEFING.—Not later than March 31, 2023, and annually thereafter through 2030, the Administrator shall brief the congressional defense committees on—

(1) progress made in carrying out subsections (a), (b), and (c);

(2) the cost of activities conducted under such subsections during the preceding fiscal year; and

(3) the ability of the nuclear security enterprise to convert depleted uranium fluoride hexafluoride to depleted uranium tetrafluoride.

(e) NUCLEAR SECURITY ENTERPRISE DEFINED.—In this section, the term “nuclear security enterprise” has the meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

**SEC. 3113. CERTIFICATION OF COMPLETION OF MILESTONES WITH RESPECT TO PLUTONIUM PIT AGING.**

(a) IN GENERAL.—The National Nuclear Security Administration shall complete the milestones on plutonium pit aging identified in the report entitled “Research Program Plan for Plutonium and Pit Aging”, published by the Administration in September 2021.

(b) ANNUAL ASSESSMENT.—The Administrator for Nuclear Security shall seek to enter into an arrangement with the private scientific advisory group known as JASON to conduct, annually through 2030, an assessment of the progress achieved toward completing the milestones described in subsection (a).

(c) BRIEFING OF CONGRESSIONAL DEFENSE COMMITTEES.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter until 2030, the Administrator shall brief the congressional defense committees on—

(1) the progress achieved toward completing the milestones described in subsection (a); and

(2) the results of the assessment described in subsection (b).

(d) CERTIFICATION OF COMPLETION OF MILESTONES.—

(1) IN GENERAL.—Not later than October 1, 2031, the Administrator shall certify to the congressional defense committees whether the milestones described in subsection (a) have been achieved.

(2) JUSTIFICATION FOR INCOMPLETE MILESTONES.—If the milestones described in subsection (a) have not been achieved, the Administrator shall submit to the congressional defense committees, concurrently with the certification required by paragraph (1), a report—

(A) describing the reasons such milestones have not been achieved;

(B) including, if the Administrator determines the Administration will not be able to meet one of such milestones, an explanation for that determination; and

(C) specifying new dates for the completion of the milestones the Administrator anticipates the Administration will meet.

**SEC. 3114. ASSISTANCE BY THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO THE AIR FORCE FOR THE DEVELOPMENT OF THE MARK 21A FUSE.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall enter into an agreement with the Secretary of the Air Force under which the Administrator shall provide assistance to the Air Force in developing a fuse for the Mark 21A reentry vehicle to support the W87-1 warhead over the projected lifetime of the warhead, including by—

(1) acting as an external reviewer of the Mark 21A fuse, including by reviewing—

(A) the design of the fuse;

(B) the quality of manufacturing and parts; and

(C) the life availability of components;

(2) advising and supporting the Air Force on strategies to mitigate technical and schedule fuse risks; and

(3) otherwise ensuring the expertise of the National Nuclear Security Administration in fuse and warhead design and manufacturing is available to support successful development and sustainment of the fuse over its lifetime.

(b) BUDGET REQUEST.—The Administrator shall include, in the budget justification materials submitted to Congress in support of the budget of the Department of Energy for fiscal year 2024 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a request for

amounts sufficient to ensure that the assistance provided to the Air Force under the agreement required by subsection (a) does not negatively affect ongoing nuclear modernization programs of the Administration.

(c) NUCLEAR WEAPONS COUNCIL REVIEW.—The Nuclear Weapons Council established under section 179 of title 10, United States Code, shall review the agreement required by subsection (a) and ensure that assistance provided under such agreement aligns with ongoing programs of record between the Department of Defense and the Administration.

(d) TRANSMITTAL OF AGREEMENT.—Not later than 120 days after the date of the enactment of this Act, the Nuclear Weapons Council shall transmit to the congressional defense committee the agreement required by subsection (a) and any comments that the Council considers appropriate.

**SEC. 3115. EXTENSION OF DEADLINE FOR TRANSFER OF PARCELS OF LAND TO BE CONVEYED TO LOS ALAMOS COUNTY, NEW MEXICO.**

(a) ENVIRONMENTAL RESTORATION.—If the Secretary of Energy, under any authority granted by law, determines that a covered parcel of land requires environmental restoration or remediation, the Secretary shall, to the maximum extent practicable, complete the environmental restoration or remediation of the covered parcel of land not later than September 30, 2032, and otherwise in compliance with such authority.

(b) CONVEYANCE OR TRANSFER.—If the Secretary, under any authority granted by law, determines that environmental restoration or remediation cannot reasonably be expected to be completed with respect to a covered parcel of land by September 30, 2032, the Secretary may not convey or transfer the covered parcel of land.

(c) COVERED PARCEL OF LAND DEFINED.—The term “covered parcel of land” means a parcel of land—

(1) under the jurisdiction or administrative control of the Secretary of Energy;

(2) located at or in the vicinity of Los Alamos National Laboratory, Los Alamos, New Mexico; and

(3) that the Secretary identified, in a report submitted to the congressional defense committees before the date of the enactment of this Act, as suitable for conveyance or transfer to Los Alamos County.

**SEC. 3116. USE OF ALTERNATIVE TECHNOLOGIES TO ELIMINATE PROLIFERATION THREATS AT VULNERABLE SITES.**

Section 4306B of the Atomic Energy Defense Act (50 U.S.C. 2569) is amended—

(1) in subsection (c)(1)(M)(ii), by inserting “(including through the use of alternative technologies)” after “convert”; and

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

“(7) The term ‘alternative technologies’ means technologies, such as accelerator-based equipment, that do not use radiological materials.”

**SEC. 3117. UPDATE TO PLAN FOR DEACTIVATION AND DECOMMISSIONING OF NON-OPERATIONAL DEFENSE NUCLEAR FACILITIES.**

Section 4423 of the Atomic Energy Defense Act (50 U.S.C. 2603) is amended—

(1) by striking “even-numbered” each place it appears and inserting “odd-numbered”; and

(2) by striking “2016” each place it appears and inserting “2023”;

(3) in subsection (c)—

(A) by striking “2019” and inserting “2025”; and

(B) by striking “determines—” and all that follows and inserting “determines are non-operational as of September 30, 2022.”;

(4) in subsection (d)(4), by striking “2018” and inserting “2024”; and

(5) in subsection (e), by striking “2026” and inserting “2031”.

**Subtitle C—Budget and Financial Management Matters****SEC. 3121. MODIFICATION OF COST BASELINES FOR CERTAIN PROJECTS.**

Section 4713(a) of the Atomic Energy Defense Act (50 U.S.C. 2753(a)) is amended—

(1) in paragraph (2)(D), by striking “\$750,000,000” and inserting “\$960,000,000 (in base fiscal year 2022 dollars)”;

(2) in paragraph (3)(A)(i), by striking “\$50,000,000” and inserting “\$65,000,000 (in base fiscal year 2022 dollars)”;

(3) in paragraph (4)(A)(i), by striking “\$50,000,000” and inserting “\$65,000,000 (in base fiscal year 2022 dollars)”.

**SEC. 3122. UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.**

(a) IN GENERAL.—Section 4812 of the Atomic Energy Defense Act (50 U.S.C. 2792) is amended by adding at the end the following new subsection:

“(c) LIMITATION ON USE OF FUNDS FOR OVERHEAD.—A national security laboratory may not use funds made available under section 4811(c) to cover the costs of general and administrative overhead for the laboratory.”

(b) REPEAL OF PILOT PROGRAM.—Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 50 U.S.C. 2791 note) is repealed.

**SEC. 3123. PURCHASE OF REAL PROPERTY OPTIONS.**

(a) IN GENERAL.—Subtitle E of the National Nuclear Security Administration Act (50 U.S.C. 2461 et seq.) is amended by adding at the end the following new section:

“SEC. 3265. USE OF FUNDS FOR THE PURCHASE OF OPTIONS TO PURCHASE OR LEASE REAL PROPERTY.

“(a) IN GENERAL.—Subject to the limitation in subsection (b), funds authorized to be appropriated for the Administration for the purchase of real property may be expended to purchase options for the purchase or lease of real property.

“(b) LIMITATION ON PRICE OF OPTIONS.—The price of any option purchased pursuant to subsection (a) may not exceed the minor construction threshold (as defined in section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741)).

“(c) NOTICE.—Not later than 14 days after the date an option is purchased pursuant to subsection (a), the Administrator for Nuclear Security shall submit to the congressional defense committees—

“(1) a notification of such purchase; and

“(2) a summary of the rationale for such purchase.”

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 3264 the following new item:

“Sec. 3265. Use of funds for the purchase of options to purchase or lease real property.”

**SEC. 3124. DETERMINATION OF STANDARDIZED INDIRECT COST ELEMENTS.**

(a) IN GENERAL.—Not later than March 31, 2025, the Deputy Chief Financial Officer of the Department of Energy shall, in consultation with the Administrator for Nuclear Security and the Director of the Office of Science, determine standardized indirect cost elements to be reported by contractors to the Administrator.

(b) REPORT.—Not later than 90 days after the date that the determination required by subsection (a) is made, the Deputy Chief Financial Officer shall, in coordination with the Administrator and the Director, submit to the congressional defense committees a

report describing the standardized indirect cost elements determined under subsection (a) and a plan to require contractors to report, beginning in fiscal year 2026, such standardized indirect cost elements to the Administrator.

(c) **STANDARDIZED INDIRECT COST ELEMENTS DEFINED.**—In this section, the term “standardized indirect cost elements” means the categories of indirect costs incurred by management and operating contractors that receive funds to perform work for the National Nuclear Security Administration.

**SEC. 3125. ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD.**

Section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741) is amended—

(1) in paragraph (1), by inserting “DOE NATIONAL SECURITY AUTHORIZATION.—” before “The”; and

(2) by striking paragraph (2) and inserting the following new paragraph (2):

“(2) **MINOR CONSTRUCTION THRESHOLD.**—The term ‘minor construction threshold’ means \$25,000,000 (in base fiscal year 2021 dollars).”.

**SEC. 3126. REQUIREMENTS FOR SPECIFIC REQUEST FOR NEW OR MODIFIED NUCLEAR WEAPONS.**

Section 4209 of the Atomic Energy Defense Act (50 U.S.C. 2529) is amended—

(1) in subsection (a)(1), by inserting “beyond phase 1 or phase 6.1 (as the case may be) of the nuclear weapon acquisition process” after “modified nuclear weapon”; and

(2) by striking subsection (b) and inserting the following new subsection:

“(b) **BUDGET REQUEST FORMAT.**—In a request for funds under subsection (a), the Secretary shall include a dedicated line item for each activity described in subsection (a)(2) for a new nuclear weapon or modified nuclear weapon that is in phase 2 or higher or phase 6.2 or higher (as the case may be) of the nuclear weapon acquisition process.”.

**SEC. 3127. LIMITATION ON USE OF FUNDS FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITY ADVANCED MANUFACTURING DEVELOPMENT.**

(a) **IN GENERAL.**—Of the funds authorized to be appropriated by this Act for fiscal year 2023 for the National Nuclear Security Administration for advanced manufacturing development, the Administrator for Nuclear Security may authorize an amount, not to exceed 5 percent of such funds, to be used by the director of a nuclear weapons production facility to engage in research, development, and demonstration activities in order to maintain and enhance the engineering and manufacturing capabilities at such facility.

(b) **NUCLEAR WEAPONS PRODUCTION FACILITY DEFINED.**—In this section, the term “nuclear weapons production facility” means any of the following:

(1) The Kansas City National Security Campus, Kansas City, Missouri, and any related satellite location.

(2) The Y-12 National Security Complex, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Site, Aiken, South Carolina.

(5) The Nevada National Security Site, North Las Vegas, Nevada.

**Subtitle D—Other Matters**

**SEC. 3131. REPEAL OF OBSOLETE PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT AND OTHER PROVISIONS.**

(a) **REPEAL OF PROVISIONS OF THE ATOMIC ENERGY DEFENSE ACT.**—

(1) **IN GENERAL.**—The Atomic Energy Defense Act (50 U.S.C. 2501 et seq.) is amended—

(A) in title XLII—

(i) in subtitle A, by striking section 4215; and

(ii) in subtitle B, by striking section 4235; and

(B) in title XLIV—

(i) in subtitle A, by striking section 4403;

(ii) in subtitle C, by striking sections 4444, 4445, and 4446; and

(iii) in subtitle D, by striking section 4454.

(2) **CLERICAL AMENDMENT.**—The table of contents for the Atomic Energy Defense Act is amended by striking the items relating to sections 4215, 4235, 4403, 4444, 4445, 4446, and 4454.

(b) **REPEAL OF OTHER PROVISIONS.**—

(1) **AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.**—Section 3124 of the National Defense Authorization Act for Fiscal Year 2004 (50 U.S.C. 2568) is repealed.

(2) **SILK ROAD INITIATIVE; NUCLEAR NON-PROLIFERATION FELLOWSHIPS.**—Sections 3133 and 3134 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (50 U.S.C. 2570, 2571) are repealed.

(3) **REQUIREMENT FOR RESEARCH AND DEVELOPMENT PLAN AND REPORT WITH RESPECT TO NUCLEAR FORENSICS CAPABILITIES.**—Section 3114 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (50 U.S.C. 2574) is repealed.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

**SEC. 3201. AUTHORIZATION.**

There are authorized to be appropriated for fiscal year 2023, \$41,401,400 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

**SEC. 3202. DELEGATION OF AUTHORITY TO CHAIRPERSON OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.**

Section 311 of the Atomic Energy Act of 1954 (42 U.S.C. 2286) is amended by striking subsection (e) and inserting the following new subsection (e):

“(e) **QUORUM.**—

“(1) **IN GENERAL.**—Three members of the Board shall constitute a quorum, but a lesser number may hold hearings.

“(2) **DELEGATION OF AUTHORITY.**—

“(A) **IN GENERAL.**—Upon a loss of quorum due to vacancy or incapacity of a member of the Board, the authorities of the Board under sections 312, 313, 315, and 316 shall be delegated to the Chairperson.

“(B) **TERMINATION OF DELEGATION.**—Any delegation of authority under subparagraph (A) shall terminate upon re-establishment of a quorum.

“(C) **LIMITATIONS ON DELEGATED AUTHORITY.**—If any authority of the Board has been delegated to the Chairperson under subparagraph (A) and a member is serving on the Board with the Chairperson, the Chairperson—

“(i) shall consult with such member before exercising such delegated authority; and

“(ii) may initiate an investigation or issue a recommendation to the Secretary of Energy only with the approval of such member.

“(D) **NOTIFICATION.**—The Board shall notify the congressional defense committees not later than 30 days before any date on which—

“(i) the Board delegates any authority under subparagraph (A);

“(ii) the Chairperson exercises such authority; or

“(iii) the Chairperson initiates an investigation or issues a recommendation to the Secretary of Energy.”.

**TITLE XXXV—MARITIME ADMINISTRATION**  
**SEC. 3501. MARITIME ADMINISTRATION.**

Section 109 of title 49, United States Code, is amended to read as follows:

**“§ 109. Maritime Administration**

“(a) **ORGANIZATION AND MISSION.**—The Maritime Administration is an administration in the Department of Transportation. The mis-

sion of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

“(b) **MARITIME ADMINISTRATOR.**—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

“(c) **DEPUTY MARITIME ADMINISTRATOR.**—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

“(d) **DUTIES AND POWERS VESTED IN SECRETARY.**—All duties and powers of the Maritime Administration are vested in the Secretary.

“(e) **REGIONAL OFFICES.**—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

“(f) **INTERAGENCY AND INDUSTRY RELATIONS.**—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

“(g) **DETAILING OFFICERS FROM ARMED FORCES.**—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer’s pay and allowances as an officer in the Armed Forces, makes the officer’s total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

“(h) **CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.**—

“(1) **CONTRACTS AND COOPERATIVE AGREEMENTS.**—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

“(A) carry out the Secretary’s duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

“(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

“(2) **AUDITS.**—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title



46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

“(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

“(j) AUTHORIZATION OF APPROPRIATIONS.—“(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

“(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

“(A) acquisition, construction, or reconstruction of vessels;

“(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

“(C) costs of national defense features;

“(D) payments of obligations incurred for operating-differential subsidies;

“(E) expenses necessary for research and development activities, including reimburse-

ment of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

“(F) the Vessel Operations Revolving Fund;

“(G) National Defense Reserve Fleet expenses;

“(H) expenses necessary to carry out part B of subtitle V of title 46; and

“(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.”

**DIVISION D—FUNDING TABLES**

**SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.**

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 3201 and 4024 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL OR WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

**TITLE XLI—PROCUREMENT**

**SEC. 4101. PROCUREMENT.**

**SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)**

Line	Item	FY 2023 Request	Senate Authorized
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
5	SMALL UNMANNED AIRCRAFT SYSTEMS .....	10,598	10,598
<b>ROTARY</b>			
7	AH-64 APACHE BLOCK IIIA REMAN .....	524,661	524,661
8	AH-64 APACHE BLOCK IIIA REMAN .....	169,218	169,218
10	UH-60 BLACKHAWK M MODEL (MYP) .....	650,406	650,406
11	UH-60 BLACKHAWK M MODEL (MYP) .....	68,147	68,147
12	UH-60 BLACK HAWK L AND V MODELS .....	178,658	178,658
13	CH-47 HELICOPTER .....	169,149	169,149
14	CH-47 HELICOPTER .....	18,749	18,749
<b>MODIFICATION OF AIRCRAFT</b>			
16	MQ-1 PAYLOAD .....	57,700	57,700
18	GRAY EAGLE MODS2 .....	13,038	13,038
19	MULTI SENSOR ABN RECON .....	21,380	26,580
	SOUTHCOM hyperspectral imagery sensors .....		[5,200]
20	AH-64 MODS .....	85,840	85,840
21	CH-47 CARGO HELICOPTER MODS (MYP) .....	11,215	11,215
24	EMARSS SEMA MODS .....	1,591	1,591
26	UTILITY HELICOPTER MODS .....	21,346	21,346
27	NETWORK AND MISSION PLAN .....	44,526	44,526
28	COMMS, NAV SURVEILLANCE .....	72,387	72,387
30	AVIATION ASSURED PNT .....	71,130	71,130
31	GATM ROLLUP .....	14,683	14,683
<b>GROUND SUPPORT AVIONICS</b>			
34	AIRCRAFT SURVIVABILITY EQUIPMENT .....	167,927	167,927
35	SURVIVABILITY CM .....	6,622	6,622
36	CMWS .....	107,112	107,112
37	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	288,209	288,209
<b>OTHER SUPPORT</b>			
39	COMMON GROUND EQUIPMENT .....	20,823	20,823
40	AIRCREW INTEGRATED SYSTEMS .....	25,773	25,773
41	AIR TRAFFIC CONTROL .....	27,492	27,492
42	LAUNCHER, 2.75 ROCKET .....	1,275	1,275
	UNDISTRIBUTED .....	0	90,141
	Inflation effects .....		[90,141]
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY .....</b>	<b>2,849,655</b>	<b>2,944,996</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>SURFACE-TO-AIR MISSILE SYSTEM</b>			
1	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN .....	4,260	4,260
2	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN .....	9,200	9,200
3	M-SHORAD—PROCUREMENT .....	135,747	135,747
4	MSE MISSILE .....	1,037,093	1,037,093
5	PRECISION STRIKE MISSILE (PRSM) .....	213,172	213,172
6	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I .....	18,924	18,924
<b>AIR-TO-SURFACE MISSILE SYSTEM</b>			
7	HELLFIRE SYS SUMMARY .....	111,294	411,294
	Production increase .....		[300,000]

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
8	JOINT AIR-TO-GROUND MSLs (JAGM) .....	216,030	312,030
	Capacity expansion .....		[36,000]
	Production increase .....		[60,000]
10	LONG-RANGE HYPERSONIC WEAPON .....	249,285	249,285
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
11	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	162,968	362,968
	Production increase .....		[200,000]
12	TOW 2 SYSTEM SUMMARY .....	105,423	105,423
13	GUIDED MLRS ROCKET (GMLRS) .....	785,028	1,035,528
	Production increase .....		[250,500]
14	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	4,354	4,354
15	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....	155,705	265,705
	Capacity expansion—launchers .....		[10,000]
	Production increase—launchers .....		[100,000]
16	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	37,937	37,937
	<b>MODIFICATIONS</b>		
17	PATRIOT MODS .....	253,689	253,689
18	ATACMS MODS .....	0	100,000
	Production increase .....		[100,000]
20	ITAS/TOW MODS .....	5,154	5,154
21	MLRS MODS .....	218,359	218,359
22	HIMARS MODIFICATIONS .....	20,468	20,468
25	STINGER .....	0	200,000
	Blk 1 refurb missiles .....		[200,000]
	<b>SPARES AND REPAIR PARTS</b>		
23	SPARES AND REPAIR PARTS .....	6,508	106,508
	Long-lead energetics for munitions production .....		[100,000]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
24	AIR DEFENSE TARGETS .....	11,317	11,317
	UNDISTRIBUTED .....	0	117,940
	Inflation effects .....		[117,940]
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>3,761,915</b>	<b>5,236,355</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
1	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	380,677	380,677
2	ASSAULT BREACHER VEHICLE (ABV) .....	3,852	3,852
3	MOBILE PROTECTED FIREPOWER .....	356,708	356,708
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
4	STRYKER UPGRADE .....	671,271	671,271
5	BRADLEY PROGRAM (MOD) .....	279,531	279,531
6	M109 FOV MODIFICATIONS .....	3,028	3,028
7	PALADIN INTEGRATED MANAGEMENT (PIM) .....	493,003	688,003
	Program increase .....		[195,000]
8	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	138,759	138,759
12	JOINT ASSAULT BRIDGE .....	36,990	36,990
14	ABRAMS UPGRADE PROGRAM .....	656,340	948,940
	Army UFR—Additional Abrams .....		[292,600]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
17	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....	26,627	26,627
18	MORTAR SYSTEMS .....	8,516	8,516
19	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS) .....	48,301	48,301
20	XM320 GRENADE LAUNCHER MODULE (GLM) .....	11,703	11,703
21	PRECISION SNIPER RIFLE .....	6,436	6,436
24	NEXT GENERATION SQUAD WEAPON .....	221,293	221,293
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
28	M777 MODS .....	3,374	3,374
33	M119 MODIFICATIONS .....	2,263	2,263
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
36	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	2,138	2,138
37	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	225,220	225,220
	UNDISTRIBUTED .....	0	100,659
	Inflation effects .....		[100,659]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>3,576,030</b>	<b>4,164,289</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
1	CTG, 5.56MM, ALL TYPES .....	59,447	59,447
2	CTG, 7.62MM, ALL TYPES .....	90,019	90,019
3	NEXT GENERATION SQUAD WEAPON AMMUNITION .....	128,662	128,662
4	CTG, HANDGUN, ALL TYPES .....	317	317
5	CTG, .50 CAL, ALL TYPES .....	35,849	35,849
6	CTG, 20MM, ALL TYPES .....	11,761	11,761
7	CTG, 25MM, ALL TYPES .....	10,270	10,270
8	CTG, 30MM, ALL TYPES .....	143,045	143,045
9	CTG, 40MM, ALL TYPES .....	85,213	85,213
	<b>MORTAR AMMUNITION</b>		
10	60MM MORTAR, ALL TYPES .....	33,338	33,338

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
11	81MM MORTAR, ALL TYPES .....	56,577	56,577
12	120MM MORTAR, ALL TYPES .....	127,168	127,168
	<b>TANK AMMUNITION</b>		
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	296,943	296,943
	<b>ARTILLERY AMMUNITION</b>		
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	7,647	7,647
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	182,455	182,455
17	PRECISION ARTILLERY MUNITIONS .....	166,334	166,334
18	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	143,763	143,763
	<b>MINES</b>		
19	MINES & CLEARING CHARGES, ALL TYPES .....	80,920	80,920
20	CLOSE TERRAIN SHAPING OBSTACLE .....	53,579	53,579
	<b>ROCKETS</b>		
21	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	18,159	18,159
22	ROCKET, HYDRA 70, ALL TYPES .....	171,697	171,697
	<b>OTHER AMMUNITION</b>		
23	CAD/PAD, ALL TYPES .....	7,643	7,643
24	DEMOLITION MUNITIONS, ALL TYPES .....	29,796	29,796
25	GRENADES, ALL TYPES .....	36,251	36,251
26	SIGNALS, ALL TYPES .....	13,852	13,852
27	SIMULATORS, ALL TYPES .....	9,350	9,350
	<b>MISCELLANEOUS</b>		
29	AMMO COMPONENTS, ALL TYPES .....	3,823	3,823
30	ITEMS LESS THAN \$5 MILLION (AMMO) .....	19,921	19,921
31	AMMUNITION PECULIAR EQUIPMENT .....	13,001	13,001
32	FIRST DESTINATION TRANSPORTATION (AMMO) .....	17,528	17,528
33	CLOSEOUT LIABILITIES .....	101	101
	<b>PRODUCTION BASE SUPPORT</b>		
34	INDUSTRIAL FACILITIES .....	499,613	499,613
35	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	80,970	80,970
36	ARMS INITIATIVE .....	4,039	4,039
	UNDISTRIBUTED .....	0	78,556
	Inflation effects .....		[78,556]
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY .....</b>	<b>2,639,051</b>	<b>2,717,607</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
2	SEMITRAILERS, FLATBED: .....	23,021	23,021
3	SEMITRAILERS, TANKERS .....	21,869	21,869
4	HI MOB MULTI-PURP WHLD VEH (HMMWV) .....	6,121	6,121
5	GROUND MOBILITY VEHICLES (GMV) .....	34,316	34,316
7	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL .....	703,110	703,110
9	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	74,086	74,086
10	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C .....	23,772	23,772
11	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	39,950	39,950
12	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	96,112	96,112
13	PLS ESP .....	54,674	54,674
16	MODIFICATION OF IN SVC EQUIP .....	31,819	82,277
	Army UFR—Anti-Lock Brake System/Electronic Stability Control retrofit kits .....		[50,458]
	<b>NON-TACTICAL VEHICLES</b>		
17	PASSENGER CARRYING VEHICLES .....	1,286	1,286
18	NONTACTICAL VEHICLES, OTHER .....	15,059	15,059
	<b>COMM—JOINT COMMUNICATIONS</b>		
19	SIGNAL MODERNIZATION PROGRAM .....	179,853	179,853
20	TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....	382,007	382,007
22	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI .....	4,066	4,066
23	JCSE EQUIPMENT (USRDECOM) .....	5,505	5,505
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
26	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	107,228	107,228
27	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	119,259	119,259
28	SHF TERM .....	23,173	23,173
29	ASSURED POSITIONING, NAVIGATION AND TIMING .....	184,911	184,911
30	EHF SATELLITE COMMUNICATION .....	5,853	5,853
31	SMART-T (SPACE) .....	4,916	4,916
32	GLOBAL BRDCST SVC—GBS .....	3,179	3,179
	<b>COMM—C3 SYSTEM</b>		
34	COE TACTICAL SERVER INFRASTRUCTURE (TSI) .....	94,287	94,287
	<b>COMM—COMBAT COMMUNICATIONS</b>		
35	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	728,366	728,366
37	ARMY LINK 16 SYSTEMS .....	47,581	47,581
39	UNIFIED COMMAND SUITE .....	20,178	20,178
40	COTS COMMUNICATIONS EQUIPMENT .....	320,595	320,595
41	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	7,621	7,621
42	ARMY COMMUNICATIONS & ELECTRONICS .....	59,705	59,705
	<b>COMM—INTELLIGENCE COMM</b>		
43	CI AUTOMATION ARCHITECTURE-INTEL .....	13,891	13,891
45	MULTI-DOMAIN INTELLIGENCE .....	20,637	20,637
	<b>INFORMATION SECURITY</b>		
46	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	1,019	1,019
47	COMMUNICATIONS SECURITY (COMSEC) .....	125,692	125,692

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
49	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO .....	1,796	1,796
51	BIOMETRIC ENABLING CAPABILITY (BEC) .....	816	816
52	ARCYBER DEFENSIVE CYBER OPERATIONS .....	18,239	18,239
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
54	BASE SUPPORT COMMUNICATIONS .....	10,262	11,512
	AFRICOM UFR—force protection .....		[1,250]
	<b>COMM—BASE COMMUNICATIONS</b>		
55	INFORMATION SYSTEMS .....	116,522	116,522
56	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	5,036	5,036
59	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	214,806	214,806
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
62	TTAN .....	84,821	0
	Realignment of funds .....		[-84,821]
63	JTT/CIBS-M .....	2,352	2,352
64	TERRESTRIAL LAYER SYSTEMS (TLS) .....	88,915	50,915
	Realignment of funds .....		[-38,000]
66	DCGS-A-INTEL .....	76,771	96,451
	TTAN Realignment of funds .....		[19,680]
67	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL .....	349	349
68	TROJAN .....	20,562	20,562
69	MOD OF IN-SVC EQUIP (INTEL SPT) .....	30,424	39,724
	INDOPACOM UFR—SIGINT upgrades .....		[9,300]
70	BIOMETRIC TACTICAL COLLECTION DEVICES .....	2,269	2,269
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
73	AIR VIGILANCE (AV) .....	5,688	5,688
74	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST .....	3,060	3,060
76	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	19,519	19,519
77	CI MODERNIZATION .....	437	437
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
78	SENTINEL MODS .....	166,736	166,736
79	NIGHT VISION DEVICES .....	424,253	499,253
	Army UFR—Enhanced Night Vision Goggle-Binocular .....		[75,000]
80	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	11,357	11,357
82	FAMILY OF WEAPON SIGHTS (FWS) .....	202,258	202,258
83	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE .....	5,116	5,116
84	FORWARD LOOKING INFRARED (IFLIR) .....	37,914	37,914
85	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS) .....	326,364	631,964
	AFRICOM UFR—C-UAS .....		[61,600]
	Army UFR—Coyote C-sUAS .....		[244,000]
86	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	186,515	186,515
87	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	10,304	10,304
88	COMPUTER BALLISTICS: LHMCB XM32 .....	3,038	3,038
89	MORTAR FIRE CONTROL SYSTEM .....	4,879	4,879
90	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS .....	4,370	4,370
91	COUNTERFIRE RADARS .....	162,208	283,808
	Army UFR—AN/TPQ-53 Radar for ARNG .....		[121,600]
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
92	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE ( .....	60,455	60,455
93	FIRE SUPPORT C2 FAMILY .....	9,676	9,676
94	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	72,619	72,619
95	IAMD BATTLE COMMAND SYSTEM .....	438,967	438,967
96	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	4,586	4,586
97	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	37,199	37,199
98	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	4,102	4,102
99	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP .....	6,926	6,926
101	MOD OF IN-SVC EQUIPMENT (ENFIRE) .....	4,076	4,076
	<b>ELECT EQUIP—AUTOMATION</b>		
102	ARMY TRAINING MODERNIZATION .....	8,033	8,033
103	AUTOMATED DATA PROCESSING EQUIP .....	96,554	106,554
	AFRICOM UFR—cyber network resiliency .....		[10,000]
104	ACCESSIONS INFORMATION ENVIRONMENT (AIE) .....	43,767	43,767
105	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	97	97
106	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	73,655	73,655
107	CONTRACT WRITING SYSTEM .....	17,701	17,701
108	CSS COMMUNICATIONS .....	88,141	88,141
	<b>ELECT EQUIP—SUPPORT</b>		
111	BCT EMERGING TECHNOLOGIES .....	12,853	12,853
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	1,596	1,596
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
113	BASE DEFENSE SYSTEMS (BDS) .....	47,960	47,960
114	CBRN DEFENSE .....	56,129	56,129
	<b>BRIDGING EQUIPMENT</b>		
116	TACTICAL BRIDGING .....	13,785	13,785
118	BRIDGE SUPPLEMENTAL SET .....	6,774	6,774
119	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	10,379	10,379
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
124	ROBOTICS AND APPLIQUE SYSTEMS .....	52,340	52,340
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
127	HEATERS AND ECU'S .....	7,672	7,672
129	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	4,691	4,691
130	GROUND SOLDIER SYSTEM .....	124,953	124,953

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Line	Item	FY 2023 Request	Senate Authorized
131	MOBILE SOLDIER POWER .....	15,933	15,933
134	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	42,444	42,444
136	ITEMS LESS THAN \$5M (ENG SPT) .....	4,155	4,155
	<b>PETROLEUM EQUIPMENT</b>		
137	QUALITY SURVEILLANCE EQUIPMENT .....	2,845	2,845
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	26,433	26,433
	<b>MEDICAL EQUIPMENT</b>		
139	COMBAT SUPPORT MEDICAL .....	75,606	75,606
	<b>MAINTENANCE EQUIPMENT</b>		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	3,936	3,936
	<b>CONSTRUCTION EQUIPMENT</b>		
147	ALL TERRAIN CRANES .....	31,341	31,341
149	FAMILY OF DIVER SUPPORT EQUIPMENT .....	3,256	3,256
150	CONST EQUIP ESP .....	9,104	9,104
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
151	ARMY WATERCRAFT ESP .....	47,889	62,033
	Watercraft Modernization Service Life Extension Program (SLEP) .....		[14,144]
152	MANEUVER SUPPORT VESSEL (MSV) .....	104,676	104,676
153	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....	10,131	10,131
	<b>GENERATORS</b>		
154	GENERATORS AND ASSOCIATED EQUIP .....	54,400	54,400
155	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	8,293	8,293
	<b>MATERIAL HANDLING EQUIPMENT</b>		
156	FAMILY OF FORKLIFTS .....	8,819	8,819
	<b>TRAINING EQUIPMENT</b>		
157	COMBAT TRAINING CENTERS SUPPORT .....	48,046	48,046
158	TRAINING DEVICES, NONSYSTEM .....	201,966	201,966
159	SYNTHETIC TRAINING ENVIRONMENT (STE) .....	255,670	255,670
160	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	9,546	9,546
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
162	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	36,514	36,514
164	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	32,734	32,734
	<b>OTHER SUPPORT EQUIPMENT</b>		
166	PHYSICAL SECURITY SYSTEMS (OPA3) .....	102,556	116,706
	AFRICOM UFR—force protection .....		[14,150]
167	BASE LEVEL COMMON EQUIPMENT .....	31,417	31,417
168	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	24,047	24,047
169	BUILDING, PRE-FAB, RELOCATABLE .....	32,151	32,151
170	SPECIAL EQUIPMENT FOR TEST AND EVALUATION .....	84,779	84,779
	<b>OPA2</b>		
172	INITIAL SPARES—C&E .....	10,463	10,463
	UNDISTRIBUTED .....	0	291,568
	Inflation effects .....		[291,568]
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>8,457,509</b>	<b>9,247,438</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
1	F/A-18E/F (FIGHTER) HORNET .....	90,865	90,865
2	JOINT STRIKE FIGHTER CV .....	1,663,515	1,663,515
3	JOINT STRIKE FIGHTER CV .....	387,596	387,596
4	JSF STOVL .....	1,909,635	1,909,635
5	JSF STOVL .....	200,118	200,118
6	CH-53K (HEAVY LIFT) .....	1,669,986	1,919,986
	USMC UFR—additional aircraft .....		[250,000]
7	CH-53K (HEAVY LIFT) .....	357,824	357,824
8	V-22 (MEDIUM LIFT) .....	31,795	31,795
11	P-8A POSEIDON .....	41,521	41,521
12	E-2D ADV HAWKEYE .....	842,401	842,401
	<b>TRAINER AIRCRAFT</b>		
14	MULTI-ENGINE TRAINING SYSTEM (METS) .....	123,217	123,217
15	ADVANCED HELICOPTER TRAINING SYSTEM .....	119,816	119,816
	<b>OTHER AIRCRAFT</b>		
15	UC-12W CARGO AIRCRAFT .....	0	55,600
	USMC UFR—Additional UC-12W cargo aircraft .....		[55,600]
16	KC-130J .....	439,501	692,001
	USMC UFR—Replacement aircraft .....		[252,500]
17	KC-130J .....	29,122	29,122
19	MQ-4 TRITON .....	587,820	587,820
20	MQ-4 TRITON .....	75,235	75,235
22	STUASL0 UAV .....	2,703	2,703
23	MQ-25 .....	696,713	696,713
24	MQ-25 .....	51,463	51,463
25	MARINE GROUP 5 UAS .....	103,882	143,882
	USMC UFR—MQ-9 MSAT .....		[20,000]
	USMC UFR—MQ-9 SETSS .....		[20,000]
	<b>MODIFICATION OF AIRCRAFT</b>		
27	F-18 A-D UNIQUE .....	141,514	141,514
28	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM .....	572,681	572,681
29	MARINE GROUP 5 UAS SERIES .....	86,116	86,116
30	AEA SYSTEMS .....	25,058	25,058

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Line	Item	FY 2023 Request	Senate Authorized
31	AV-8 SERIES .....	26,657	26,657
32	INFRARED SEARCH AND TRACK (IRST) .....	144,699	144,699
33	ADVERSARY .....	105,188	105,188
34	F-18 SERIES .....	480,663	480,663
35	H-53 SERIES .....	40,151	40,151
36	MH-60 SERIES .....	126,238	126,238
37	H-1 SERIES .....	122,498	122,498
38	EP-3 SERIES .....	8,492	8,492
39	E-2 SERIES .....	188,897	188,897
40	TRAINER A/C SERIES .....	9,568	9,568
42	C-130 SERIES .....	132,170	132,170
43	FEWSG .....	695	695
44	CARGO/TRANSPORT A/C SERIES .....	10,902	10,902
45	E-6 SERIES .....	129,049	129,049
46	EXECUTIVE HELICOPTERS SERIES .....	55,265	55,265
47	T-45 SERIES .....	201,670	201,670
48	POWER PLANT CHANGES .....	24,685	24,685
49	JPATS SERIES .....	19,780	19,780
50	AVIATION LIFE SUPPORT MODS .....	1,143	1,143
51	COMMON ECM EQUIPMENT .....	129,722	129,722
52	COMMON AVIONICS CHANGES .....	136,883	136,883
53	COMMON DEFENSIVE WEAPON SYSTEM .....	6,373	6,373
54	ID SYSTEMS .....	3,828	3,828
55	P-8 SERIES .....	249,342	249,342
56	MAGTF EW FOR AVIATION .....	24,684	24,684
57	MQ-8 SERIES .....	9,846	9,846
58	V-22 (TILT/ROTOR ACFT) OSPREY .....	207,621	207,621
59	NEXT GENERATION JAMMER (NGJ) .....	401,563	401,563
60	F-35 STOVL SERIES .....	216,356	216,356
61	F-35 CV SERIES .....	208,336	208,336
62	QRC .....	47,864	47,864
63	MQ-4 SERIES .....	94,738	94,738
64	RQ-21 SERIES .....	6,576	6,576
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
68	SPARES AND REPAIR PARTS .....	1,872,417	2,295,517
	Navy UFR—aviation outfitting spares in support of carrier airwings .....		[292,700]
	USMC UFR—aircraft initial and replenishment spares .....		[104,300]
	USMC UFR—KC-130J spares .....		[15,400]
	USMC UFR—UC-12W(ER) Beechcraft King Air 350ER initial spares .....		[10,700]
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
69	COMMON GROUND EQUIPMENT .....	542,214	542,214
70	AIRCRAFT INDUSTRIAL FACILITIES .....	101,559	101,559
71	WAR CONSUMABLES .....	40,316	40,316
72	OTHER PRODUCTION CHARGES .....	46,403	46,403
73	SPECIAL SUPPORT EQUIPMENT .....	423,280	522,280
	USMC UFR classified issue .....		[99,000]
	UNDISTRIBUTED .....	0	491,186
	Inflation effects .....		[491,186]
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY .....</b>	<b>16,848,428</b>	<b>18,459,814</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
1	TRIDENT II MODS .....	1,125,164	1,125,164
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
2	MISSILE INDUSTRIAL FACILITIES .....	7,767	7,767
	<b>STRATEGIC MISSILES</b>		
3	TOMAHAWK .....	160,190	160,190
	<b>TACTICAL MISSILES</b>		
4	AMRAAM .....	335,900	335,900
5	SIDEWINDER .....	63,288	89,188
	Navy UFR—additional AIM-9X .....		[25,900]
6	STANDARD MISSILE .....	489,123	739,123
	Capacity expansion—dual-source energetics .....		[50,000]
	Capacity expansion—test/tooling equipment .....		[200,000]
8	JASSM .....	58,481	58,481
9	SMALL DIAMETER BOMB II .....	108,317	108,317
10	RAM .....	92,131	92,131
11	JOINT AIR GROUND MISSILE (JAGM) .....	78,395	78,395
12	HELLFIRE .....	6,603	6,603
13	AERIAL TARGETS .....	183,222	183,222
14	DRONES AND DECOYS .....	62,930	62,930
15	OTHER MISSILE SUPPORT .....	3,524	3,524
16	LRASM .....	226,022	339,122
	Capacity expansion .....		[35,000]
	Navy UFR—capacity increase .....		[33,100]
	Production increase .....		[45,000]
17	NAVAL STRIKE MISSILE (NSM) .....	59,034	59,034
	<b>MODIFICATION OF MISSILES</b>		
18	TOMAHAWK MODS .....	435,308	435,308
19	ESSM .....	282,035	282,035



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Line	Item	FY 2023 Request	Senate Authorized
20	AARGM .....	131,275	171,275
	Production increase .....		[40,000]
21	STANDARD MISSILES MODS .....	71,198	71,198
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
22	WEAPONS INDUSTRIAL FACILITIES .....	1,976	26,976
	Hypersonic test facility .....		[25,000]
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
25	ORDNANCE SUPPORT EQUIPMENT .....	40,793	40,793
	<b>TORPEDOES AND RELATED EQUIP</b>		
26	SSTD .....	3,789	3,789
27	MK-48 TORPEDO .....	151,128	200,128
	Navy UFR—additional MK 48 procurement .....		[49,000]
28	ASW TARGETS .....	14,403	14,403
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
29	MK-54 TORPEDO MODS .....	106,772	232,172
	Mk54 LWT program increase .....		[125,400]
30	MK-48 TORPEDO ADCAP MODS .....	18,502	18,502
31	MARITIME MINES .....	9,282	245,332
	Hammerhead .....		[225,000]
	Mk68 .....		[11,050]
	<b>SUPPORT EQUIPMENT</b>		
32	TORPEDO SUPPORT EQUIPMENT .....	87,044	87,044
33	ASW RANGE SUPPORT .....	3,965	3,965
	<b>DESTINATION TRANSPORTATION</b>		
34	FIRST DESTINATION TRANSPORTATION .....	5,315	5,315
	<b>GUNS AND GUN MOUNTS</b>		
35	SMALL ARMS AND WEAPONS .....	13,859	13,859
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
36	CIWS MODS .....	2,655	2,655
37	COAST GUARD WEAPONS .....	34,259	34,259
38	GUN MOUNT MODS .....	81,725	81,725
39	LCS MODULE WEAPONS .....	4,580	4,580
40	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	8,710	8,710
	<b>SPARES AND REPAIR PARTS</b>		
42	SPARES AND REPAIR PARTS .....	170,041	170,041
	UNDISTRIBUTED .....	0	129,375
	Inflation effects .....		[129,375]
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>4,738,705</b>	<b>5,732,530</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
1	GENERAL PURPOSE BOMBS .....	47,198	47,198
2	JDAM .....	76,688	76,688
3	AIRBORNE ROCKETS, ALL TYPES .....	70,005	70,005
4	MACHINE GUN AMMUNITION .....	20,586	20,586
5	PRACTICE BOMBS .....	51,109	51,109
6	CARTRIDGES & CART ACTUATED DEVICES .....	72,534	72,534
7	AIR EXPENDABLE COUNTERMEASURES .....	114,475	114,475
8	JATOS .....	7,096	7,096
9	5 INCH/54 GUN AMMUNITION .....	30,018	30,018
10	INTERMEDIATE CALIBER GUN AMMUNITION .....	40,089	40,089
11	OTHER SHIP GUN AMMUNITION .....	42,707	189,707
	Goalkeeper long lead procurement .....		[147,000]
12	SMALL ARMS & LANDING PARTY AMMO .....	49,023	49,023
13	PYROTECHNIC AND DEMOLITION .....	9,480	9,480
14	AMMUNITION LESS THAN \$5 MILLION .....	1,622	1,622
	<b>MARINE CORPS AMMUNITION</b>		
15	MORTARS .....	71,214	71,214
16	DIRECT SUPPORT MUNITIONS .....	65,169	65,169
17	INFANTRY WEAPONS AMMUNITION .....	225,271	225,271
18	COMBAT SUPPORT MUNITIONS .....	19,691	19,691
19	AMMO MODERNIZATION .....	17,327	17,327
20	ARTILLERY MUNITIONS .....	15,514	15,514
21	ITEMS LESS THAN \$5 MILLION .....	5,476	5,476
	UNDISTRIBUTED .....	0	33,521
	Inflation effects .....		[33,521]
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>1,052,292</b>	<b>1,232,813</b>
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>		
	<b>FLEET BALLISTIC MISSILE SHIPS</b>		
1	OHIO REPLACEMENT SUBMARINE .....	3,079,223	3,079,223
2	OHIO REPLACEMENT SUBMARINE .....	2,778,553	2,778,553
	<b>OTHER WARSHIPS</b>		
3	CARRIER REPLACEMENT PROGRAM .....	1,481,530	1,481,530
4	CVN-81 .....	1,052,024	1,052,024
5	VIRGINIA CLASS SUBMARINE .....	4,534,184	4,534,184
6	VIRGINIA CLASS SUBMARINE .....	2,025,651	2,025,651
8	CVN REFUELING OVERHAULS .....	618,295	618,295

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Line	Item	FY 2023 Request	Senate Authorized
9	DDG 1000 .....	72,976	72,976
10	DDG-51 .....	4,376,537	4,376,537
11	DDG-51 .....	618,352	868,352
	Surface combatant supplier development .....		[250,000]
13	FFG-FRIGATE .....	1,085,224	1,158,624
	Navy UFR—wholeness for FFG-62 procurement .....		[73,400]
14	FFG-FRIGATE .....	74,949	74,949
	<b>AMPHIBIOUS SHIPS</b>		
15	LPD FLIGHT II .....	1,673,000	1,673,000
16	LPD FLIGHT II .....	0	250,000
	USMC UFR—Advance procurement for LPD-33 .....		[250,000]
20	LHA REPLACEMENT .....	1,085,470	1,085,470
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
22	TAO FLEET OILER .....	794,719	794,719
24	TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....	95,915	95,915
27	OUTFITTING .....	707,412	707,412
28	SHIP TO SHORE CONNECTOR .....	190,433	190,433
29	SERVICE CRAFT .....	68,274	91,274
	Auxiliary personnel lighters barracks craft .....		[23,000]
30	LCAC SLEP .....	36,301	36,301
31	AUXILIARY VESSELS (USED SEALIFT) .....	140,686	140,686
32	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	1,328,146	1,328,146
	UNDISTRIBUTED .....	0	839,239
	Inflation effects .....		[839,239]
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....	<b>27,917,854</b>	<b>29,353,493</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SHIP PROPULSION EQUIPMENT</b>		
1	SURFACE POWER EQUIPMENT .....	46,478	46,478
	<b>GENERATORS</b>		
2	SURFACE COMBATANT HM&E .....	84,615	84,615
	<b>NAVIGATION EQUIPMENT</b>		
3	OTHER NAVIGATION EQUIPMENT .....	98,079	98,079
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	266,300	266,300
5	DDG MOD .....	770,341	770,341
6	FIREFIGHTING EQUIPMENT .....	19,687	19,687
7	COMMAND AND CONTROL SWITCHBOARD .....	2,406	2,406
8	LHA/LHD MIDLIFE .....	38,200	38,200
9	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM .....	20,028	20,028
10	POLLUTION CONTROL EQUIPMENT .....	17,682	17,682
11	SUBMARINE SUPPORT EQUIPMENT .....	117,799	117,799
12	VIRGINIA CLASS SUPPORT EQUIPMENT .....	32,300	32,300
13	LCS CLASS SUPPORT EQUIPMENT .....	15,238	15,238
14	SUBMARINE BATTERIES .....	24,137	24,137
15	LPD CLASS SUPPORT EQUIPMENT .....	54,496	54,496
16	DDG 1000 CLASS SUPPORT EQUIPMENT .....	314,333	314,333
17	STRATEGIC PLATFORM SUPPORT EQUIP .....	13,504	13,504
18	DSSP EQUIPMENT .....	3,660	3,660
19	CG MODERNIZATION .....	59,054	59,054
20	LCAC .....	17,452	17,452
21	UNDERWATER EOD EQUIPMENT .....	35,417	35,417
22	ITEMS LESS THAN \$5 MILLION .....	60,812	60,812
23	CHEMICAL WARFARE DETECTORS .....	3,202	3,202
	<b>REACTOR PLANT EQUIPMENT</b>		
25	SHIP MAINTENANCE, REPAIR AND MODERNIZATION .....	1,242,532	1,242,532
26	REACTOR POWER UNITS .....	4,690	4,690
27	REACTOR COMPONENTS .....	408,989	408,989
	<b>OCEAN ENGINEERING</b>		
28	DIVING AND SALVAGE EQUIPMENT .....	11,773	11,773
	<b>SMALL BOATS</b>		
29	STANDARD BOATS .....	57,262	57,262
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
30	OPERATING FORCES IPE .....	174,743	174,743
	<b>OTHER SHIP SUPPORT</b>		
31	LCS COMMON MISSION MODULES EQUIPMENT .....	57,313	57,313
32	LCS MCM MISSION MODULES .....	94,987	94,987
33	LCS ASW MISSION MODULES .....	3,594	3,594
34	LCS SUW MISSION MODULES .....	5,100	5,100
35	LCS IN-SERVICE MODERNIZATION .....	76,526	76,526
36	SMALL & MEDIUM UUV .....	49,763	89,763
	Hammerhead .....		[40,000]
	<b>SHIP SONARS</b>		
37	SPQ-9B RADAR .....	12,063	12,063
38	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	141,591	141,591
39	SSN ACOUSTIC EQUIPMENT .....	446,653	446,653
40	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	17,424	17,424
	<b>ASW ELECTRONIC EQUIPMENT</b>		
41	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	31,708	31,708
42	SSTD .....	14,325	14,325

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43	FIXED SURVEILLANCE SYSTEM .....	266,228	266,228
44	SURTASS .....	25,030	46,130
	Navy UFR—SURTASS array for INDO PACOM .....		[21,100]
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
45	AN/SLQ-32 .....	292,417	292,417
	<b>RECONNAISSANCE EQUIPMENT</b>		
46	SHIPBOARD IW EXPLOIT .....	311,210	316,910
	Navy UFR—Counter-C5ISR&T .....		[5,700]
47	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	2,487	2,487
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
48	COOPERATIVE ENGAGEMENT CAPABILITY .....	34,500	34,500
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	19,038	19,038
50	ATDLS .....	73,675	73,675
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	3,435	3,435
52	MINESWEEPING SYSTEM REPLACEMENT .....	16,336	16,336
54	NAVSTAR GPS RECEIVERS (SPACE) .....	30,439	30,439
55	AMERICAN FORCES RADIO AND TV SERVICE .....	2,724	2,724
56	STRATEGIC PLATFORM SUPPORT EQUIP .....	6,266	6,266
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
57	ASHORE ATC EQUIPMENT .....	89,396	89,396
58	AFLOAT ATC EQUIPMENT .....	86,732	86,732
59	ID SYSTEMS .....	59,226	59,226
60	JOINT PRECISION APPROACH AND LANDING SYSTEM ( .....	8,186	8,186
61	NAVAL MISSION PLANNING SYSTEMS .....	26,778	26,778
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
62	MARITIME INTEGRATED BROADCAST SYSTEM .....	3,520	3,520
63	TACTICAL/MOBILE C4I SYSTEMS .....	31,840	31,840
64	DCGS-N .....	15,606	15,606
65	CANES .....	402,550	402,550
66	RADIAC .....	9,062	9,062
67	CANES-INTELL .....	48,665	48,665
68	GPETE .....	23,479	23,479
69	MASF .....	11,792	11,792
70	INTEG COMBAT SYSTEM TEST FACILITY .....	6,053	6,053
71	EMI CONTROL INSTRUMENTATION .....	4,219	4,219
72	ITEMS LESS THAN \$5 MILLION .....	102,846	161,346
	Next-generation surface search radar .....		[58,500]
	<b>SHIPBOARD COMMUNICATIONS</b>		
73	SHIPBOARD TACTICAL COMMUNICATIONS .....	36,941	36,941
74	SHIP COMMUNICATIONS AUTOMATION .....	101,691	101,691
75	COMMUNICATIONS ITEMS UNDER \$5M .....	55,290	55,290
	<b>SUBMARINE COMMUNICATIONS</b>		
76	SUBMARINE BROADCAST SUPPORT .....	91,150	91,150
77	SUBMARINE COMMUNICATION EQUIPMENT .....	74,569	74,569
	<b>SATELLITE COMMUNICATIONS</b>		
78	SATELLITE COMMUNICATIONS SYSTEMS .....	39,827	39,827
79	NAVY MULTIBAND TERMINAL (NMT) .....	24,586	24,586
	<b>SHORE COMMUNICATIONS</b>		
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	4,699	4,699
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		
81	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	156,034	156,034
82	MIO INTEL EXPLOITATION TEAM .....	1,055	1,055
	<b>CRYPTOLOGIC EQUIPMENT</b>		
83	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	18,832	20,332
	INDOPACOM UFR—SIGINT upgrades .....		[1,500]
	<b>OTHER ELECTRONIC SUPPORT</b>		
92	COAST GUARD EQUIPMENT .....	68,556	68,556
	<b>SONOBUOYS</b>		
94	SONOBUOYS—ALL TYPES .....	291,670	331,670
	Sonobuoys .....		[40,000]
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
95	MINOTAUR .....	5,247	5,247
96	WEAPONS RANGE SUPPORT EQUIPMENT .....	106,209	106,209
97	AIRCRAFT SUPPORT EQUIPMENT .....	275,461	275,461
98	ADVANCED ARRESTING GEAR (AAG) .....	22,717	22,717
99	ELECTROMAGNETIC AIRCRAFT LAUNCH SYSTEM (EMALS) .....	18,594	18,594
100	METEOROLOGICAL EQUIPMENT .....	15,175	15,175
101	LEGACY AIRBORNE MCM .....	4,689	4,689
102	LAMPS EQUIPMENT .....	1,610	1,610
103	AVIATION SUPPORT EQUIPMENT .....	86,409	86,409
104	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL .....	136,647	136,647
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
105	SHIP GUN SYSTEMS EQUIPMENT .....	5,902	5,902
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
106	HARPOON SUPPORT EQUIPMENT .....	217	217
107	SHIP MISSILE SUPPORT EQUIPMENT .....	286,788	286,788
108	TOMAHAWK SUPPORT EQUIPMENT .....	95,856	95,856
	<b>FBM SUPPORT EQUIPMENT</b>		
109	STRATEGIC MISSILE SYSTEMS EQUIP .....	279,430	279,430
	<b>ASW SUPPORT EQUIPMENT</b>		
110	SSN COMBAT CONTROL SYSTEMS .....	128,874	128,874
111	ASW SUPPORT EQUIPMENT .....	26,920	26,920

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<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>			
112	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	17,048	17,048
113	ITEMS LESS THAN \$5 MILLION .....	5,938	5,938
<b>OTHER EXPENDABLE ORDNANCE</b>			
114	ANTI-SHIP MISSILE DECOY SYSTEM .....	86,264	86,264
115	SUBMARINE TRAINING DEVICE MODS .....	80,591	80,591
116	SURFACE TRAINING EQUIPMENT .....	198,695	198,695
<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>			
117	PASSENGER CARRYING VEHICLES .....	4,799	4,799
118	GENERAL PURPOSE TRUCKS .....	2,542	2,542
119	CONSTRUCTION & MAINTENANCE EQUIP .....	50,619	50,619
120	FIRE FIGHTING EQUIPMENT .....	16,305	16,305
121	TACTICAL VEHICLES .....	28,586	28,586
122	POLLUTION CONTROL EQUIPMENT .....	2,840	2,840
123	ITEMS LESS THAN \$5 MILLION .....	64,311	64,311
124	PHYSICAL SECURITY VEHICLES .....	1,263	1,263
<b>SUPPLY SUPPORT EQUIPMENT</b>			
125	SUPPLY EQUIPMENT .....	32,338	32,338
126	FIRST DESTINATION TRANSPORTATION .....	6,255	6,255
127	SPECIAL PURPOSE SUPPLY SYSTEMS .....	613,039	613,039
<b>TRAINING DEVICES</b>			
128	TRAINING SUPPORT EQUIPMENT .....	1,285	1,285
129	TRAINING AND EDUCATION EQUIPMENT .....	44,618	44,618
<b>COMMAND SUPPORT EQUIPMENT</b>			
130	COMMAND SUPPORT EQUIPMENT .....	55,728	55,728
131	MEDICAL SUPPORT EQUIPMENT .....	5,325	5,325
133	NAVAL MIP SUPPORT EQUIPMENT .....	6,077	6,077
134	OPERATING FORCES SUPPORT EQUIPMENT .....	16,252	16,252
135	C4ISR EQUIPMENT .....	6,497	6,497
136	ENVIRONMENTAL SUPPORT EQUIPMENT .....	36,592	36,592
137	PHYSICAL SECURITY EQUIPMENT .....	118,598	118,598
138	ENTERPRISE INFORMATION TECHNOLOGY .....	29,407	29,407
<b>OTHER</b>			
142	NEXT GENERATION ENTERPRISE SERVICE .....	201,314	201,314
143	CYBERSPACE ACTIVITIES .....	5,018	5,018
144	CYBER MISSION FORCES .....	17,115	17,115
<b>CLASSIFIED PROGRAMS</b>			
99	CLASSIFIED PROGRAMS .....	17,295	17,295
<b>SPARES AND REPAIR PARTS</b>			
145	SPARES AND REPAIR PARTS .....	532,313	703,713
	Navy UFR—Maritime spares outfitting .....		[171,400]
	UNDISTRIBUTED .....	0	369,826
	Inflation effects .....		[369,826]
	<b>TOTAL OTHER PROCUREMENT, NAVY .....</b>	<b>11,746,503</b>	<b>12,454,529</b>
<b>PROCUREMENT, MARINE CORPS</b>			
<b>TRACKED COMBAT VEHICLES</b>			
1	AAV7A1 PIP .....	5,653	5,653
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES .....	536,678	536,678
3	LAV PIP .....	57,099	57,099
<b>ARTILLERY AND OTHER WEAPONS</b>			
4	155MM LIGHTWEIGHT TOWED HOWITZER .....	1,782	1,782
5	ARTILLERY WEAPONS SYSTEM .....	143,808	143,808
6	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	11,118	11,118
<b>GUIDED MISSILES</b>			
7	TOMAHAWK .....	42,958	42,958
8	NAVAL STRIKE MISSILE (NSM) .....	174,369	349,369
	Production increase .....		[175,000]
9	GROUND BASED AIR DEFENSE .....	173,801	173,801
10	ANTI-ARMOR MISSILE-JAVELIN .....	18,495	18,495
11	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) .....	21,419	21,419
12	ANTI-ARMOR MISSILE-TOW .....	663	663
13	GUIDED MLRS ROCKET (GMLRS) .....	7,605	7,605
<b>COMMAND AND CONTROL SYSTEMS</b>			
14	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C .....	30,292	30,292
<b>REPAIR AND TEST EQUIPMENT</b>			
15	REPAIR AND TEST EQUIPMENT .....	58,024	58,024
<b>OTHER SUPPORT (TEL)</b>			
16	MODIFICATION KITS .....	293	293
<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>			
17	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	83,345	83,345
18	AIR OPERATIONS C2 SYSTEMS .....	11,048	11,048
<b>RADAR + EQUIPMENT (NON-TEL)</b>			
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	61,943	517,943
	USMC UFR—AN/TPS-80 G/ATOR radar .....		[456,000]
<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>			
20	GCSS-MC .....	1,663	1,663
21	FIRE SUPPORT SYSTEM .....	48,322	48,322
22	INTELLIGENCE SUPPORT EQUIPMENT .....	182,894	182,894
24	UNMANNED AIR SYSTEMS (INTEL) .....	47,595	47,595

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25	DCGS-MC .....	47,998	47,998
26	UAS PAYLOADS .....	8,619	8,619
	<b>OTHER SUPPORT (NON-TEL)</b>		
29	MARINE CORPS ENTERPRISE NETWORK (MCEN) .....	276,763	276,763
30	COMMON COMPUTER RESOURCES .....	40,096	40,096
31	COMMAND POST SYSTEMS .....	58,314	58,314
32	RADIO SYSTEMS .....	612,450	612,450
33	COMM SWITCHING & CONTROL SYSTEMS .....	51,976	51,976
34	COMM & ELEC INFRASTRUCTURE SUPPORT .....	26,029	26,029
35	CYBERSPACE ACTIVITIES .....	17,759	17,759
36	CYBER MISSION FORCES .....	4,036	4,036
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	3,884	3,884
	<b>ADMINISTRATIVE VEHICLES</b>		
39	COMMERCIAL CARGO VEHICLES .....	35,179	35,179
	<b>TACTICAL VEHICLES</b>		
40	MOTOR TRANSPORT MODIFICATIONS .....	17,807	17,807
41	JOINT LIGHT TACTICAL VEHICLE .....	222,257	222,257
43	TRAILERS .....	2,721	2,721
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
45	TACTICAL FUEL SYSTEMS .....	7,854	7,854
46	POWER EQUIPMENT ASSORTED .....	5,841	5,841
47	AMPHIBIOUS SUPPORT EQUIPMENT .....	38,120	38,120
48	EOD SYSTEMS .....	201,047	201,047
	<b>MATERIALS HANDLING EQUIPMENT</b>		
49	PHYSICAL SECURITY EQUIPMENT .....	69,967	69,967
	<b>GENERAL PROPERTY</b>		
50	FIELD MEDICAL EQUIPMENT .....	21,780	21,780
51	TRAINING DEVICES .....	86,272	86,272
52	FAMILY OF CONSTRUCTION EQUIPMENT .....	27,605	27,605
53	ULTRA-LIGHT TACTICAL VEHICLE (ULTV) .....	15,033	15,033
	<b>OTHER SUPPORT</b>		
54	ITEMS LESS THAN \$5 MILLION .....	26,433	26,433
	<b>SPARES AND REPAIR PARTS</b>		
55	SPARES AND REPAIR PARTS .....	34,799	34,799
	UNDISTRIBUTED .....	0	123,755
	Inflation effects .....		[123,755]
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>3,681,506</b>	<b>4,436,261</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>STRATEGIC OFFENSIVE</b>		
1	B-21 RAIDER .....	1,498,431	1,498,431
2	B-21 RAIDER .....	288,165	288,165
	<b>TACTICAL FORCES</b>		
3	F-35 .....	3,320,757	4,293,757
	Air Force UFR—additional F-35A aircraft .....		[858,000]
	Realignment of funds from line 4 .....		[115,000]
4	F-35 .....	594,886	479,886
	Realignment of funds to line 3 .....		[-115,000]
5	F-15EX .....	2,422,348	2,422,348
6	F-15EX .....	264,000	264,000
	<b>TACTICAL AIRLIFT</b>		
7	KC-46A MDAP .....	2,684,503	2,684,503
	<b>OTHER AIRLIFT</b>		
8	C-130J .....	75,293	75,293
9	MC-130J .....	40,351	40,351
	<b>UPT TRAINERS</b>		
11	ADVANCED TRAINER REPLACEMENT T-X .....	10,507	10,507
	<b>HELICOPTERS</b>		
12	MH-139A .....	156,192	256,192
	Additional aircraft .....		[100,000]
13	COMBAT RESCUE HELICOPTER .....	707,018	1,057,018
	Additional aircraft .....		[350,000]
	<b>MISSION SUPPORT AIRCRAFT</b>		
15	CIVIL AIR PATROL A/C .....	2,952	2,952
	<b>OTHER AIRCRAFT</b>		
16	TARGET DRONES .....	128,906	128,906
17	COMPASS CALL .....	0	553,700
	Air Force UFR—EC-37B aircraft .....		[553,700]
18	E-11 BACN/HAG .....	67,260	66,847
	Realignment of funds .....		[-413]
19	MQ-9 .....	17,039	17,039
21	AGILITY PRIME PROCUREMENT .....	3,612	3,612
	<b>STRATEGIC AIRCRAFT</b>		
22	B-2A .....	106,752	106,752
23	B-1B .....	36,313	36,313
24	B-52 .....	127,854	120,909
	Realignment of funds for B-52 Crypto Mod upgrade spares .....		[-4,293]
	Realignment of funds for B-52 VLF/LF spares .....		[-2,652]
25	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	25,286	25,286

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<b>TACTICAL AIRCRAFT</b>			
26	A-10 .....	83,972	83,972
27	E-11 BACN/HAG .....	10,309	10,309
28	F-15 .....	194,379	194,379
29	F-16 .....	700,455	708,600
	Crypto Mods—F-16 Pre Blk .....		[8,145]
30	F-22A .....	764,222	764,222
31	F-35 MODIFICATIONS .....	414,382	414,382
32	F-15 EPAW .....	259,837	259,837
34	KC-46A MDAP .....	467	467
<b>AIRLIFT AIRCRAFT</b>			
35	C-5 .....	46,027	15,673
	Realignment of funds .....		[-18,000]
	Realignment of funds to line 64 .....		[-12,354]
36	C-17A .....	152,009	157,509
	Air Force realignment of funds .....		[5,500]
37	C-32A .....	4,068	4,068
38	C-37A .....	6,062	6,062
<b>TRAINER AIRCRAFT</b>			
39	GLIDER MODS .....	149	149
40	T-6 .....	6,215	6,215
41	T-1 .....	6,262	6,262
42	T-38 .....	111,668	120,868
	T-38A ejection seat upgrades .....		[9,200]
<b>OTHER AIRCRAFT</b>			
44	U-2 MODS .....	81,650	81,650
45	KC-10A (ATCA) .....	3,443	3,443
46	C-21 .....	2,024	2,024
47	VC-25A MOD .....	2,146	2,146
48	C-40 .....	2,197	2,197
49	C-130 .....	114,268	138,468
	Air Force realignment of funds .....		[17,500]
	Crypto Mods—C-130H .....		[6,700]
50	C-130J MODS .....	112,299	112,299
51	C-135 .....	149,023	195,123
	Air Force realignment of funds .....		[19,500]
	Crypto Mods—KC-135 .....		[20,700]
	Crypto Mods—KC-135 (ROBE B-kits) .....		[5,900]
52	COMPASS CALL .....	16,630	337,230
	Air Force UFR—EC-37B group A & B kits and spare components .....		[320,600]
53	RC-135 .....	212,828	252,828
	INDOPACOM UFR—SIGINT upgrades .....		[600]
	RC-135 navigation upgrades .....		[39,400]
54	E-3 .....	54,247	54,247
55	E-4 .....	5,973	5,973
56	E-8 .....	16,610	16,610
59	H-1 .....	1,757	1,757
60	H-60 .....	10,820	10,820
61	COMBAT RESCUE HELICOPTER MODIFICATION .....	3,083	3,083
62	RQ-4 MODS .....	1,286	1,286
63	HC/MC-130 MODIFICATIONS .....	138,956	121,094
	Crypto Mods—AC-130J .....		[2,138]
	Realignment of funds .....		[-20,000]
64	OTHER AIRCRAFT .....	29,029	41,796
	Realignment of funds .....		[12,767]
65	MQ-9 MODS .....	64,370	64,370
67	SENIOR LEADER C3, SYSTEM—AIRCRAFT .....	24,784	24,784
68	CV-22 MODS .....	153,026	153,026
<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
69	INITIAL SPARES/REPAIR PARTS .....	623,661	762,106
	Air Force UFR—EC-37B spare components .....		[9,400]
	Air Force UFR—EC-37B spare engines .....		[94,800]
	RC-135 spares .....		[27,300]
	Realignment of funds for B-52 Crypto Mod upgrade spares .....		[4,293]
	Realignment of funds for B-52 VLF/LF spares .....		[2,652]
<b>COMMON SUPPORT EQUIPMENT</b>			
70	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	138,935	138,935
<b>POST PRODUCTION SUPPORT</b>			
71	B-2A .....	1,802	1,802
72	B-2B .....	36,325	36,325
73	B-52 .....	5,883	5,883
74	F-15 .....	2,764	2,764
75	F-16 .....	5,102	5,102
77	MQ9 POST PROD .....	7,069	7,069
78	RQ-4 POST PRODUCTION CHARGES .....	40,845	40,845
82	C-5 POST PRODUCTION SUPPORT .....	0	18,000
	Realignment of funds .....		[18,000]
83	HC/MC-130J POST PRODUCTION SUPPORT .....	0	20,000
	Realignment of funds .....		[20,000]
<b>INDUSTRIAL PREPAREDNESS</b>			
79	INDUSTRIAL RESPONSIVENESS .....	19,128	19,128
<b>WAR CONSUMABLES</b>			



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80	WAR CONSUMABLES .....	31,165	31,165
	<b>OTHER PRODUCTION CHARGES</b>		
81	OTHER PRODUCTION CHARGES .....	1,047,300	1,047,300
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	18,092	81,092
	Air Force UFR—F-35A classified item .....		[63,000]
	UNDISTRIBUTED .....	0	633,490
	Inflation effects .....		[633,490]
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>18,517,428</b>	<b>21,663,001</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
1	MISSILE REPLACEMENT EQ-BALLISTIC .....	57,476	57,476
	<b>STRATEGIC</b>		
	<b>TACTICAL</b>		
4	LONG RANGE STAND-OFF WEAPON .....	31,454	31,454
5	REPLAC EQUIP & WAR CONSUMABLES .....	30,510	30,510
6	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON .....	46,566	0
	Realignment of funds .....		[-46,566]
7	JOINT AIR-SURFACE STANDOFF MISSILE .....	784,971	869,971
	Capacity expansion .....		[85,000]
8	LRASM0 .....	114,025	114,025
9	SIDEWINDER (AIM-9X) .....	111,855	317,855
	Production increase .....		[206,000]
10	AMRAAM .....	320,056	459,056
	Production increase .....		[139,000]
11	PREDATOR HELLFIRE MISSILE .....	1,040	1,040
12	SMALL DIAMETER BOMB .....	46,475	46,475
13	SMALL DIAMETER BOMB II .....	279,006	452,006
	Air Force UFR—additional small diameter bomb II .....		[173,000]
14	STAND-IN ATTACK WEAPON (SIAM) .....	77,975	77,975
	<b>INDUSTRIAL FACILITIES</b>		
15	INDUSTRIAL PREPAREDNS/POL PREVENTION .....	868	868
	<b>CLASS IV</b>		
18	ICBM FUZE MOD .....	99,691	99,691
19	ICBM FUZE MOD .....	37,673	37,673
20	MM III MODIFICATIONS .....	68,193	68,193
22	AIR LAUNCH CRUISE MISSILE (ALCM) .....	33,778	33,778
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
23	MSL SPRS/REPAIR PARTS (INITIAL) .....	15,354	15,354
24	MSL SPRS/REPAIR PARTS (REPLEN) .....	62,978	62,978
	<b>SPECIAL PROGRAMS</b>		
28	SPECIAL UPDATE PROGRAMS .....	36,933	36,933
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	705,540	705,540
	UNDISTRIBUTED .....	0	61,064
	Inflation effects .....		[61,064]
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>2,962,417</b>	<b>3,579,915</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
1	ROCKETS .....	22,190	22,190
	<b>CARTRIDGES</b>		
2	CARTRIDGES .....	124,164	124,164
	<b>BOMBS</b>		
4	GENERAL PURPOSE BOMBS .....	162,800	162,800
5	MASSIVE ORDNANCE PENETRATOR (MOP) .....	19,743	19,743
6	JOINT DIRECT ATTACK MUNITION .....	251,956	251,956
	<b>OTHER ITEMS</b>		
8	CAD/PAD .....	50,473	50,473
9	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	6,343	6,343
10	SPARES AND REPAIR PARTS .....	573	573
12	FIRST DESTINATION TRANSPORTATION .....	1,903	1,903
13	ITEMS LESS THAN \$5,000,000 .....	5,014	5,014
	<b>FLARES</b>		
14	EXPENDABLE COUNTERMEASURES .....	120,548	120,548
	<b>FUZES</b>		
15	FUZES .....	121,528	121,528
	<b>SMALL ARMS</b>		
16	SMALL ARMS .....	16,395	16,395
	UNDISTRIBUTED .....	0	23,395
	Inflation effects .....		[23,395]
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>903,630</b>	<b>927,025</b>
	<b>PROCUREMENT, SPACE FORCE</b>		
	<b>SPACE PROCUREMENT, SF</b>		

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2	AF SATELLITE COMM SYSTEM .....	51,414	51,414
3	COUNTERSPACE SYSTEMS .....	62,691	62,691
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	26,394	26,394
5	WIDEBAND GAPPILLER SATELLITES (SPACE) .....	21,982	21,982
6	GENERAL INFORMATION TECH—SPACE .....	5,424	5,424
7	GPSIII FOLLOW ON .....	657,562	657,562
8	GPS III SPACE SEGMENT .....	103,340	103,340
9	GLOBAL POSITIONING (SPACE) .....	950	950
10	HERITAGE TRANSITION .....	21,896	21,896
11	SPACEBORNE EQUIP (COMSEC) .....	29,587	51,187
	Crypto Mods—National Security Space Systems .....		[21,600]
12	MILSATCOM .....	29,333	29,333
13	SBIR HIGH (SPACE) .....	148,666	148,666
14	SPECIAL SPACE ACTIVITIES .....	817,484	817,484
15	MOBILE USER OBJECTIVE SYSTEM .....	46,833	46,833
16	NATIONAL SECURITY SPACE LAUNCH .....	1,056,133	1,056,133
17	NUDET DETECTION SYSTEM .....	7,062	7,062
18	PTES HUB .....	42,464	42,464
19	ROCKET SYSTEMS LAUNCH PROGRAM .....	39,145	39,145
20	SPACE DEVELOPMENT AGENCY LAUNCH .....	314,288	714,288
	Realignment of funds .....		[200,000]
	Space Force UFR—accelerate resilient missile warning/missile tracking .....		[200,000]
22	SPACE MODS .....	73,957	73,957
23	SPACELIFT RANGE SYSTEM SPACE .....	71,712	71,712
	<b>SPARES</b>		
24	SPARES AND REPAIR PARTS .....	1,352	1,352
	UNDISTRIBUTED .....	0	106,161
	Inflation effects .....		[106,161]
	<b>TOTAL PROCUREMENT, SPACE FORCE .....</b>	<b>3,629,669</b>	<b>4,157,430</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
1	PASSENGER CARRYING VEHICLES .....	2,446	2,446
	<b>CARGO AND UTILITY VEHICLES</b>		
2	MEDIUM TACTICAL VEHICLE .....	1,125	1,125
3	CAP VEHICLES .....	999	999
4	CARGO AND UTILITY VEHICLES .....	35,220	35,220
	<b>SPECIAL PURPOSE VEHICLES</b>		
5	JOINT LIGHT TACTICAL VEHICLE .....	60,461	60,461
6	SECURITY AND TACTICAL VEHICLES .....	382	382
7	SPECIAL PURPOSE VEHICLES .....	49,623	49,623
	<b>FIRE FIGHTING EQUIPMENT</b>		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	11,231	11,231
	<b>MATERIALS HANDLING EQUIPMENT</b>		
9	MATERIALS HANDLING VEHICLES .....	12,559	12,559
	<b>BASE MAINTENANCE SUPPORT</b>		
10	RUNWAY SNOW REMOV AND CLEANING EQU .....	6,409	6,409
11	BASE MAINTENANCE SUPPORT VEHICLES .....	72,012	72,012
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
13	COMSEC EQUIPMENT .....	96,851	96,851
14	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM .....	467,901	467,901
	<b>INTELLIGENCE PROGRAMS</b>		
15	INTERNATIONAL INTEL TECH & ARCHITECTURES .....	7,043	7,043
16	INTELLIGENCE TRAINING EQUIPMENT .....	2,424	2,424
17	INTELLIGENCE COMM EQUIPMENT .....	25,308	25,308
	<b>ELECTRONICS PROGRAMS</b>		
18	AIR TRAFFIC CONTROL & LANDING SYS .....	65,531	65,531
19	BATTLE CONTROL SYSTEM—FIXED .....	1,597	1,597
20	THEATER AIR CONTROL SYS IMPROVEMEN .....	9,611	9,611
21	3D EXPEDITIONARY LONG-RANGE RADAR .....	174,640	174,640
22	WEATHER OBSERVATION FORECAST .....	20,658	20,658
23	STRATEGIC COMMAND AND CONTROL .....	93,351	86,220
	Worldwide Joint Strategic Communications realignment of funds .....		[-7,131]
24	CHEYENNE MOUNTAIN COMPLEX .....	6,118	6,118
25	MISSION PLANNING SYSTEMS .....	13,947	13,947
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
28	GENERAL INFORMATION TECHNOLOGY .....	101,517	101,517
29	AF GLOBAL COMMAND & CONTROL SYS .....	2,487	2,487
30	BATTLEFIELD AIRBORNE CONTROL NODE (BACN) .....	32,807	32,807
31	MOBILITY COMMAND AND CONTROL .....	10,210	10,210
35	COMBAT TRAINING RANGES .....	134,213	134,213
36	MINIMUM ESSENTIAL EMERGENCY COMM N .....	66,294	66,294
37	WIDE AREA SURVEILLANCE (WAS) .....	29,518	29,518
38	C3 COUNTERMEASURES .....	55,324	55,324
40	GCSS-AF FOS .....	786	786
42	MAINTENANCE REPAIR & OVERHAUL INITIATIVE .....	248	248
43	THEATER BATTLE MGT C2 SYSTEM .....	275	275
44	AIR & SPACE OPERATIONS CENTER (AOC) .....	2,611	2,611
	<b>AIR FORCE COMMUNICATIONS</b>		
46	BASE INFORMATION TRANSP T INFRAST (BITI) WIRED .....	29,791	29,791

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
47	AFNET .....	83,320	83,320
48	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	5,199	5,199
49	USCENTCOM .....	11,896	11,896
50	USSTRATCOM .....	4,619	4,619
	<b>ORGANIZATION AND BASE</b>		
51	TACTICAL C-E EQUIPMENT .....	120,050	120,050
52	RADIO EQUIPMENT .....	14,053	14,053
54	BASE COMM INFRASTRUCTURE .....	91,313	96,363
	NORTHCOM UFR—Long range radar sites digitilization upgrades .....		[5,050]
	<b>MODIFICATIONS</b>		
55	COMM ELECT MODS .....	167,419	167,419
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	89,484	89,484
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
56	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	92,995	92,995
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
57	POWER CONDITIONING EQUIPMENT .....	12,199	12,199
58	MECHANIZED MATERIAL HANDLING EQUIP .....	9,326	9,326
	<b>BASE SUPPORT EQUIPMENT</b>		
59	BASE PROCURED EQUIPMENT .....	52,890	52,890
60	ENGINEERING AND EOD EQUIPMENT .....	231,552	231,552
61	MOBILITY EQUIPMENT .....	28,758	28,758
62	FUELS SUPPORT EQUIPMENT (FSE) .....	21,740	21,740
	<b>SPECIAL SUPPORT PROJECTS</b>		
65	DARP RC135 .....	28,153	28,153
66	DCGS-AF .....	217,713	217,713
70	SPECIAL UPDATE PROGRAM .....	978,499	978,499
	<b>CLASSIFIED PROGRAMS</b>		
99	CLASSIFIED PROGRAMS .....	21,702,225	21,727,225
	Classified issue .....		[25,000]
	<b>SPARES AND REPAIR PARTS</b>		
71	SPARES AND REPAIR PARTS (CYBER) .....	1,007	1,007
72	SPARES AND REPAIR PARTS .....	23,175	23,175
	UNDISTRIBUTED .....	0	189,283
	Inflation effects .....		[189,283]
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>25,691,113</b>	<b>25,903,315</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, DCSA</b>		
1	MAJOR EQUIPMENT .....	2,346	2,346
	<b>MAJOR EQUIPMENT, DHRA</b>		
3	PERSONNEL ADMINISTRATION .....	4,522	4,522
	<b>MAJOR EQUIPMENT, DISA</b>		
11	INFORMATION SYSTEMS SECURITY .....	24,044	24,044
12	TELEPORT PROGRAM .....	50,475	50,475
13	JOINT FORCES HEADQUARTERS—DODIN .....	674	674
14	ITEMS LESS THAN \$5 MILLION .....	46,614	46,614
15	DEFENSE INFORMATION SYSTEM NETWORK .....	87,345	87,345
16	WHITE HOUSE COMMUNICATION AGENCY .....	130,145	130,145
17	SENIOR LEADERSHIP ENTERPRISE .....	47,864	47,864
18	JOINT REGIONAL SECURITY STACKS (JRSS) .....	17,135	17,135
19	JOINT SERVICE PROVIDER .....	86,183	86,183
20	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO) .....	42,756	42,756
	<b>MAJOR EQUIPMENT, DLA</b>		
22	MAJOR EQUIPMENT .....	24,501	24,501
	<b>MAJOR EQUIPMENT, DMACT</b>		
23	MAJOR EQUIPMENT .....	11,117	11,117
	<b>MAJOR EQUIPMENT, DODEA</b>		
24	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	2,048	2,048
	<b>MAJOR EQUIPMENT, DPAA</b>		
25	MAJOR EQUIPMENT, DPAA .....	513	513
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
27	VEHICLES .....	139	139
28	OTHER MAJOR EQUIPMENT .....	14,296	14,296
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
30	THAAD .....	74,994	74,994
31	GROUND BASED MIDCOURSE .....	11,300	11,300
32	AEGIS BMD .....	402,235	402,235
34	BMDs AN/TPY-2 RADARS .....	4,606	4,606
35	SM-3 IAS .....	337,975	652,975
	Capacity expansion—test equipment .....		[63,000]
	Production increase .....		[252,000]
36	ARROW 3 UPPER TIER SYSTEMS .....	80,000	80,000
37	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD) .....	40,000	40,000
38	DEFENSE OF GUAM PROCUREMENT .....	26,514	26,514
39	AEGIS ASHORE PHASE III .....	30,056	30,056
40	IRON DOME .....	80,000	80,000
41	AEGIS BMD HARDWARE AND SOFTWARE .....	78,181	78,181
	<b>MAJOR EQUIPMENT, NSA</b>		
47	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	6,738	6,738

SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
<b>MAJOR EQUIPMENT, OSD</b>			
50	MAJOR EQUIPMENT, OSD .....	64,291	94,291
	Project Spectrum .....		[30,000]
<b>MAJOR EQUIPMENT, TJS</b>			
52	MAJOR EQUIPMENT, TJS .....	3,900	3,900
<b>MAJOR EQUIPMENT, WHS</b>			
54	MAJOR EQUIPMENT, WHS .....	310	310
<b>CLASSIFIED PROGRAMS</b>			
99	CLASSIFIED PROGRAMS .....	681,894	681,894
<b>AVIATION PROGRAMS</b>			
55	ARMED OVERWATCH/TARGETING .....	246,000	246,000
56	MANNED ISR .....	5,000	5,000
57	MC-12 .....	3,344	3,344
59	ROTARY WING UPGRADES AND SUSTAINMENT .....	214,575	214,575
60	UNMANNED ISR .....	41,749	41,749
61	NON-STANDARD AVIATION .....	7,156	7,156
62	U-28 .....	4,589	4,589
63	MH-47 CHINOOK .....	133,144	133,144
64	CV-22 MODIFICATION .....	75,629	75,629
65	MQ-9 UNMANNED AERIAL VEHICLE .....	9,000	9,000
66	PRECISION STRIKE PACKAGE .....	57,450	57,450
67	AC/MC-130J .....	225,569	225,569
68	C-130 MODIFICATIONS .....	11,945	11,945
<b>SHIPBUILDING</b>			
69	UNDERWATER SYSTEMS .....	45,631	45,631
<b>AMMUNITION PROGRAMS</b>			
70	ORDNANCE ITEMS <\$5M .....	151,233	154,933
	Maritime scalable effects .....		[3,700]
<b>OTHER PROCUREMENT PROGRAMS</b>			
71	INTELLIGENCE SYSTEMS .....	175,616	175,616
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	2,214	2,214
73	OTHER ITEMS <\$5M .....	98,096	98,096
74	COMBATANT CRAFT SYSTEMS .....	85,566	80,166
	Maritime Precision Engagement realignment of funds .....		[-5,400]
75	SPECIAL PROGRAMS .....	20,042	20,042
76	TACTICAL VEHICLES .....	51,605	51,605
77	WARRIOR SYSTEMS <\$5M .....	306,846	306,846
78	COMBAT MISSION REQUIREMENTS .....	4,991	4,991
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	18,723	18,723
81	OPERATIONAL ENHANCEMENTS .....	347,473	347,473
<b>CBDP</b>			
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	199,439	199,439
83	CB PROTECTION & HAZARD MITIGATION .....	187,164	187,164
	UNDISTRIBUTED .....	0	149,308
	Inflation effects .....		[149,308]
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>5,245,500</b>	<b>5,738,108</b>
<b>DEFENSE PRODUCTION ACT PURCHASES</b>			
<b>DEFENSE PRODUCTION ACT PURCHASES</b>			
1	DEFENSE PRODUCTION ACT PURCHASES .....	0	30,097
	Inflation effects .....		[30,097]
	<b>TOTAL DEFENSE PRODUCTION ACT PURCHASES .....</b>	<b>0</b>	<b>30,097</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>144,219,205</b>	<b>157,919,016</b>

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
1	0601102A	DEFENSE RESEARCH SCIENCES .....	279,328	319,328
		Basic research increase .....		[30,000]
		Counter-UAS technologies .....		[5,000]
		Data exchange system for a secure digital engineering environment .....		[5,000]
2	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	70,775	70,775
3	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	100,909	100,909
4	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE .....	5,355	5,355
5	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH .....	10,456	10,456
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>466,823</b>	<b>506,823</b>
<b>APPLIED RESEARCH</b>				

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
6	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH .....	9,534	9,534
8	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES .....	6,192	6,192
9	0602141A	LETHALITY TECHNOLOGY .....	87,717	87,717
10	0602142A	ARMY APPLIED RESEARCH .....	27,833	27,833
11	0602143A	SOLDIER LETHALITY TECHNOLOGY .....	103,839	108,839
		Future Force Requirements Experimentation program .....		[5,000]
12	0602144A	GROUND TECHNOLOGY .....	52,848	59,848
		Earthen structures soil enhancement .....		[2,000]
		High temperature polymeric materials .....		[5,000]
13	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY .....	174,090	174,090
14	0602146A	NETWORK C3I TECHNOLOGY .....	64,115	64,115
15	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY .....	43,029	43,029
16	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY .....	69,348	69,348
17	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY .....	27,016	32,016
		Counter-Unmanned Aerial Systems applied research .....		[5,000]
18	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES .....	16,454	16,454
19	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH .....	27,399	27,399
20	0602182A	C3I APPLIED RESEARCH .....	27,892	27,892
21	0602183A	AIR PLATFORM APPLIED RESEARCH .....	41,588	41,588
22	0602184A	SOLDIER APPLIED RESEARCH .....	15,716	15,716
23	0602213A	C3I APPLIED CYBER .....	13,605	18,605
		Indo-Pacific Command technical workforce development .....		[5,000]
24	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH .....	21,919	21,919
25	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	19,649	19,649
26	0602787A	MEDICAL TECHNOLOGY .....	33,976	33,976
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>883,759</b>	<b>905,759</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
27	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	5,207	5,207
28	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	15,598	15,598
29	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION .....	20,900	20,900
30	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES .....	6,395	6,395
31	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY .....	45,463	45,463
32	0603042A	C3I ADVANCED TECHNOLOGY .....	12,716	12,716
33	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY .....	17,946	17,946
34	0603044A	SOLDIER ADVANCED TECHNOLOGY .....	479	479
36	0603116A	LETHALITY ADVANCED TECHNOLOGY .....	9,796	9,796
37	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT .....	134,874	134,874
38	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY .....	100,935	100,935
39	0603119A	GROUND ADVANCED TECHNOLOGY .....	32,546	37,546
		Graphene-enabled technologies for ground combat operations .....		[5,000]
40	0603134A	COUNTER IMPROVISED-THREAT SIMULATION .....	21,486	21,486
41	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH .....	56,853	56,853
42	0603457A	C3I CYBER ADVANCED DEVELOPMENT .....	41,354	41,354
43	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	251,964	251,964
44	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY .....	193,242	208,242
		Autonomous ground vehicle cybersecurity .....		[5,000]
		Combat vehicle hybrid-electric transmissions .....		[7,000]
		Multi-Service Electro-Optical Signature code modernization .....		[3,000]
45	0603463A	NETWORK C3I ADVANCED TECHNOLOGY .....	125,565	140,565
		Next-generation contaminant analysis and detection tools .....		[5,000]
		PNT situational awareness tools and techniques .....		[10,000]
46	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY .....	100,830	133,340
		Extended Range Artillery Munition Suite .....		[5,000]
		Precision Strike Missile Inc 4 .....		[27,510]
47	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY .....	177,836	177,836
48	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY .....	11,147	11,147
49	0603920A	HUMANITARIAN DEMINING .....	8,933	8,933
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>1,392,065</b>	<b>1,459,575</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
50	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	12,001	12,001
51	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	17,945	17,945
53	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	64,001	64,001
54	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	64,669	64,669
55	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV .....	49,944	49,944
56	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	4,060	4,060
57	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	72,314	72,314
58	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	18,048	18,048
59	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	31,249	31,249
60	0603790A	NATO RESEARCH AND DEVELOPMENT .....	3,805	3,805
61	0603801A	AVIATION—ADV DEV .....	1,162,344	1,185,344
		Future Long Range Assault Aircraft (FLRAA) .....		[23,000]
62	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	9,638	9,638
63	0603807A	MEDICAL SYSTEMS—ADV DEV .....	598	598
64	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	25,971	27,971
		Anthropomorphic body armor .....		[2,000]
65	0604017A	ROBOTICS DEVELOPMENT .....	26,594	26,594
66	0604019A	EXPANDED MISSION AREA MISSILE (EMAM) .....	220,820	220,820
67	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING .....	106,000	106,000
69	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY .....	35,509	35,509
70	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV .....	49,932	49,932

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
71	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV .....	863	863
72	0604100A	ANALYSIS OF ALTERNATIVES .....	10,659	10,659
73	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4) .....	1,425	1,425
74	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS) .....	95,719	95,719
75	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....	382,147	382,147
76	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	269,756	269,756
77	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	225,147	225,147
78	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING .....	198,111	198,111
79	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....	43,797	43,797
80	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING .....	166,452	166,452
81	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	15,840	15,840
82	0604135A	STRATEGIC MID-RANGE FIRES .....	404,291	404,291
83	0604182A	HYPERSONICS .....	173,168	173,168
84	0604403A	FUTURE INTERCEPTOR .....	8,179	8,179
85	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT .....	35,110	35,110
86	0604541A	UNIFIED NETWORK TRANSPORT .....	36,966	36,966
89	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	55,677	55,677
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,098,749</b>	<b>4,123,749</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
90	0604201A	AIRCRAFT AVIONICS .....	3,335	3,335
91	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	4,243	4,243
92	0604601A	INFANTRY SUPPORT WEAPONS .....	66,529	66,529
93	0604604A	MEDIUM TACTICAL VEHICLES .....	22,163	22,163
94	0604611A	JAVELIN .....	7,870	7,870
95	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	50,924	50,924
96	0604633A	AIR TRAFFIC CONTROL .....	2,623	2,623
97	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV) .....	115,986	115,986
99	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV .....	71,287	71,287
100	0604710A	NIGHT VISION SYSTEMS—ENG DEV .....	62,679	62,679
101	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	1,566	1,566
102	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	18,600	18,600
103	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV .....	39,541	41,541
		Machine learning for Army integrated fires .....		[2,000]
104	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	29,570	29,570
105	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	5,178	5,178
106	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....	8,189	8,189
109	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	21,228	21,228
110	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	263,778	263,778
111	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	41,669	41,669
112	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV .....	40,038	40,038
113	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV .....	5,513	5,513
114	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	12,150	12,150
115	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE .....	111,690	134,690
		Red team automation/ zero-trust capabilities .....		[23,000]
116	0604820A	RADAR DEVELOPMENT .....	71,259	71,259
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEB) .....	10,402	10,402
119	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	11,425	11,425
120	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD .....	109,702	119,702
		Low detectable, optically-triggered active protection system .....		[10,000]
121	0604854A	ARTILLERY SYSTEMS—EMD .....	23,106	23,106
122	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	124,475	109,475
		Army contract writing system .....		[-15,000]
123	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	67,564	67,564
125	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	17,950	17,950
126	0605031A	JOINT TACTICAL NETWORK (JTN) .....	30,169	30,169
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	11,523	11,523
130	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	33,029	33,029
131	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....	4,497	4,497
132	0605047A	CONTRACT WRITING SYSTEM .....	23,487	23,487
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	19,123	19,123
134	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 .....	131,093	131,093
135	0605053A	GROUND ROBOTICS .....	26,809	26,809
136	0605054A	EMERGING TECHNOLOGY INITIATIVES .....	185,311	217,311
		Palletized high energy laser .....		[32,000]
137	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC) .....	11,091	11,091
138	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM .....	22,439	22,439
140	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD .....	58,087	138,987
		Family of Integrated Targeting Cells (FITC) TITAN .....		[30,000]
		TITAN realignment of funds .....		[50,900]
141	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION .....	119,516	143,616
		CYBERCOM UFR—Joint cyberspace warfighting architecture .....		[24,100]
142	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5) .....	6,530	6,530
143	0605224A	MULTI-DOMAIN INTELLIGENCE .....	19,911	19,911
145	0605231A	PRECISION STRIKE MISSILE (PRSM) .....	259,506	259,506
146	0605232A	HYPERSONICS EMD .....	633,499	633,499
147	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE) .....	13,647	13,647
148	0605235A	STRATEGIC MID-RANGE CAPABILITY .....	5,016	5,016
149	0605236A	INTEGRATED TACTICAL COMMUNICATIONS .....	12,447	12,447
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	2,366	2,366
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	265,288	267,288



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Line	Program Element	Item	FY 2023 Request	Senate Authorized
152	0605531A	Kill chain automation .....		[2,000]
		COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION .....	14,892	14,892
153	0605625A	MANNED GROUND VEHICLE .....	589,762	589,762
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	17,030	17,030
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. ....	9,376	9,376
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	2,959	2,959
157	0303032A	TROJAN—RH12 .....	3,761	3,761
160	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	56,938	99,838
		INDOPACOM UFR—SIGINT upgrades .....		[4,900]
		Realignment of funds .....		[38,000]
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>4,031,334</b>	<b>4,233,234</b>
		<b>MANAGEMENT SUPPORT</b>		
161	0604256A	THREAT SIMULATOR DEVELOPMENT .....	18,437	28,437
		TECCE Scholarship Pathfinder program .....		[10,000]
162	0604258A	TARGET SYSTEMS DEVELOPMENT .....	19,132	19,132
163	0604759A	MAJOR T&E INVESTMENT .....	107,706	107,706
164	0605103A	RAND ARROYO CENTER .....	35,542	35,542
165	0605301A	ARMY KWAJALEIN ATOLL .....	309,005	309,005
166	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	87,122	87,122
168	0605601A	ARMY TEST RANGES AND FACILITIES .....	401,643	401,643
169	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	37,962	37,962
170	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	36,500	36,500
171	0605606A	AIRCRAFT CERTIFICATION .....	2,777	2,777
172	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....	6,958	6,958
173	0605706A	MATERIEL SYSTEMS ANALYSIS .....	22,037	22,037
174	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	6,186	6,186
175	0605712A	SUPPORT OF OPERATIONAL TESTING .....	70,718	70,718
176	0605716A	ARMY EVALUATION CENTER .....	67,058	67,058
177	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....	6,097	6,097
178	0605801A	PROGRAMWIDE ACTIVITIES .....	89,793	89,793
179	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	28,752	28,752
180	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....	48,316	48,316
181	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	1,912	1,912
182	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA .....	53,271	53,271
183	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE .....	90,088	90,088
184	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION .....	1,424	1,424
186	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES .....	5,816	5,816
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,554,252</b>	<b>1,564,252</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
188	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	18,463	18,463
189	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT .....	9,284	9,284
190	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS .....	11,674	11,674
193	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	52,513	52,513
194	0607139A	IMPROVED TURBINE ENGINE PROGRAM .....	228,036	228,036
195	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT .....	11,312	11,312
196	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS .....	512	512
197	0607145A	APACHE FUTURE DEVELOPMENT .....	10,074	10,074
198	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM .....	62,559	62,559
199	0607150A	INTEL CYBER DEVELOPMENT .....	13,343	33,343
		Offensive cyber capabilities .....		[20,000]
200	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT .....	26,131	26,131
201	0607313A	ELECTRONIC WARFARE DEVELOPMENT .....	6,432	6,432
202	0607665A	FAMILY OF BIOMETRICS .....	1,114	1,114
203	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	152,312	152,312
204	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs) .....	19,329	19,329
205	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	192,310	192,310
206	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....	136,680	136,680
208	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	148	148
209	0203758A	DIGITIZATION .....	2,100	2,100
210	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	3,109	63,109
		Army UFR—Next gen Stinger missile replacement .....		[60,000]
211	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	9,027	9,027
212	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV .....	793	793
213	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....	20,180	20,180
214	0208053A	JOINT TACTICAL GROUND SYSTEM .....	8,813	8,813
217	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	17,209	17,209
218	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	27,100	27,100
219	0303142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	18,321	18,321
222	0305179A	INTEGRATED BROADCAST SERVICE (IBS) .....	9,926	9,926
223	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	4,500	4,500
224	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	17,165	17,165
227	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	91,270	91,270
9999	9999999999	CLASSIFIED PROGRAMS .....	6,664	6,664
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>1,188,403</b>	<b>1,268,403</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT .....	94,888	94,888
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS .....</b>	<b>94,888</b>	<b>94,888</b>

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
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Line	Program Element	Item	FY 2023 Request	Senate Authorized
<b>UNDISTRIBUTED</b>				
999	99999999	UNDISTRIBUTED .....	0	395,627
		Inflation effects .....		[395,627]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>395,627</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b> .....			<b>13,710,273</b>	<b>14,552,310</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>				
<b>BASIC RESEARCH</b>				
1	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	90,076	99,876
		All-digital arrays for long-distance applications .....		[9,800]
3	0601153N	DEFENSE RESEARCH SCIENCES .....	499,116	529,116
		Basic research increase .....		[30,000]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>589,192</b>	<b>628,992</b>
<b>APPLIED RESEARCH</b>				
4	0602114N	POWER PROJECTION APPLIED RESEARCH .....	22,953	22,953
5	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	133,426	156,926
		Cavitation erosion prevention .....		[5,000]
		Energy resilience research collaboration .....		[3,000]
		Relative positioning of autonomous platforms .....		[5,000]
		Workforce and technology for Navy power and energy systems .....		[10,500]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	53,467	53,467
7	0602235N	COMMON PICTURE APPLIED RESEARCH .....	51,911	51,911
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	70,957	70,957
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	92,444	92,444
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	74,622	74,622
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,700	6,700
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	58,111	65,111
		Dual-modality research vessels .....		[2,000]
		Submarine and undersea vehicle research and workforce partnerships .....		[5,000]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	173,641	173,641
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	31,649	31,649
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH .....	120,637	146,237
		Navy UFR—Alternative CONOPS Goalkeeper .....		[25,600]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES .....	81,296	81,296
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>971,814</b>	<b>1,027,914</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	16,933	16,933
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....	8,253	8,253
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	280,285	330,285
		Low-cost attritable aircraft technology .....		[50,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	14,048	14,048
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT .....	251,267	251,267
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	60,704	60,704
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	4,999	4,999
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....	83,137	83,137
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY .....	2,007	2,007
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT ....	144,122	205,422
		Navy UFR—Alternative CONOPS Goalkeeper .....		[61,300]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....	<b>865,755</b>	<b>977,055</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
27	0603128N	UNMANNED AERIAL SYSTEM .....	96,883	96,883
28	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV) .....	146,840	146,840
29	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	39,737	39,737
30	0603216N	AVIATION SURVIVABILITY .....	17,434	17,434
31	0603239N	NAVAL CONSTRUCTION FORCES .....	1,706	1,706
33	0603254N	ASW SYSTEMS DEVELOPMENT .....	15,986	15,986
34	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,562	3,562
35	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	18,628	59,328
		Navy UFR—Alternative CONOPS Goalkeeper .....		[40,700]
36	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	87,825	87,825
37	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	473	473
38	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	11,567	11,567
39	0603525N	PILOT FISH .....	672,461	672,461
40	0603527N	RETRACT LARCH .....	7,483	7,483
41	0603536N	RETRACT JUNIPER .....	239,336	239,336
42	0603542N	RADIOLOGICAL CONTROL .....	772	772
43	0603553N	SURFACE ASW .....	1,180	1,180
44	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	105,703	105,703
45	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	10,917	10,917
46	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	82,205	82,205
47	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	75,327	75,327
48	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	227,400	227,400
49	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	176,600	188,200
		Silicon carbide power modules .....		[11,600]
50	0603576N	CHALK EAGLE .....	91,584	91,584
51	0603581N	LITTORAL COMBAT SHIP (LCS) .....	96,444	96,444
52	0603582N	COMBAT SYSTEM INTEGRATION .....	18,236	18,236
53	0603595N	OHIO REPLACEMENT .....	335,981	350,981

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
54	0603596N	Rapid realization of composites for wet submarine application .....		[15,000]
		LCS MISSION MODULES .....	41,533	41,533
55	0603597N	AUTOMATED TEST AND RE-TEST (ATRT) .....	9,773	9,773
56	0603599N	FRIGATE DEVELOPMENT .....	118,626	118,626
57	0603609N	CONVENTIONAL MUNITIONS .....	9,286	9,286
58	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	111,431	111,431
59	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	36,496	36,496
60	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	6,193	6,193
61	0603721N	ENVIRONMENTAL PROTECTION .....	21,647	21,647
62	0603724N	NAVY ENERGY PROGRAM .....	60,320	60,320
63	0603725N	FACILITIES IMPROVEMENT .....	5,664	5,664
64	0603734N	CHALK CORAL .....	833,634	833,634
65	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	899	899
66	0603746N	RETRACT MAPLE .....	363,973	363,973
67	0603748N	LINK PLUMERIA .....	1,038,661	1,038,661
68	0603751N	RETRACT ELM .....	83,445	83,445
69	0603764M	LINK EVERGREEN .....	313,761	313,761
70	0603790N	NATO RESEARCH AND DEVELOPMENT .....	8,041	8,041
71	0603795N	LAND ATTACK TECHNOLOGY .....	358	358
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	30,533	30,533
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL .....	18,628	18,628
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	65,080	65,080
75	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST) .....	40,069	40,069
76	0604027N	DIGITAL WARFARE OFFICE .....	165,753	165,753
77	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES .....	106,347	106,347
78	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES .....	60,697	60,697
79	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION .....	57,000	57,000
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES .....	0	100,000
		Program continuation .....		[100,000]
81	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80) .....	116,498	116,498
82	0604126N	LITTORAL AIRBORNE MCM .....	47,389	47,389
83	0604127N	SURFACE MINE COUNTERMEASURES .....	12,959	12,959
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	15,028	15,028
85	0604289M	NEXT GENERATION LOGISTICS .....	2,342	2,342
86	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE) .....	5,103	5,103
87	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....	62,927	62,927
88	0604454N	LX (R) .....	26,630	26,630
89	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	116,880	154,280
		Mk68 .....		[37,400]
90	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS) .....	7,438	7,438
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	84,734	84,734
92	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT ...	10,229	10,229
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	124,204	244,304
		Navy UFR—Hypersonic OASuW Inc 2 .....		[67,100]
		Navy UFR—LRASM range improvement .....		[53,000]
94	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)) .....	104,000	104,000
95	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES .....	181,620	181,620
96	0605514M	GROUND BASED ANTI-SHIP MISSILE .....	43,090	43,090
97	0605516M	LONG RANGE FIRES .....	36,693	36,693
98	0605518N	CONVENTIONAL PROMPT STRIKE (CPS) .....	1,205,041	1,205,041
99	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	9,856	9,856
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	1,735	1,735
101	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	796	796
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>8,405,310</b>	<b>8,730,110</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
102	0603208N	TRAINING SYSTEM AIRCRAFT .....	15,128	15,128
103	0604038N	MARITIME TARGETING CELL .....	39,600	129,600
		Family of Integrated Targeting Cells (FITC) .....		[90,000]
104	0604212N	OTHER HELO DEVELOPMENT .....	66,010	66,010
105	0604214M	AV-8B AIRCRAFT—ENG DEV .....	9,205	9,205
106	0604215N	STANDARDS DEVELOPMENT .....	3,766	3,766
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	44,684	44,684
108	0604221N	P-3 MODERNIZATION PROGRAM .....	343	343
109	0604230N	WARFARE SUPPORT SYSTEM .....	12,337	12,337
110	0604231N	COMMAND AND CONTROL SYSTEMS .....	143,575	143,575
111	0604234N	ADVANCED HAWKEYE .....	502,956	502,956
112	0604245M	H-1 UPGRADES .....	43,759	43,759
113	0604261N	ACOUSTIC SEARCH SENSORS .....	50,231	50,231
114	0604262N	V-22A .....	125,233	125,233
115	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	43,282	43,282
116	0604269N	EA-18 .....	116,589	116,589
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	141,138	141,138
118	0604273M	EXECUTIVE HELO DEVELOPMENT .....	45,645	45,645
119	0604274N	NEXT GENERATION JAMMER (NGJ) .....	54,679	54,679
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRES-NAVY) .....	329,787	329,787
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II .....	301,737	301,737
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	347,233	347,233
124	0604329N	SMALL DIAMETER BOMB (SDB) .....	42,881	42,881
125	0604366N	STANDARD MISSILE IMPROVEMENTS .....	319,943	319,943
126	0604373N	AIRBORNE MCM .....	10,882	10,882
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....	45,892	60,892

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128	0604419N	Stratospheric balloon research .....		[15,000]
		ADVANCED SENSORS APPLICATION PROGRAM (ASAP) .....	0	13,000
		Program increase .....		[13,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS .....	81,254	81,254
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	93,501	93,501
131	0604504N	AIR CONTROL .....	39,138	39,138
132	0604512N	SHIPBOARD AVIATION SYSTEMS .....	11,759	11,759
133	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	11,160	11,160
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....	87,459	87,459
135	0604530N	ADVANCED ARRESTING GEAR (AAG) .....	151	151
136	0604558N	NEW DESIGN SSN .....	307,585	496,485
		Advanced undersea capability development .....		[188,900]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	58,741	58,741
138	0604567N	SHIP CONTRACT DESIGN/LIVE FIRE T&E .....	60,791	60,791
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	4,177	4,177
140	0604601N	MINE DEVELOPMENT .....	60,793	127,593
		Hammerhead .....		[47,500]
		Indian Head explosives research .....		[5,000]
		Mk68 .....		[4,300]
		Navy UFR—Quickstrike-powered offensive mines .....		[10,000]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	142,000	142,000
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	8,618	8,618
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV .....	45,025	45,025
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....	7,454	7,454
145	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	758	758
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	159,426	159,426
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	71,818	71,818
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	92,687	122,087
		Navy UFR—Counter-C5ISR&T .....		[29,400]
149	0604761N	INTELLIGENCE ENGINEERING .....	23,742	23,742
150	0604771N	MEDICAL DEVELOPMENT .....	3,178	3,178
151	0604777N	NAVIGATION/ID SYSTEM .....	53,209	53,209
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	611	611
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	234	234
154	0604850N	SSN(X) .....	143,949	143,949
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	11,361	11,361
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	290,353	280,353
		Cyber supply chain risk management .....		[5,000]
		Electronic procurement system program reduction .....		[-15,000]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT .....	7,271	7,271
158	0605180N	TACAMO MODERNIZATION .....	554,193	554,193
159	0605212M	CH-53K RDTE .....	220,240	220,240
160	0605215N	MISSION PLANNING .....	71,107	71,107
161	0605217N	COMMON AVIONICS .....	77,960	77,960
162	0605220N	SHIP TO SHORE CONNECTOR (SSC) .....	2,886	2,886
163	0605327N	T-AO 205 CLASS .....	220	220
164	0605414N	UNMANNED CARRIER AVIATION (UCA) .....	265,646	265,646
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	371	371
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	37,939	37,939
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III .....	161,697	161,697
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION .....	94,569	94,569
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION .....	2,856	2,856
170	0204202N	DDG-1000 .....	197,436	197,436
171	0301377N	COUNTERING ADVANCED CONVENTIONAL WEAPONS (CACW) .....	12,341	12,341
175	0304785N	ISR & INFO OPERATIONS .....	135,366	135,366
176	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	37,038	37,038
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>6,606,583</b>	<b>6,999,683</b>
		<b>MANAGEMENT SUPPORT</b>		
177	0604256N	THREAT SIMULATOR DEVELOPMENT .....	29,430	29,430
178	0604258N	TARGET SYSTEMS DEVELOPMENT .....	13,708	13,708
179	0604759N	MAJOR T&E INVESTMENT .....	95,316	95,316
180	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	3,286	3,286
181	0605154N	CENTER FOR NAVAL ANALYSES .....	40,624	40,624
183	0605804N	TECHNICAL INFORMATION SERVICES .....	987	987
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	105,152	105,152
185	0605856N	STRATEGIC TECHNICAL SUPPORT .....	3,787	3,787
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT .....	173,352	173,352
187	0605864N	TEST AND EVALUATION SUPPORT .....	468,281	468,281
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	27,808	27,808
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	27,175	27,175
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	7,186	7,186
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	39,744	39,744
192	0605898N	MANAGEMENT HQ—R&D .....	40,648	40,648
193	0606355N	WARFARE INNOVATION MANAGEMENT .....	52,060	52,060
194	0305327N	INSIDER THREAT .....	2,315	2,315
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES) .....	1,811	1,811
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,132,670</b>	<b>1,132,670</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
198	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS .....	65,735	65,735

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201	0604840M	F-35 C2D2 .....	525,338	525,338
202	0604840N	F-35 C2D2 .....	491,513	491,513
203	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS .....	48,663	48,663
204	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....	156,121	156,121
205	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	284,502	284,502
206	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	50,939	50,939
207	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	81,237	81,237
208	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	49,424	49,424
209	0204136N	F/A-18 SQUADRONS .....	238,974	238,974
210	0204228N	SURFACE SUPPORT .....	12,197	12,197
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....	132,719	157,719
		Submarine Launched Cruise Missile—Nuclear (SLCM-N) research .....		[25,000]
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	68,417	82,917
		Navy UFR—IUSS DSS DWA rapid operational development .....		[14,500]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS .....	1,188	1,188
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....	1,789	1,789
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	61,422	85,422
		USMC UFR—AN/TPS-80 G/ATOR radar traffic control R&D .....		[24,000]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	70,339	70,339
217	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	47,436	47,436
218	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT .....	90,779	90,779
219	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	28,999	28,999
220	0205632N	MK-48 ADCAP .....	155,868	155,868
221	0205633N	AVIATION IMPROVEMENTS .....	130,450	130,450
222	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	121,439	121,439
223	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	114,305	119,305
		USMC UFR—COSMOS .....		[5,000]
224	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) .....	14,865	14,865
225	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....	100,536	100,536
226	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	26,522	26,522
227	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....	51,976	51,976
228	0206629M	AMPHIBIOUS ASSAULT VEHICLE .....	8,246	8,246
229	0207161N	TACTICAL AIM MISSILES .....	29,236	29,236
230	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	30,898	30,898
231	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,609	3,609
236	0303138N	AFLOAT NETWORKS .....	45,693	45,693
237	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	33,752	33,752
238	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	8,415	8,415
239	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	10,576	10,576
240	0305205N	UAS INTEGRATION AND INTEROPERABILITY .....	18,373	18,373
241	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	45,705	45,705
242	0305220N	MQ-4C TRITON .....	13,893	13,893
244	0305232M	RQ-11 UAV .....	1,234	1,234
245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0) .....	3,761	3,761
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	56,261	56,261
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....	9,780	11,780
		Autonomous MPA .....		[2,000]
249	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	36,505	36,505
250	0305421N	RQ-4 MODERNIZATION .....	163,277	163,277
251	0307577N	INTELLIGENCE MISSION DATA (IMD) .....	851	851
252	0308601N	MODELING AND SIMULATION SUPPORT .....	9,437	9,437
253	0702207N	DEPOT MAINTENANCE (NON-IF) .....	26,248	26,248
254	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	2,133	2,133
9999	9999999999	CLASSIFIED PROGRAMS .....	1,701,811	1,701,811
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....	<b>5,483,386</b>	<b>5,553,886</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
256	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM .....	12,810	12,810
257	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM .....	11,198	11,198
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b> .....	<b>24,008</b>	<b>24,008</b>
		<b>UNDISTRIBUTED</b>		
999	999999999	UNDISTRIBUTED .....	0	409,201
		Inflation effects .....		[409,201]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>409,201</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b> .....	<b>24,078,718</b>	<b>25,483,519</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
1	0601102F	DEFENSE RESEARCH SCIENCES .....	375,325	405,325
		Basic research increase .....		[30,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	171,192	171,192
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>546,517</b>	<b>576,517</b>
		<b>APPLIED RESEARCH</b>		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH .....	88,672	88,672
5	0602102F	MATERIALS .....	134,795	139,795
		High energy synchrotron X-ray research .....		[5,000]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	159,453	159,453
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	135,771	135,771
8	0602203F	AEROSPACE PROPULSION .....	172,861	172,861

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9	0602204F	AEROSPACE SENSORS .....	192,733	262,733
		National network for microelectronics research and development activities .....		[70,000]
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES .....	8,856	8,856
12	0602602F	CONVENTIONAL MUNITIONS .....	137,303	142,303
		Convergence Lab Center activities .....		[5,000]
13	0602605F	DIRECTED ENERGY TECHNOLOGY .....	109,302	100,947
		Realignment of funds .....		[-8,355]
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	166,041	166,041
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,305,787</b>	<b>1,377,432</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
16	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS .....	152,559	102,559
		Program reduction .....		[-50,000]
17	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	29,116	34,116
		Metals Affordability Initiative .....		[5,000]
18	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	10,695	10,695
19	0603203F	ADVANCED AEROSPACE SENSORS .....	36,997	36,997
20	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	54,727	66,220
		Realignment of funds .....		[-8,507]
		Unmanned semi-autonomous adversary aircraft .....		[20,000]
21	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	64,254	72,761
		Realignment of funds .....		[8,507]
22	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	33,380	33,380
23	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS .....	39,431	39,431
26	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....	20,652	20,652
27	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	187,374	187,374
28	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	98,503	98,503
29	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	47,759	47,759
30	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....	51,824	51,824
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>827,271</b>	<b>802,271</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
31	0603036F	MODULAR ADVANCED MISSILE .....	125,688	125,688
32	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	6,101	6,101
33	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	17,318	17,318
34	0603790F	NATO RESEARCH AND DEVELOPMENT .....	4,295	4,295
35	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	46,432	46,432
36	0604001F	NC3 ADVANCED CONCEPTS .....	5,098	5,098
38	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS) .....	231,408	231,408
39	0604004F	ADVANCED ENGINE DEVELOPMENT .....	353,658	353,658
40	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE .....	66,615	66,615
41	0604015F	LONG RANGE STRIKE—BOMBER .....	3,253,584	3,253,584
42	0604032F	DIRECTED ENERGY PROTOTYPING .....	4,269	4,269
43	0604033F	HYPERSONICS PROTOTYPING .....	431,868	161,547
		Realignment of funds .....		[-316,887]
		Realignment of funds from MPAF line 6 .....		[46,566]
44	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM) .....	144,891	461,778
		Realignment of funds .....		[316,887]
45	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS .....	12,010	12,010
46	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	13,311	13,311
47	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER .....	203,213	203,213
48	0604317F	TECHNOLOGY TRANSFER .....	16,759	16,759
49	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....	106,826	141,826
		CENTCOM UFR—HDBTDS program .....		[35,000]
50	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....	44,526	69,526
		Program increase .....		[25,000]
51	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS) .....	51,758	51,758
52	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	27,586	27,586
53	0604858F	TECH TRANSITION PROGRAM .....	649,545	603,545
		Air Force operational energy increase .....		[10,000]
		Hybrid autonomous maritime expeditionary logistics .....		[2,000]
		Realignment of funds to APAF .....		[-42,500]
		Realignment of funds to line 54 .....		[-15,500]
54	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE .....	0	15,500
		Realignment of funds .....		[15,500]
56	0207110F	NEXT GENERATION AIR DOMINANCE .....	1,657,733	1,657,733
57	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS .....	51,747	51,747
58	0207420F	COMBAT IDENTIFICATION .....	1,866	1,866
59	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	14,490	14,490
60	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS) .....	52,498	52,498
61	0208030F	WAR RESERVE MATERIEL—AMMUNITION .....	10,288	10,288
64	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	37,460	37,460
65	0305601F	MISSION PARTNER ENVIRONMENTS .....	17,378	17,378
66	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT .....	234,576	365,276
		AI systems and applications for CYBERCOM .....		[50,000]
		CYBERCOM UFR—Cyber mission force operational support .....		[31,000]
		CYBERCOM UFR—Joint cyberspace warfighting architecture .....		[20,900]
		Hunt forward operations .....		[28,800]
67	0306415F	ENABLED CYBER ACTIVITIES .....	16,728	16,728
70	0808737F	CVV INTEGRATED PREVENTION .....	9,315	9,315
71	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	14,050	14,050
72	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT .....	10,350	10,350



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Line	Program Element	Item	FY 2023 Request	Senate Authorized
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>	<b>7,945,238</b>	<b>8,152,004</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
73	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,879	9,879
74	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	176,824	176,824
75	0604222F	NUCLEAR WEAPONS SUPPORT	64,425	64,425
76	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,222	2,222
77	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	133,117	133,117
78	0604287F	PHYSICAL SECURITY EQUIPMENT	8,493	8,493
79	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,279	5,279
80	0604604F	SUBMUNITIONS	3,273	3,273
81	0604617F	AGILE COMBAT SUPPORT	14,252	14,252
83	0604706F	LIFE SUPPORT SYSTEMS	47,442	47,442
84	0604735F	COMBAT TRAINING RANGES	91,284	91,284
86	0604932F	LONG RANGE STANDOFF WEAPON	928,850	928,850
87	0604933F	ICBM FUZE MODERNIZATION	98,376	98,376
88	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,222	2,222
89	0605056F	OPEN ARCHITECTURE MANAGEMENT	38,222	38,222
90	0605223F	ADVANCED PILOT TRAINING	37,121	37,121
91	0605229F	HH-60W	58,974	58,974
92	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,614,290	3,614,290
94	0207171F	F-15 EPAWSS	67,956	67,956
95	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY	27,881	27,881
96	0207328F	STAND IN ATTACK WEAPON	283,152	283,152
97	0207701F	FULL COMBAT MISSION TRAINING	3,028	3,028
102	0401221F	KC-46A TANKER SQUADRONS	197,510	197,510
103	0401319F	VC-25B	492,932	492,932
104	0701212F	AUTOMATED TEST SYSTEMS	16,664	16,664
105	0804772F	TRAINING DEVELOPMENTS	15,138	15,138
107	1206442F	NEXT GENERATION OPIR	148	148
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>	<b>6,438,954</b>	<b>6,438,954</b>
		<b>MANAGEMENT SUPPORT</b>		
108	0604256F	THREAT SIMULATOR DEVELOPMENT	21,067	21,067
109	0604759F	MAJOR T&E INVESTMENT	44,714	201,314
		Air Force UFR—Gulf instrumentation for hypersonics testing		[55,200]
		Air Force UFR—Quick reaction test capability for hypersonics testing		[14,700]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing		[56,700]
		Major Range and Test Facility Base improvements		[30,000]
110	0605101F	RAND PROJECT AIR FORCE	37,921	37,921
111	0605502F	SMALL BUSINESS INNOVATION RESEARCH	86	86
112	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,926	13,926
113	0605807F	TEST AND EVALUATION SUPPORT	826,854	841,854
		Air Force UFR—EDW/Eglin hypersonics testing		[10,000]
		Air Force UFR—VKF wind tunnel throughput for hypersonics testing		[5,000]
115	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	255,995	283,995
		Realignment of funds		[28,000]
116	0605828F	ACQ WORKFORCE- GLOBAL REACH	457,589	457,589
117	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	459,223	473,423
		Realignment of funds		[14,200]
118	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	3,696	3,696
119	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	229,610	253,610
		Realignment of funds		[24,000]
120	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	92,648	67,361
		Realignment of funds		[-25,287]
121	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	241,226	236,382
		Realignment of funds		[-4,844]
122	0605898F	MANAGEMENT HQ—R&D	4,347	5,624
		Realignment of funds		[1,277]
123	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	77,820	133,420
		Air Force UFR—Quick reaction test capability for hypersonics testing		[7,500]
		Air Force UFR—VKF wind tunnel improvements for hypersonics testing		[48,100]
124	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	31,561	31,561
125	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	101,844	101,844
126	0606398F	MANAGEMENT HQ—T&E	6,285	6,285
127	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	556	556
128	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	15,559	35,559
		NEC acceleration for hardened NC3		[10,500]
		Next-generation Nuclear Command, Control, and Communications architecture		[5,000]
		Nuclear Command, Control, and Communications assessment		[4,500]
129	0308602F	ENTREPRISE INFORMATION SERVICES (EIS)	83,231	83,231
130	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	24,306	24,306
131	0804731F	GENERAL SKILL TRAINING	871	871
134	1001004F	INTERNATIONAL ACTIVITIES	2,593	2,593
		<b>SUBTOTAL MANAGEMENT SUPPORT</b>	<b>3,033,528</b>	<b>3,318,074</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
136	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	18,037	18,037
138	0604617F	AGILE COMBAT SUPPORT	8,199	8,199
139	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	156	156
140	0604840F	F-35 C2D2	1,014,708	1,014,708
141	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	37,901	37,901

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
142	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	50,066	50,066
143	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	80,338	80,338
144	0605278F	HC/MC-130 RECAP RDT&E .....	47,994	51,870
		Crypto Mods—AC-130J .....		[3,876]
145	0606018F	NC3 INTEGRATION .....	23,559	23,559
147	0101113F	B-52 SQUADRONS .....	770,313	775,313
		Crypto Mods—B-52 .....		[5,000]
148	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	571	571
149	0101126F	B-1B SQUADRONS .....	13,144	17,644
		Crypto Mods—B-1B .....		[4,500]
150	0101127F	B-2 SQUADRONS .....	111,990	111,990
151	0101213F	MINUTEMAN SQUADRONS .....	69,650	69,650
152	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....	22,725	22,725
153	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK .....	3,180	3,180
154	0101328F	ICBM REENTRY VEHICLES .....	118,616	118,616
156	0102110F	UH-1N REPLACEMENT PROGRAM .....	17,922	17,922
157	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM .....	451	451
158	0102412F	NORTH WARNING SYSTEM (NWS) .....	76,910	76,910
159	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR .....	12,210	12,210
160	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL .....	14,483	14,483
161	0205219F	MQ-9 UAV .....	98,499	98,499
162	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE .....	1,747	1,747
163	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT .....	23,195	23,195
164	0207131F	A-10 SQUADRONS .....	72,393	72,393
165	0207133F	F-16 SQUADRONS .....	244,696	251,414
		Crypto Mods—F-16 Post Blk .....		[1,968]
		Crypto Mods—F-16 Pre Blk .....		[4,750]
166	0207134F	F-15E SQUADRONS .....	213,272	213,272
167	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	16,695	16,695
168	0207138F	F-22A SQUADRONS .....	559,709	559,709
169	0207142F	F-35 SQUADRONS .....	70,730	70,730
170	0207146F	F-15EX .....	83,830	83,830
171	0207161F	TACTICAL AIM MISSILES .....	34,536	34,536
172	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	52,704	52,704
173	0207227F	COMBAT RESCUE—PARARESCUE .....	863	863
174	0207247F	AF TENCAP .....	23,309	23,309
175	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	12,722	12,722
176	0207253F	COMPASS CALL .....	49,054	49,054
177	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	116,087	116,087
178	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	117,198	129,198
		INDOPACOM UFR—JASSM software update .....		[12,000]
179	0207327F	SMALL DIAMETER BOMB (SDB) .....	27,713	130,713
		Air Force UFR—SDB II refresh and development .....		[103,000]
181	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	6,615	6,615
182	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	239,658	540,658
		E-7 acceleration .....		[301,000]
183	0207418F	AFSPECWAR—TACP .....	5,982	5,982
185	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	23,504	23,504
186	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I .....	5,851	5,851
187	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR) .....	15,990	15,990
188	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	10,315	10,315
189	0207452F	DCAPES .....	8,049	8,049
190	0207521F	AIR FORCE CALIBRATION PROGRAMS .....	2,123	2,123
192	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS .....	2,039	2,039
193	0207590F	SEEK EAGLE .....	32,853	32,853
194	0207601F	USAF MODELING AND SIMULATION .....	19,341	19,341
195	0207605F	WARGAMING AND SIMULATION CENTERS .....	7,004	7,004
197	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	4,628	4,628
198	0208006F	MISSION PLANNING SYSTEMS .....	99,214	99,214
199	0208007F	TACTICAL DECEPTION .....	17,074	17,074
200	0208064F	OPERATIONAL HQ—CYBER .....	2,347	2,347
201	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS .....	76,592	76,592
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	8,367	26,167
		Enterprise Logging and Cyber Situational Awareness Refinery (ELICSAR) .....		[17,800]
203	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2) .....	80,740	75,740
		Centropy program reduction .....		[-5,000]
204	0208099F	UNIFIED PLATFORM (UP) .....	107,548	107,548
208	0208288F	INTEL DATA APPLICATIONS .....	1,065	1,065
209	0301025F	GEOBASE .....	2,928	2,928
211	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT .....	8,972	8,972
218	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARE- NESS .....	3,069	3,069
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	25,701	26,401
		Crypto Mods—E-4B .....		[700]
220	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	41,171	41,171
221	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	70,582	70,582
224	0303260F	JOINT MILITARY DECEPTION INITIATIVE .....	2,588	2,588
226	0304260F	AIRBORNE SIGINT ENTERPRISE .....	108,528	108,528
227	0304310F	COMMERCIAL ECONOMIC ANALYSIS .....	4,542	4,542
230	0305015F	C2 AIR OPERATIONS SUITE—C2 INFO SERVICES .....	8,097	8,097
231	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY .....	1,751	1,751
232	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD) .....	13,138	13,138

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233	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,895	4,895
234	0305103F	CYBER SECURITY INITIATIVE .....	91	91
235	0305111F	WEATHER SERVICE .....	11,716	11,716
236	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCAL) .....	8,511	8,511
237	0305116F	AERIAL TARGETS .....	1,365	1,365
240	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	223	223
241	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	8,328	8,328
243	0305179F	INTEGRATED BROADCAST SERVICE (IBS) .....	22,123	22,123
244	0305202F	DRAGON U-2 .....	20,170	20,170
245	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	55,048	55,048
246	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	14,590	14,590
247	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	26,901	26,901
248	0305220F	RQ-4 UAV .....	68,801	68,801
249	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	17,564	17,564
250	0305238F	NATO AGS .....	826	826
251	0305240F	SUPPORT TO DCGS ENTERPRISE .....	28,774	28,774
252	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....	15,036	15,036
253	0305881F	RAPID CYBER ACQUISITION .....	3,739	3,739
254	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2) .....	2,702	2,702
255	0307577F	INTELLIGENCE MISSION DATA (IMD) .....	6,332	6,332
256	0401115F	C-130 AIRLIFT SQUADRON .....	407	407
257	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	6,100	6,100
258	0401130F	C-17 AIRCRAFT (IF) .....	25,387	25,387
259	0401132F	C-130J PROGRAM .....	11,060	13,660
		Crypto Mods—C-130J .....		[2,600]
260	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	2,909	2,909
261	0401218F	KC-135S .....	12,955	17,755
		Crypto Mods—KC-135 .....		[4,800]
262	0401318F	CV-22 .....	10,121	11,171
		Crypto Mods—CV-22 .....		[1,050]
263	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	6,297	6,297
264	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....	19,892	19,892
265	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	5,271	5,271
267	0804743F	OTHER FLIGHT TRAINING .....	2,214	2,214
269	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	2,164	2,164
270	0901218F	CIVILIAN COMPENSATION PROGRAM .....	4,098	4,098
271	0901220F	PERSONNEL ADMINISTRATION .....	3,191	3,191
272	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	899	899
273	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....	5,421	5,421
276	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES .....	13,766	13,766
9999	9999999999	CLASSIFIED PROGRAMS .....	17,240,641	17,340,641
		Electromagnetic spectrum technology for spectrum sharing, EW protection, and offensive EW capabilities. ....		[85,000]
		RCO Family of Integrated Targeting Cells (FITC) integration .....		[15,000]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....	<b>23,090,569</b>	<b>23,648,613</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
278	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYSTEM—SOFTWARE PILOT PROGRAM. ....	100,167	100,167
279	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM .....	177,827	177,827
280	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO. ....	136,202	136,202
281	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS .....	37,346	0
		Realignment of funds .....		[-37,346]
282	0308605F	AIR FORCE DEFENSIVE CYBER SYSTEMS (AFDCS)—SOFTWARE PILOT PROGRAM .....	240,926	240,926
283	0308606F	ALL DOMAIN COMMON PLATFORM (ADCP)—SOFTWARE PILOT PROGRAM .....	190,112	190,112
284	0308607F	AIR FORCE WEATHER PROGRAMS—SOFTWARE PILOT PROGRAM .....	58,063	58,063
285	0308608F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR)—SOFTWARE PILOT PROGRAM. ....	5,794	5,794
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b> .....	<b>946,437</b>	<b>909,091</b>
		<b>UNDISTRIBUTED</b>		
999	99999999	UNDISTRIBUTED .....	0	1,000,847
		Inflation effects .....		[1,000,847]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>1,000,847</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b> .....	<b>44,134,301</b>	<b>46,223,803</b>
		<b>RDTE, SPACE FORCE</b>		
		<b>APPLIED RESEARCH</b>		
2	1206601SF	SPACE TECHNOLOGY .....	243,737	256,092
		Advanced hybrid rocket engine development .....		[4,000]
		Realignment of funds .....		[8,355]
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>243,737</b>	<b>256,092</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
3	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT .....	460,820	460,820
4	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO .....	103,395	106,168
		Realignment of funds .....		[2,773]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....	<b>564,215</b>	<b>566,988</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		

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5	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH .....	816	816
6	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	382,594	382,594
7	1203622SF	SPACE WARFIGHTING ANALYSIS .....	44,791	44,791
8	1203710SF	EO/IR WEATHER SYSTEMS .....	96,519	96,519
10	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING .....	986,822	986,822
12	1206425SF	SPACE SITUATION AWARENESS SYSTEMS .....	230,621	233,621
		Digitization of PARCS radar for space domain awareness .....		[3,000]
13	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT) .....	106,252	134,252
		DARPA Blackjack RF payload .....		[28,000]
14	1206438SF	SPACE CONTROL TECHNOLOGY .....	57,953	57,953
16	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM .....	59,169	59,169
17	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....	121,069	121,069
18	1206761SF	PROTECTED TACTICAL SERVICE (PTS) .....	294,828	294,828
19	1206855SF	EVOLVED STRATEGIC SATCOM (ESS) .....	565,597	565,597
20	1206857SF	SPACE RAPID CAPABILITIES OFFICE .....	45,427	45,427
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>2,992,458</b>	<b>3,023,458</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
21	1203269SF	GPS III FOLLOW-ON (GPS IIIF) .....	325,927	325,927
22	1203940SF	SPACE SITUATION AWARENESS OPERATIONS .....	49,628	49,628
23	1206421SF	COUNTERSPACE SYSTEMS .....	21,848	21,848
24	1206422SF	WEATHER SYSTEM FOLLOW-ON .....	48,870	48,870
25	1206425SF	SPACE SITUATION AWARENESS SYSTEMS .....	105,140	105,140
26	1206431SF	ADVANCED EHF MILSATCOM (SPACE) .....	11,701	11,701
27	1206432SF	POLAR MILSATCOM (SPACE) .....	67,465	67,465
28	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE) .....	48,438	48,438
29	1206440SF	NEXT-GEN OPIR—GROUND .....	0	612,529
		Realignment of funds .....		[612,529]
30	1206442SF	NEXT GENERATION OPIR .....	3,479,459	253,801
		Realignment of funds to line 29 .....		[-612,529]
		Realignment of funds to line 31 .....		[-1,713,933]
		Realignment of funds to line 32 .....		[-899,196]
31	1206443SF	NEXT-GEN OPIR—GEO .....	0	1,713,933
		Realignment of funds .....		[1,713,933]
32	1206444SF	NEXT-GEN OPIR—POLAR .....	0	899,196
		Realignment of funds .....		[899,196]
33	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION .....	23,513	23,513
34	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO) .....	499,840	525,637
		Realignment of funds .....		[25,797]
35	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO) .....	139,131	303,930
		Realignment of funds .....		[164,799]
36	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT .....	390,596	0
		Realignment of funds .....		[-200,000]
		Realignment of funds to line 34 .....		[-25,797]
		Realignment of funds to line 35 .....		[-164,799]
37	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD .....	124,103	124,103
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>5,335,659</b>	<b>5,135,659</b>
		<b>MANAGEMENT SUPPORT</b>		
39	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	21,453	21,453
40	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS .....	253,716	253,716
41	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA .....	13,962	13,962
42	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO .....	2,773	0
		Realignment of funds .....		[-2,773]
43	1206759SF	MAJOR T&E INVESTMENT—SPACE .....	89,751	89,751
44	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	17,922	17,922
46	1206864SF	SPACE TEST PROGRAM (STP) .....	25,366	25,366
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>424,943</b>	<b>422,170</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
48	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	5,321	5,321
49	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	128,243	128,243
50	1203040SF	DCO-SPACE .....	28,162	28,162
51	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS .....	165,892	165,892
52	1203110SF	SATELLITE CONTROL NETWORK (SPACE) .....	42,199	42,199
53	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS) .....	2,062	2,062
54	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	4,157	4,157
55	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT .....	38,103	38,103
56	1203182SF	SPACELIFT RANGE SYSTEM (SPACE) .....	11,658	11,658
57	1203265SF	GPS III SPACE SEGMENT .....	1,626	1,626
58	1203330SF	SPACE SUPERIORITY ISR .....	29,128	29,128
59	1203620SF	NATIONAL SPACE DEFENSE CENTER .....	2,856	2,856
60	1203873SF	BALLISTIC MISSILE DEFENSE RADARS .....	18,615	23,615
		Upgrades for Perimeter Acquisition Radar Attack Characterization System (PARCS) .....		[5,000]
61	1203906SF	NCMC—TW/AA SYSTEM .....	7,274	7,274
62	1203913SF	NUDET DETECTION SYSTEM (SPACE) .....	80,429	80,429
63	1203940SF	SPACE SITUATION AWARENESS OPERATIONS .....	80,903	80,903
64	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT .....	359,720	359,720
68	1206770SF	ENTERPRISE GROUND SERVICES .....	123,601	123,601
9999	9999999999	CLASSIFIED PROGRAMS .....	4,973,358	5,607,858
		INDOPACOM UFR—Operationalize near-term space control .....		[308,000]
		Space Force UFR—Classified program .....		[326,500]

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Line	Program Element	Item	FY 2023 Request	Senate Authorized
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT</b>	<b>6,103,307</b>	<b>6,742,807</b>
		<b>SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
70	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM	155,053	155,053
		<b>SUBTOTAL SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS</b>	<b>155,053</b>	<b>155,053</b>
		<b>UNDISTRIBUTED</b>		
999	99999999	UNDISTRIBUTED	0	539,491
		Inflation effects		[539,491]
		<b>SUBTOTAL UNDISTRIBUTED</b>	<b>0</b>	<b>539,491</b>
		<b>TOTAL RDTE, SPACE FORCE</b>	<b>15,819,372</b>	<b>16,841,718</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
1	0601000BR	DTRA BASIC RESEARCH	11,584	11,584
2	0601101E	DEFENSE RESEARCH SCIENCES	401,870	401,870
3	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,257	16,257
4	0601110D8Z	BASIC RESEARCH INITIATIVES	62,386	87,386
		Defense established program to stimulate competitive research (DEPSCoR)		[25,000]
5	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	80,874	80,874
6	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	132,347	132,347
7	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	33,288	63,288
		Program increase for STEM programs		[30,000]
8	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,734	34,734
		<b>SUBTOTAL BASIC RESEARCH</b>	<b>773,340</b>	<b>828,340</b>
		<b>APPLIED RESEARCH</b>		
10	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	18,961	18,961
11	0602115E	BIOMEDICAL TECHNOLOGY	106,958	106,958
12	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,275	3,275
14	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	20,634	60,634
		Open radio access networks for next generation wireless experimentation		[40,000]
15	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,159	48,159
		Superconducting microelectronics		[2,000]
16	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	67,666	67,666
17	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	388,270	513,270
		AI/autonomy to cybersecurity and cyberspace operations challenges		[30,000]
		National Security Commission on AI recommendations		[75,000]
		Underexplored systems for utility-scale quantum computing		[20,000]
18	0602383E	BIOLOGICAL WARFARE DEFENSE	23,059	23,059
19	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	256,197	256,197
20	0602668D8Z	CYBER SECURITY RESEARCH	17,264	42,264
		Cyber consortium seedling funding		[25,000]
21	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,000	4,000
22	0602702E	TACTICAL TECHNOLOGY	221,883	221,883
23	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	352,976	355,276
		ReVector		[2,300]
24	0602716E	ELECTRONICS TECHNOLOGY	557,745	557,745
25	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	192,162	192,162
26	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	11,030	11,030
27	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,587	48,587
28	1160401BB	SOF TECHNOLOGY DEVELOPMENT	49,174	49,174
		<b>SUBTOTAL APPLIED RESEARCH</b>	<b>2,386,000</b>	<b>2,580,300</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
29	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	34,065	34,065
30	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,919	4,919
31	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	72,614	72,614
32	0603133D8Z	FOREIGN COMPARATIVE TESTING	26,802	26,802
34	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	395,721	395,721
35	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	6,505	6,505
36	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	16,737	16,737
37	0603180C	ADVANCED RESEARCH	22,023	22,023
38	0603183D8Z	JOINT HYPersonic TECHNOLOGY DEVELOPMENT & TRANSITION	52,156	52,156
39	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,898	18,898
40	0603286E	ADVANCED AEROSPACE SYSTEMS	253,135	253,135
41	0603287E	SPACE PROGRAMS AND TECHNOLOGY	81,888	81,888
42	0603288D8Z	ANALYTIC ASSESSMENTS	24,052	24,052
43	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	53,890	53,890
46	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	141,561	146,561
		Optical reconnaissance sensors		[5,000]
47	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	42,925	57,925
		National Security Innovation Capital program increase		[15,000]
48	0603375D8Z	TECHNOLOGY INNOVATION	109,535	114,535
		Emerging biotechnologies		[5,000]
49	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	238,407	238,407
50	0603527D8Z	RETRACT LARCH	79,493	79,493
51	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,218	19,218
52	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	114,100	194,100
		LVC testbed application development		[80,000]

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53	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	3,168	3,168
54	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....	256,142	299,142
		Artificial intelligence for predictive maintenance .....		[3,000]
		BioMADE .....		[30,000]
		Internet of things and operational technology asset identification and management .....		[5,000]
		Large scale advanced manufacturing .....		[5,000]
55	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	46,166	46,166
56	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	13,663	13,663
57	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	58,411	58,411
58	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....	139,833	139,833
59	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	2,411	2,411
60	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	250,917	250,917
61	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	305,050	315,050
		DARPA LogX advanced supply chain mapping .....		[10,000]
62	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	678,562	838,562
		Assault Breaker II .....		[120,000]
		DARPA network-centric warfare technology .....		[20,000]
		Non-kinetic/cyber modeling and simulation .....		[20,000]
63	0603767E	SENSOR TECHNOLOGY .....	314,502	314,502
64	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....	201	201
65	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	13,417	13,417
66	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM .....	111,149	111,149
67	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	315,090	315,090
68	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK .....	22,028	22,028
69	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	180,170	190,170
		Program increase for tristructural-isotropic fuel .....		[10,000]
72	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	118,877	118,877
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>4,638,401</b>	<b>4,966,401</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
74	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....	41,507	41,507
75	0603600D8Z	WALKOFF .....	133,795	133,795
76	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM .....	84,638	89,638
		Sustainable Technology Evaluation and Demonstration program .....		[5,000]
77	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....	190,216	190,216
78	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....	667,524	667,524
79	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....	291,364	291,364
80	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	231,134	231,134
81	0603890C	BMD ENABLING PROGRAMS .....	591,847	642,717
		NORTHCOM UFR—Cruise Missile Defense—Homeland kill chain demonstration upgrades .....		[50,870]
82	0603891C	SPECIAL PROGRAMS—MDA .....	316,977	316,977
83	0603892C	AEGIS BMD .....	600,072	600,072
84	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. ....	589,374	589,374
85	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT .....	50,269	50,269
86	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC) .....	49,367	49,367
87	0603906C	REGARDING TRENCH .....	12,146	12,146
88	0603907C	SEA BASED X-BAND RADAR (SBX) .....	164,668	164,668
89	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	300,000	300,000
90	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	367,824	367,824
91	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	559,513	559,513
92	0603923D8Z	COALITION WARFARE .....	11,154	11,154
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G) .....	249,591	379,591
		5G experimentation, transition, and ORAN activities .....		[130,000]
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,166	3,166
95	0604102C	GUAM DEFENSE DEVELOPMENT .....	397,936	397,936
96	0604115C	TECHNOLOGY MATURATION INITIATIVES .....	0	10,000
		Diode-Pumped Alkali Laser (DPAL) development .....		[5,000]
		Hypersonic targets .....		[5,000]
97	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP .....	33,950	33,950
99	0604181C	HYPERSONIC DEFENSE .....	225,477	517,977
		MDA UFR—Glide phase defense weapons systems .....		[292,500]
100	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	1,145,358	1,309,858
		INDOPACOM UFR—Sea Urchin powered quickstrike mines .....		[30,000]
		INDOPACOM UFR—SIGINT upgrades .....		[9,500]
		SCO SAP Project A .....		[125,000]
101	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	647,226	647,226
102	0604331D8Z	RAPID PROTOTYPING PROGRAM .....	179,189	229,189
		Counter-C5ISR activities .....		[20,000]
		International cooperation for hypersonics .....		[30,000]
103	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING .....	24,402	24,402
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT .....	2,691	2,691
105	0604551BR	CATAPULT .....	7,130	7,130
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T .....	45,779	45,779
108	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) .....	3,229	3,229
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS. ....	40,699	90,699
		JADC2 experimentation .....		[50,000]
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR) .....	75,120	75,120
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....	1,833,357	1,833,357
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST .....	69,762	69,762
113	0604878C	AEGIS BMD TEST .....	182,776	182,776

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114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	88,326	88,326
115	0604880C	LAND-BASED SM-3 (LBSM3) .....	27,678	27,678
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST .....	84,075	84,075
117	0202057C	SAFETY PROGRAM MANAGEMENT .....	2,417	2,417
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS .....	2,664	2,664
120	0305103C	CYBER SECURITY INITIATIVE .....	1,165	1,165
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	129,957	129,957
276	0604795D8Z	ACCELERATE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT). Realignment of funds .....	0	100,000
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>10,756,509</b>	<b>11,609,379</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
124	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	273,340	273,340
125	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD .....	6,482	6,482
127	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	312,148	312,148
128	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS) .....	9,120	9,120
129	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT .....	14,403	14,403
130	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	1,244	1,244
131	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	6,191	6,191
132	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	10,145	10,145
133	0605027D8Z	OUS(D) IT DEVELOPMENT INITIATIVES .....	5,938	5,938
136	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM .....	23,171	23,171
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS) .....	14,093	14,093
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES .....	6,949	6,949
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	302,963	302,963
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS .....	3,758	3,758
141	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM) .....	8,121	8,121
142	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION .....	16,048	16,048
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION .....</b>	<b>1,014,114</b>	<b>1,014,114</b>
<b>MANAGEMENT SUPPORT</b>				
143	0603829J	JOINT CAPABILITY EXPERIMENTATION .....	12,452	12,452
144	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	8,902	8,902
145	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	6,610	6,610
146	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP) .....	819,358	819,358
147	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	4,607	4,607
148	0605001E	MISSION SUPPORT .....	86,869	86,869
149	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	126,079	126,079
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO) .....	53,278	53,278
152	0605142D8Z	SYSTEMS ENGINEERING .....	39,009	29,009
		Program reduction .....		[-10,000]
153	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	5,716	5,716
154	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	15,379	15,379
155	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....	9,449	9,449
156	0605200D8Z	GENERAL SUPPORT TO OUSD(INTELLIGENCE AND SECURITY) .....	6,112	6,112
157	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	124,475	124,475
165	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,820	3,820
166	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE .....	35,414	35,414
167	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	56,114	66,114
		Key technology area assessments and engineering efforts .....		[10,000]
168	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	63,184	63,184
169	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION .....	23,757	23,757
170	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	26,652	26,652
171	0605898E	MANAGEMENT HQ—R&D .....	14,636	14,636
172	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	3,518	3,518
173	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	15,244	15,244
174	0606114D8Z	ANALYSIS WORKING GROUP (AWG) SUPPORT .....	4,700	4,700
175	0606135D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO) ACTIVITIES .....	13,132	13,132
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS .....	3,323	3,323
177	0606300D8Z	DEFENSE SCIENCE BOARD .....	2,532	2,532
179	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY .....	32,306	32,306
180	0606853BR	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	12,354	12,354
181	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	3,034	3,034
182	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	4,332	4,332
183	0208045K	C4I INTEROPERABILITY .....	69,698	69,698
189	0305172K	COMBINED ADVANCED APPLICATIONS .....	16,171	16,171
191	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	3,072	3,072
192	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	37,852	37,852
193	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI) .....	716	716
194	0901598C	MANAGEMENT HQ—MDA .....	25,259	25,259
195	0903235K	JOINT SERVICE PROVIDER (JSP) .....	3,141	3,141
9999	9999999999	CLASSIFIED PROGRAMS .....	37,841	37,841
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,830,097</b>	<b>1,830,097</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
200	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT .....	588,094	588,094
201	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT .....	15,427	15,427
202	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	8,317	8,317



SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
203	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....	68,030	68,030
209	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....	19,145	19,145
210	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	13,195	13,195
211	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	5,746	5,746
212	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	92,018	92,018
213	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	43,135	63,135
		NSA CAE Cybersecurity Workforce pilot program .....		[20,000]
214	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	593,831	593,831
215	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	7,005	7,005
216	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	10,020	10,020
217	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	19,708	19,708
221	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY .....	5,197	5,197
226	0305104D8Z	DEFENSE INDUSTRIAL BASE (DIB) CYBER SECURITY INITIATIVE .....	10,000	10,000
229	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES .....	450	450
230	0305133V	INDUSTRIAL SECURITY ACTIVITIES .....	1,800	1,800
233	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	4,622	4,622
234	0305172D8Z	COMBINED ADVANCED APPLICATIONS .....	49,380	49,380
237	0305186D8Z	POLICY R&D PROGRAMS .....	6,214	6,214
238	0305199D8Z	NET CENTRICITY .....	17,917	17,917
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	6,095	6,095
246	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS .....	4,575	4,575
247	0305251K	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	2,497	2,497
248	0305327V	INSIDER THREAT .....	9,403	9,403
249	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....	1,864	1,864
257	0708012K	LOGISTICS SUPPORT ACTIVITIES .....	1,620	1,620
258	0708012S	PACIFIC DISASTER CENTERS .....	1,875	1,875
259	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....	3,264	3,264
261	1105219BB	MQ-9 UAV .....	14,000	19,900
		MQ-9 Unmanned Aerial Vehicle realignment of funds .....		[5,900]
263	1160403BB	AVIATION SYSTEMS .....	179,499	179,499
264	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT .....	75,136	75,136
265	1160408BB	OPERATIONAL ENHANCEMENTS .....	142,900	151,510
		SOCOM UFR—Switchblade shipboard safety cert .....		[8,610]
266	1160431BB	WARRIOR SYSTEMS .....	129,133	141,463
		Maritime scalable effects .....		[2,400]
		SOCOM UFR—Ground organic precision strike systems .....		[9,930]
267	1160432BB	SPECIAL PROGRAMS .....	518	518
268	1160434BB	UNMANNED ISR .....	3,354	3,354
269	1160480BB	SOF TACTICAL VEHICLES .....	13,594	13,594
270	1160483BB	MARITIME SYSTEMS .....	82,645	118,045
		Dry combat submersible next .....		[30,000]
		Maritime Precision Engagement realignment of funds .....		[5,400]
272	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	7,583	7,583
273	1203610K	TELEPORT PROGRAM .....	1,270	1,270
9999	9999999999	CLASSIFIED PROGRAMS .....	7,854,604	7,866,104
		Indications and warning—DIA .....		[10,000]
		INDOPACOM UFR—JWICS modernization .....		[1,500]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT</b> .....	<b>10,114,680</b>	<b>10,208,420</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
274	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM ...	132,524	132,524
275	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM .....	17,123	17,123
276	0608775D8Z	ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT) .....	100,000	0
		Realignment of funds .....		[-100,000]
277	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	34,987	34,987
282	0308609V	NATIONAL INDUSTRIAL SECURITY SYSTEMS (NISS)—SOFTWARE PILOT PROGRAM .....	14,749	14,749
9999	9999999999	CLASSIFIED PROGRAMS .....	265,028	265,028
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b> .....	<b>564,411</b>	<b>464,411</b>
		<b>UNDISTRIBUTED</b>		
999	999999999	UNDISTRIBUTED .....	0	849,931
		Inflation effects .....		[849,931]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>849,931</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b> .....	<b>32,077,552</b>	<b>34,351,393</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b>		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	119,529	129,529
		DOT&E acquisition and employment of AI/autonomy technologies for red teaming .....		[10,000]
2	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	99,947	99,947
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	57,718	57,718
		<b>SUBTOTAL MANAGEMENT SUPPORT</b> .....	<b>277,194</b>	<b>287,194</b>
		<b>UNDISTRIBUTED</b>		
999	999999999	UNDISTRIBUTED .....	0	9,485
		Inflation effects .....		[9,485]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>9,485</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE</b> .....	<b>277,194</b>	<b>296,679</b>

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	Senate Authorized
<b>TOTAL RDT&amp;E</b>			<b>130,097,410</b>	<b>137,749,422</b>

**TITLE XLIII—OPERATION AND MAINTENANCE**

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
<b>OPERATION &amp; MAINTENANCE, ARMY OPERATING FORCES</b>			
010	MANEUVER UNITS	4,506,811	4,506,811
020	MODULAR SUPPORT BRIGADES	177,136	177,136
030	ECHELONS ABOVE BRIGADE	894,629	894,629
040	THEATER LEVEL ASSETS	2,570,949	2,575,949
	Increase for Army Caisson platoon facility improvements		[5,000]
050	LAND FORCES OPERATIONS SUPPORT	1,184,230	1,184,230
060	AVIATION ASSETS	2,220,817	2,220,817
070	FORCE READINESS OPERATIONS SUPPORT	7,366,299	7,510,498
	Army UFR—Arctic OCIE for Alaska bases, Fort Drum, Fort Carson		[65,050]
	Army UFR—female/small stature body armor		[66,750]
	Army UFR—initial issue of Extended Cold Weather Clothing System Layer 1 and 2		[8,999]
	INDOPACOM UFR—SIGINT upgrades		[3,400]
080	LAND FORCES SYSTEMS READINESS	483,683	483,683
090	LAND FORCES DEPOT MAINTENANCE	1,399,173	1,399,173
100	MEDICAL READINESS	897,522	897,522
110	BASE OPERATIONS SUPPORT	9,330,325	9,330,325
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,666,658	5,223,498
	Increase for Army Caisson platoon facility improvements		[17,900]
	Increase for FSRM to 100%		[538,940]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS	284,483	284,483
140	ADDITIONAL ACTIVITIES	450,348	450,348
160	RESET	383,360	383,360
170	US AFRICA COMMAND	385,685	433,635
	AFRICOM combatant command support		[10,000]
	AFRICOM UFR—COMSATCOM		[16,750]
	AFRICOM UFR—counter-UAS		[8,500]
	AFRICOM UFR—force protection		[8,100]
	AFRICOM UFR—intelligence, surveillance, and reconnaissance		[4,600]
180	US EUROPEAN COMMAND	359,602	359,602
190	US SOUTHERN COMMAND	204,336	208,436
	SOUTHCOM enhanced domain awareness		[4,100]
200	US FORCES KOREA	67,756	67,756
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	495,066	495,066
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	673,701	673,701
230	JOINT CYBER MISSION FORCES	178,033	178,033
	<b>SUBTOTAL OPERATING FORCES</b>	<b>39,180,602</b>	<b>39,938,691</b>
<b>MOBILIZATION</b>			
240	STRATEGIC MOBILITY	434,423	538,423
	INDOPACOM UFR—Theater campaigning		[104,000]
250	ARMY PREPOSITIONED STOCKS	378,494	378,494
260	INDUSTRIAL PREPAREDNESS	4,001	4,001
	<b>SUBTOTAL MOBILIZATION</b>	<b>816,918</b>	<b>920,918</b>
<b>TRAINING AND RECRUITING</b>			
270	OFFICER ACQUISITION	173,439	173,439
280	RECRUIT TRAINING	78,826	78,826
290	ONE STATION UNIT TRAINING	128,117	128,117
300	SENIOR RESERVE OFFICERS TRAINING CORPS	554,992	554,992
310	SPECIALIZED SKILL TRAINING	1,115,045	1,115,045
320	FLIGHT TRAINING	1,396,392	1,396,392
330	PROFESSIONAL DEVELOPMENT EDUCATION	221,960	221,960
340	TRAINING SUPPORT	717,318	717,318
350	RECRUITING AND ADVERTISING	691,053	691,053
360	EXAMINING	192,832	192,832
370	OFF-DUTY AND VOLUNTARY EDUCATION	235,340	235,340
380	CIVILIAN EDUCATION AND TRAINING	251,378	251,378
390	JUNIOR RESERVE OFFICER TRAINING CORPS	196,088	196,088
	<b>SUBTOTAL TRAINING AND RECRUITING</b>	<b>5,952,780</b>	<b>5,952,780</b>
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
410	SERVICEWIDE TRANSPORTATION	662,083	662,083
420	CENTRAL SUPPLY ACTIVITIES	822,018	822,018
430	LOGISTIC SUPPORT ACTIVITIES	806,861	806,861
440	AMMUNITION MANAGEMENT	483,187	483,187
450	ADMINISTRATION	486,154	486,154
460	SERVICEWIDE COMMUNICATIONS	1,871,173	1,871,173

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
470	MANPOWER MANAGEMENT .....	344,668	344,668
480	OTHER PERSONNEL SUPPORT .....	811,999	811,999
490	OTHER SERVICE SUPPORT .....	2,267,280	2,267,280
500	ARMY CLAIMS ACTIVITIES .....	191,912	191,912
510	REAL ESTATE MANAGEMENT .....	288,942	288,942
520	FINANCIAL MANAGEMENT AND AUDIT READINESS .....	410,983	410,983
530	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT .....	38,714	38,714
540	INTERNATIONAL MILITARY HEADQUARTERS .....	532,377	532,377
550	MISC. SUPPORT OF OTHER NATIONS .....	35,709	35,709
9999	CLASSIFIED PROGRAMS .....	2,113,196	2,358,096
	AFRICOM UFR—intelligence, surveillance, and reconnaissance .....		[214,800]
	SOUTHCOM UFR—high altitude balloon .....		[10,200]
	SOUTHCOM UFR—intelligence, surveillance, and reconnaissance .....		[19,900]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>12,167,256</b>	<b>12,412,156</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	966,592
	Foreign currency fluctuations .....		[-208,000]
	Inflation effects .....		[1,198,692]
	Unobligated balances .....		[-24,100]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>966,592</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY .....</b>	<b>58,117,556</b>	<b>60,191,137</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES .....	14,404	14,404
020	ECHELONS ABOVE BRIGADE .....	662,104	662,104
030	THEATER LEVEL ASSETS .....	133,599	133,599
040	LAND FORCES OPERATIONS SUPPORT .....	646,693	646,693
050	AVIATION ASSETS .....	128,883	128,883
060	FORCE READINESS OPERATIONS SUPPORT .....	409,994	409,994
070	LAND FORCES SYSTEMS READINESS .....	90,595	90,595
080	LAND FORCES DEPOT MAINTENANCE .....	44,453	44,453
090	BASE OPERATIONS SUPPORT .....	567,170	567,170
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	358,772	405,192
	Increase for FSRM to 100% .....		[46,420]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	22,112	22,112
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	2,929	2,929
130	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	7,382	7,382
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,089,090</b>	<b>3,135,510</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
140	SERVICEWIDE TRANSPORTATION .....	18,994	18,994
150	ADMINISTRATION .....	20,670	20,670
160	SERVICEWIDE COMMUNICATIONS .....	31,652	31,652
170	MANPOWER MANAGEMENT .....	6,852	6,852
180	RECRUITING AND ADVERTISING .....	61,246	61,246
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>139,414</b>	<b>139,414</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	51,338
	Foreign currency fluctuations .....		[-10,900]
	Inflation effects .....		[62,738]
	Unobligated balances .....		[-500]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>51,338</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>3,228,504</b>	<b>3,326,262</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	964,237	964,237
020	MODULAR SUPPORT BRIGADES .....	214,191	214,191
030	ECHELONS ABOVE BRIGADE .....	820,752	820,752
040	THEATER LEVEL ASSETS .....	97,184	97,184
050	LAND FORCES OPERATIONS SUPPORT .....	54,595	54,595
060	AVIATION ASSETS .....	1,169,826	1,169,826
070	FORCE READINESS OPERATIONS SUPPORT .....	722,788	722,788
080	LAND FORCES SYSTEMS READINESS .....	46,580	46,580
090	LAND FORCES DEPOT MAINTENANCE .....	259,765	259,765
100	BASE OPERATIONS SUPPORT .....	1,151,215	1,151,215
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	1,053,996	1,184,385
	Increase for FSRM to 100% .....		[130,389]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	1,148,286	1,148,286
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	8,715	8,715
140	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	8,307	8,307
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>7,720,437</b>	<b>7,850,826</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	6,961	6,961
160	ADMINISTRATION .....	73,641	73,641
170	SERVICEWIDE COMMUNICATIONS .....	100,389	100,389

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
180	MANPOWER MANAGEMENT .....	9,231	9,231
190	OTHER PERSONNEL SUPPORT .....	243,491	243,491
200	REAL ESTATE MANAGEMENT .....	3,087	3,087
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>436,800</b>	<b>436,800</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	108,898
	Foreign currency fluctuations .....		[-29,000]
	Inflation effects .....		[157,698]
	Unobligated balances .....		[-19,800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>108,898</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>8,157,237</b>	<b>8,396,524</b>
	<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>		
	<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>		
010	IRAQ .....	358,015	358,015
020	SYRIA .....	183,677	183,677
030	UNDISTRIBUTED .....	0	15,413
	Inflation effects .....		[15,413]
	<b>SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>541,692</b>	<b>557,105</b>
	<b>TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>541,692</b>	<b>557,105</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	7,334,452	7,334,452
020	FLEET AIR TRAINING .....	2,793,739	2,793,739
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES .....	65,248	65,248
040	AIR OPERATIONS AND SAFETY SUPPORT .....	214,767	214,767
050	AIR SYSTEMS SUPPORT .....	1,075,365	1,075,365
060	AIRCRAFT DEPOT MAINTENANCE .....	1,751,737	1,751,737
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	70,319	70,319
080	AVIATION LOGISTICS .....	1,679,193	1,679,193
090	MISSION AND OTHER SHIP OPERATIONS .....	6,454,952	6,822,752
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral .....		[153,000]
	Navy UFR—ship maintenance in support of INDOPACOM training and exercises .....		[175,000]
	Navy UFR—USNS Arctic (T-AOE-8) Gas Turbine Main Engines Replacement .....		[39,800]
100	SHIP OPERATIONS SUPPORT & TRAINING .....	1,183,237	1,183,237
110	SHIP DEPOT MAINTENANCE .....	10,038,261	10,343,061
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral .....		[115,800]
	Navy UFR—ship depot maintenance .....		[189,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....	2,422,095	2,868,495
	LSD-42, LSD-44, LSD-46, LSD-48, CG-69, T-ESD-1, T-ESD-2, LCS-11, -13, -15, -17, -19 restoral .....		[446,400]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE .....	1,632,824	1,633,324
	INDOPACOM UFR—SIGINT upgrades .....		[500]
140	SPACE SYSTEMS AND SURVEILLANCE .....	339,103	339,103
150	WARFARE TACTICS .....	881,999	881,999
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	444,150	444,150
170	COMBAT SUPPORT FORCES .....	2,274,710	2,381,310
	INDOPACOM UFR—Theater campaigning .....		[100,000]
	Marine mammal system continuation .....		[6,600]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	194,346	194,346
190	CYBER MISSION FORCES .....	101,049	101,049
200	COMBATANT COMMANDERS CORE OPERATIONS .....	65,893	76,193
	INDOPACOM UFR—Asia Pacific Regional Initiative .....		[10,300]
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	282,742	400,554
	INDOPACOM UFR—Critical manpower positions .....		[412]
	INDOPACOM UFR—Fusion centers .....		[3,300]
	INDOPACOM UFR—JEMSO .....		[5,400]
	INDOPACOM UFR—Mission partner environment .....		[5,300]
	INDOPACOM UFR—Pacific Movement Coordination Center .....		[2,400]
	INDOPACOM UFR—PMTEC .....		[19,000]
	INDOPACOM UFR—Stormbreaker .....		[22,000]
	INDOPACOM UFR—Theater campaigning .....		[50,000]
	JADC2 JFHQ .....		[10,000]
230	CYBERSPACE ACTIVITIES .....	477,540	505,540
	Energy Resilience Readiness Exercises .....		[2,000]
	MOSAICS .....		[26,000]
240	FLEET BALLISTIC MISSILE .....	1,664,076	1,664,076
250	WEAPONS MAINTENANCE .....	1,495,783	1,518,983
	Mk68 .....		[200]
	Navy UFR—SM-6 expansion of combat usable asset inventory .....		[23,000]
260	OTHER WEAPON SYSTEMS SUPPORT .....	649,371	649,371
270	ENTERPRISE INFORMATION .....	1,647,834	1,647,834
280	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	3,549,311	3,984,311
	Increase for FSRM to 100% .....		[435,000]
290	BASE OPERATING SUPPORT .....	5,503,088	5,503,088
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>56,287,184</b>	<b>58,127,596</b>
	<b>MOBILIZATION</b>		
300	SHIP PREPOSITIONING AND SURGE .....	467,648	563,348

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	Navy UFR—Maritime Prepositioning Force (MPF) Maintenance Requirements .....		[95,700]
310	READY RESERVE FORCE .....	683,932	683,932
320	SHIP ACTIVATIONS/INACTIVATIONS .....	364,096	364,096
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	133,780	133,780
340	COAST GUARD SUPPORT .....	21,196	21,196
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,670,652</b>	<b>1,766,352</b>
	<b>TRAINING AND RECRUITING</b>		
350	OFFICER ACQUISITION .....	190,578	190,578
360	RECRUIT TRAINING .....	14,679	14,679
370	RESERVE OFFICERS TRAINING CORPS .....	170,845	170,845
380	SPECIALIZED SKILL TRAINING .....	1,133,889	1,133,889
390	PROFESSIONAL DEVELOPMENT EDUCATION .....	334,844	334,844
400	TRAINING SUPPORT .....	356,670	356,670
410	RECRUITING AND ADVERTISING .....	204,498	229,798
	Navy UFR—Recruiting Command marketing and advertising .....		[25,300]
420	OFF-DUTY AND VOLUNTARY EDUCATION .....	89,971	89,971
430	CIVILIAN EDUCATION AND TRAINING .....	69,798	69,798
440	JUNIOR ROTC .....	55,194	55,194
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>2,620,966</b>	<b>2,646,266</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
450	ADMINISTRATION .....	1,349,966	1,349,966
460	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	227,772	227,772
470	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	667,627	667,627
480	MEDICAL ACTIVITIES .....	284,962	284,962
490	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT .....	62,824	62,824
500	SERVICEWIDE TRANSPORTATION .....	207,501	207,501
520	PLANNING, ENGINEERING, AND PROGRAM SUPPORT .....	554,265	554,565
	INDOPACOM UFR—planning and design .....		[300]
530	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	798,473	798,473
540	INVESTIGATIVE AND SECURITY SERVICES .....	791,059	791,059
9999	CLASSIFIED PROGRAMS .....	628,700	628,700
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>5,573,149</b>	<b>5,573,449</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	1,096,824
	Foreign currency fluctuations .....		[-263,300]
	Inflation effects .....		[1,431,524]
	Unobligated balances .....		[-71,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>1,096,824</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>66,151,951</b>	<b>69,210,487</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	1,740,491	1,818,491
	INDOPACOM UFR—Theater campaigning .....		[78,000]
020	FIELD LOGISTICS .....	1,699,425	1,699,425
030	DEPOT MAINTENANCE .....	221,886	221,886
040	MARITIME PREPOSITIONING .....	139,518	139,518
050	CYBER MISSION FORCES .....	94,199	94,199
060	CYBERSPACE ACTIVITIES .....	194,904	194,904
070	SUSTAINMENT, RESTORATION & MODERNIZATION .....	1,292,219	1,851,265
	Increase for FSRM to 100% .....		[559,046]
080	BASE OPERATING SUPPORT .....	2,699,487	2,700,487
	Energy Resilience Readiness Exercises .....		[1,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>8,082,129</b>	<b>8,720,175</b>
	<b>TRAINING AND RECRUITING</b>		
090	RECRUIT TRAINING .....	23,217	23,217
100	OFFICER ACQUISITION .....	1,268	1,268
110	SPECIALIZED SKILL TRAINING .....	118,638	118,638
120	PROFESSIONAL DEVELOPMENT EDUCATION .....	64,626	64,626
130	TRAINING SUPPORT .....	523,603	523,603
140	RECRUITING AND ADVERTISING .....	225,759	225,759
150	OFF-DUTY AND VOLUNTARY EDUCATION .....	51,882	51,882
160	JUNIOR ROTC .....	27,660	27,660
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>1,036,653</b>	<b>1,036,653</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
170	SERVICEWIDE TRANSPORTATION .....	78,542	78,542
180	ADMINISTRATION .....	401,030	401,030
9999	CLASSIFIED PROGRAMS .....	62,590	62,590
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>542,162</b>	<b>542,162</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	168,819
	Foreign currency fluctuations .....		[-33,800]
	Inflation effects .....		[222,019]
	Unobligated balances .....		[-19,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>168,819</b>

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b>	<b>9,660,944</b>	<b>10,467,809</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS	669,533	669,533
020	INTERMEDIATE MAINTENANCE	11,134	11,134
030	AIRCRAFT DEPOT MAINTENANCE	164,892	164,892
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	494	494
050	AVIATION LOGISTICS	25,843	25,843
060	COMBAT COMMUNICATIONS	20,135	20,135
070	COMBAT SUPPORT FORCES	131,104	131,104
080	CYBERSPACE ACTIVITIES	289	289
090	ENTERPRISE INFORMATION	27,189	27,189
100	SUSTAINMENT, RESTORATION AND MODERNIZATION	44,784	69,784
	Increase for FSRM to 100%		[25,000]
110	BASE OPERATING SUPPORT	116,374	116,374
	<b>SUBTOTAL OPERATING FORCES</b>	<b>1,211,771</b>	<b>1,236,771</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
120	ADMINISTRATION	1,986	1,986
130	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,550	12,550
140	ACQUISITION AND PROGRAM MANAGEMENT	1,993	1,993
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>16,529</b>	<b>16,529</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED	0	22,392
	Foreign currency fluctuations		[-3,900]
	Inflation effects		[29,192]
	Unobligated balances		[-2,900]
	<b>SUBTOTAL UNDISTRIBUTED</b>	<b>0</b>	<b>22,392</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b>	<b>1,228,300</b>	<b>1,275,692</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES	109,045	109,045
020	DEPOT MAINTENANCE	19,361	19,361
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	45,430	49,811
	Increase for FSRM to 100%		[4,381]
040	BASE OPERATING SUPPORT	118,364	118,364
	<b>SUBTOTAL OPERATING FORCES</b>	<b>292,200</b>	<b>296,581</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	ADMINISTRATION	12,033	12,033
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>12,033</b>	<b>12,033</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED	0	1,595
	Foreign currency fluctuations		[-3,900]
	Inflation effects		[7,995]
	Unobligated balances		[-2,500]
	<b>SUBTOTAL UNDISTRIBUTED</b>	<b>0</b>	<b>1,595</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b>	<b>304,233</b>	<b>310,209</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES	936,731	996,731
	Realignment of funds		[60,000]
020	COMBAT ENHANCEMENT FORCES	2,657,865	2,597,865
	Realignment of funds		[-60,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,467,518	1,467,518
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,341,794	4,612,994
	Air Force UFR—Weapon system sustainment		[271,200]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,091,088	4,641,488
	Increase for FSRM to 100%		[550,400]
060	CYBERSPACE SUSTAINMENT	130,754	213,054
	Air Force UFR—Weapon system sustainment		[82,300]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,782,940	8,931,340
	Air Force UFR—Weapon system sustainment		[148,400]
080	FLYING HOUR PROGRAM	5,871,718	6,260,718
	Air Force UFR—readiness spare packages		[389,000]
090	BASE SUPPORT	10,638,741	10,638,741
100	GLOBAL C3I AND EARLY WARNING	1,035,043	1,042,174
	Worldwide Joint Strategic Communications realignment of funds		[7,131]
110	OTHER COMBAT OPS SPT PROGRAMS	1,436,329	1,436,329
120	CYBERSPACE ACTIVITIES	716,931	716,931
140	LAUNCH FACILITIES	690	690
160	US NORTHCOM/NORAD	197,210	227,010
	U.S. Northern Command Information Dominance Enabling Capability		[29,800]
170	US STRATCOM	503,419	503,419

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
180	US CYBERCOM .....	436,807	595,407
	CYBERCOM UFR—Cyber mission force operational support .....		[136,900]
	CYBERCOM UFR—Joint cyberspace warfighting architecture .....		[11,400]
	Hunt Forward operations .....		[15,300]
	Realignment of funds .....		[-5,000]
190	US CENTCOM .....	331,162	321,162
	Office of Security Cooperation—Iraq reduction .....		[-10,000]
200	US SOCOM .....	27,318	27,318
220	CENTCOM CYBERSPACE SUSTAINMENT .....	1,367	1,367
230	USSPACECOM .....	329,543	403,543
	SPACECOM UFR—CSOF fit-out .....		[28,600]
	SPACECOM UFR—National Space Defense Center interim facility .....		[8,500]
	SPACECOM UFR—Service shortfalls in support of JTF-SD .....		[36,900]
240	JOINT CYBER MISSION FORCE PROGRAMS .....	186,759	191,759
	Realignment of funds .....		[5,000]
9999	CLASSIFIED PROGRAMS .....	1,705,801	1,705,801
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>45,827,528</b>	<b>47,533,359</b>
	<b>MOBILIZATION</b>		
250	AIRLIFT OPERATIONS .....	2,780,616	2,780,616
260	MOBILIZATION PREPAREDNESS .....	721,172	721,172
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>3,501,788</b>	<b>3,501,788</b>
	<b>TRAINING AND RECRUITING</b>		
270	OFFICER ACQUISITION .....	189,721	189,721
280	RECRUIT TRAINING .....	26,684	26,684
290	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	135,515	135,515
300	SPECIALIZED SKILL TRAINING .....	541,511	541,511
310	FLIGHT TRAINING .....	779,625	779,625
320	PROFESSIONAL DEVELOPMENT EDUCATION .....	313,556	313,556
330	TRAINING SUPPORT .....	171,087	171,087
340	RECRUITING AND ADVERTISING .....	197,956	197,956
350	EXAMINING .....	8,282	8,282
360	OFF-DUTY AND VOLUNTARY EDUCATION .....	254,907	254,907
370	CIVILIAN EDUCATION AND TRAINING .....	355,375	355,375
380	JUNIOR ROTC .....	69,964	69,964
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>3,044,183</b>	<b>3,044,183</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
390	LOGISTICS OPERATIONS .....	1,058,129	1,091,862
	Realignment of funds .....		[33,733]
400	TECHNICAL SUPPORT ACTIVITIES .....	139,428	139,428
410	ADMINISTRATION .....	1,283,066	1,249,333
	Realignment of funds .....		[-33,733]
420	SERVICEWIDE COMMUNICATIONS .....	33,222	33,222
430	OTHER SERVICEWIDE ACTIVITIES .....	1,790,985	1,790,985
440	CIVIL AIR PATROL .....	30,526	30,526
460	DEF ACQUISITION WORKFORCE DEVELOPMENT ACCOUNT .....	42,558	42,558
480	INTERNATIONAL SUPPORT .....	102,065	102,065
9999	CLASSIFIED PROGRAMS .....	1,427,764	1,427,764
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>5,907,743</b>	<b>5,907,743</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	843,829
	Foreign currency fluctuations .....		[-208,500]
	Inflation effects .....		[1,254,129]
	Unobligated balances .....		[-201,800]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>843,829</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> .....	<b>58,281,242</b>	<b>60,830,902</b>
	<b>OPERATION &amp; MAINTENANCE, SPACE FORCE</b>		
	<b>OPERATING FORCES</b>		
010	GLOBAL C3I & EARLY WARNING .....	472,484	472,484
020	SPACE LAUNCH OPERATIONS .....	187,832	187,832
030	SPACE OPERATIONS .....	695,228	695,228
040	EDUCATION & TRAINING .....	153,135	153,135
060	DEPOT MAINTENANCE .....	285,863	306,263
	Space Force UFR—Weapons systems sustainment .....		[20,400]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	235,253	317,453
	Increase for FSRM to 100% .....		[38,400]
	NORTHCOM UFR—Cheyenne Mountain Complex .....		[43,800]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT .....	1,358,565	1,450,365
	Space Force UFR—Weapons systems sustainment .....		[91,800]
090	SPACE OPERATIONS -BOS .....	144,937	150,437
	NORTHCOM UFR—Cheyenne Mountain Complex .....		[5,500]
9999	CLASSIFIED PROGRAMS .....	272,941	272,941
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,806,238</b>	<b>4,006,138</b>
	<b>ADMINISTRATION AND SERVICE WIDE ACTIVITIES</b>		
100	ADMINISTRATION .....	228,420	228,420
	<b>SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES</b> .....	<b>228,420</b>	<b>228,420</b>



SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	66,020
	Foreign currency fluctuations .....		[-14,100]
	Inflation effects .....		[112,020]
	Unobligated balances .....		[-31,900]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>66,020</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, SPACE FORCE .....</b>	<b>4,034,658</b>	<b>4,300,578</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,743,908	1,759,608
	Air Force UFR—readiness spare packages .....		[15,700]
020	MISSION SUPPORT OPERATIONS .....	193,568	193,568
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	493,664	507,764
	Air Force UFR—Weapon system sustainment .....		[14,100]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	133,782	151,282
	Increase for FSRM to 100% .....		[17,500]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	341,724	341,724
060	BASE SUPPORT .....	522,195	522,195
070	CYBERSPACE ACTIVITIES .....	1,706	1,706
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,430,547</b>	<b>3,477,847</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
080	ADMINISTRATION .....	102,038	102,038
090	RECRUITING AND ADVERTISING .....	9,057	9,057
100	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	14,896	14,896
110	OTHER PERS SUPPORT (DISABILITY COMP) .....	7,544	7,544
120	AUDIOVISUAL .....	462	462
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>133,997</b>	<b>133,997</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	25,565
	Foreign currency fluctuations .....		[-12,500]
	Inflation effects .....		[65,065]
	Unobligated balances .....		[-27,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>25,565</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>3,564,544</b>	<b>3,637,409</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	2,301,784	2,412,584
	Air Force UFR—readiness spare packages .....		[110,800]
020	MISSION SUPPORT OPERATIONS .....	587,793	587,793
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	1,193,699	1,256,499
	Air Force UFR—Weapon system sustainment .....		[62,800]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	437,042	493,142
	Increase for FSRM to 100% .....		[56,100]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,284,264	1,284,264
060	BASE SUPPORT .....	967,169	967,169
070	CYBERSPACE SUSTAINMENT .....	12,661	12,661
080	CYBERSPACE ACTIVITIES .....	15,886	15,886
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,800,298</b>	<b>7,029,998</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
090	ADMINISTRATION .....	52,075	52,075
100	RECRUITING AND ADVERTISING .....	48,306	48,306
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES .....</b>	<b>100,381</b>	<b>100,381</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....	0	107,863
	Foreign currency fluctuations .....		[-24,300]
	Inflation effects .....		[149,563]
	Unobligated balances .....		[-17,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>	<b>0</b>	<b>107,863</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>6,900,679</b>	<b>7,238,242</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	445,366	445,566
	Civilian Harm Mitigation and Response Action Plan Implementation .....		[10,000]
	Unobligated balances .....		[-9,800]
020	JOINT CHIEFS OF STAFF—CYBER .....	9,887	9,887
030	JOINT CHIEFS OF STAFF—JTEEP .....	679,336	679,336
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO .....	246,259	273,759
	INDOPACOM UFR—Information operations .....		[27,500]
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES .....	2,056,291	2,056,291
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES .....	39,178	39,178
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE .....	1,513,025	1,513,025

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
080	SPECIAL OPERATIONS COMMAND MAINTENANCE .....	1,207,842	1,232,242
	Combatant Craft Medium refurbishment .....		[4,300]
	MQ-9 Unmanned Aerial Vehicle realignment of funds .....		[-5,900]
	SOCOM UFR—ADVANA expansion .....		[8,000]
	SOCOM UFR—Data stewardship program .....		[18,000]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS .....	196,271	196,271
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT .....	1,299,309	1,299,309
110	SPECIAL OPERATIONS COMMAND THEATER FORCES .....	3,314,770	3,319,770
	Special Operations support to irregular warfare .....		[5,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>11,007,534</b>	<b>11,064,634</b>
	<b>TRAINING AND RECRUITING</b>		
120	DEFENSE ACQUISITION UNIVERSITY .....	176,454	176,454
130	JOINT CHIEFS OF STAFF .....	101,492	101,492
140	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DEVELOPMENT EDUCATION .....	35,279	35,279
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>313,225</b>	<b>313,225</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
150	CIVIL MILITARY PROGRAMS .....	139,656	154,656
	STARBASE .....		[15,000]
170	DEFENSE CONTRACT AUDIT AGENCY .....	646,072	643,472
	Unobligated balances .....		[-2,600]
180	DEFENSE CONTRACT AUDIT AGENCY—CYBER .....	4,107	4,107
190	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,506,300	1,490,800
	Unobligated balances .....		[-15,500]
200	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER .....	29,127	29,127
210	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY .....	983,133	1,001,533
	Increase for beneficial ownership assessment program .....		[18,400]
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER .....	10,245	10,245
240	DEFENSE HUMAN RESOURCES ACTIVITY .....	935,241	935,241
250	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER .....	26,113	26,113
260	DEFENSE INFORMATION SYSTEMS AGENCY .....	2,266,729	2,233,529
	Unobligated balances .....		[-33,200]
270	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER .....	643,643	643,643
300	DEFENSE LEGAL SERVICES AGENCY .....	233,687	233,687
310	DEFENSE LOGISTICS AGENCY .....	429,060	422,560
	Unobligated balances .....		[-6,500]
320	DEFENSE MEDIA ACTIVITY .....	243,631	243,631
330	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	150,021	150,021
340	DEFENSE SECURITY COOPERATION AGENCY .....	2,445,669	2,357,959
	Civilian harm mitigation institutional capacity building .....		[1,000]
	INDOPACOM UFR—security cooperation .....		[35,790]
	International Security Cooperation—AFRICOM .....		[20,000]
	International Security Cooperation—NORTHCOM .....		[6,000]
	International Security Cooperation—SOUTHCOM .....		[20,000]
	Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program .....		[5,000]
	SOUTHCOM UFR—Regional Andean Ridge capability for Maritime Domain Awareness .....		[33,000]
	SOUTHCOM UFR—Regional CENTAM capability to counter transboundary threats .....		[91,500]
	Transfer to Ukraine Security Assistance Initiative .....		[-300,000]
350	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	40,063	40,063
360	DEFENSE THREAT REDUCTION AGENCY .....	941,763	941,763
380	DEFENSE THREAT REDUCTION AGENCY—CYBER .....	56,052	56,052
390	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	3,276,276	3,361,276
	Impact Aid .....		[50,000]
	Impact Aid—base closures, force structure changes, force relocations .....		[15,000]
	Impact Aid—severe disabilities .....		[20,000]
400	MISSILE DEFENSE AGENCY .....	541,787	541,787
430	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION .....	108,697	108,697
440	OFFICE OF THE SECRETARY OF DEFENSE .....	2,239,072	2,349,372
	Anomalous Health Incidents .....		[10,000]
	Bien Hoa dioxin cleanup .....		[15,000]
	CDC nationwide human health assessment .....		[20,000]
	Civilian Harm Mitigation and Response Action Plan Implementation .....		[10,000]
	Defense Environmental International Cooperation Program .....		[7,000]
	Demonstration of component content management systems .....		[2,000]
	Readiness and Environmental Protection Integration .....		[5,300]
	Secretary of Defense Strategic Competition Initiative .....		[20,000]
	Special Education Inclusion Coordinators pilot program .....		[20,000]
	U.S. Telecommunications Training Institute support .....		[1,000]
450	OFFICE OF THE SECRETARY OF DEFENSE—CYBER .....	55,255	55,255
470	WASHINGTON HEADQUARTERS SERVICES .....	369,943	369,943
9999	CLASSIFIED PROGRAMS .....	18,764,415	18,787,015
	CYBERCOM UFR—Intel support to cyberspace operations .....		[12,100]
	INDOPACOM UFR—JWICS modernization .....		[10,500]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>37,085,757</b>	<b>37,191,547</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE .....</b>	<b>48,406,516</b>	<b>50,107,628</b>
	<b>UNDISTRIBUTED</b>		
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>		
998	UNDISTRIBUTED .....	0	738,222
	Increase for FY22 Legislative Commissions .....		[17,650]

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	Inflation effects .....		[765,972]
	Program reduction—USSOCOM .....		[-45,400]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....	<b>0</b>	<b>738,222</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>US COURT OF APPEALS FOR THE ARMED FORCES, DEF</b>			
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	16,003	16,003
020	UNDISTRIBUTED .....	0	184
	Inflation effects .....		[184]
	<b>SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF</b> .....	<b>16,003</b>	<b>16,187</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>16,003</b>	<b>16,187</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b>			
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	112,800	137,800
	Program increase .....		[25,000]
	<b>SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b> .....	<b>112,800</b>	<b>137,800</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>112,800</b>	<b>137,800</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>COOPERATIVE THREAT REDUCTION ACCOUNT</b>			
010	COOPERATIVE THREAT REDUCTION .....	341,598	341,598
010	UNDISTRIBUTED .....	0	12,796
	Inflation effects .....		[12,796]
	<b>SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT</b> .....	<b>341,598</b>	<b>354,394</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>341,598</b>	<b>354,394</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ACQUISITION WORKFORCE DEVELOPMENT</b>			
010	ACQ WORKFORCE DEV FD .....	53,791	53,791
	<b>SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT</b> .....	<b>53,791</b>	<b>53,791</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>53,791</b>	<b>53,791</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION, ARMY</b>			
050	ENVIRONMENTAL RESTORATION, ARMY .....	196,244	196,244
050	UNDISTRIBUTED .....	0	5,584
	Inflation effects .....		[5,584]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY</b> .....	<b>196,244</b>	<b>201,828</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>196,244</b>	<b>201,828</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION, NAVY</b>			
060	ENVIRONMENTAL RESTORATION, NAVY .....	359,348	359,348
060	UNDISTRIBUTED .....	0	10,225
	Inflation effects .....		[10,225]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY</b> .....	<b>359,348</b>	<b>369,573</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>359,348</b>	<b>369,573</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION, AIR FORCE</b>			
070	ENVIRONMENTAL RESTORATION, AIR FORCE .....	314,474	314,474
070	UNDISTRIBUTED .....	0	8,949
	Inflation effects .....		[8,949]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE</b> .....	<b>314,474</b>	<b>323,423</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>314,474</b>	<b>323,423</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION, DEFENSE</b>			
080	ENVIRONMENTAL RESTORATION, DEFENSE .....	8,924	8,924
080	UNDISTRIBUTED .....	0	254
	Inflation effects .....		[254]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE</b> .....	<b>8,924</b>	<b>9,178</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>8,924</b>	<b>9,178</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION FORMERLY USED SITES</b>			
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....	227,262	227,262
090	UNDISTRIBUTED .....	0	6,466
	Inflation effects .....		[6,466]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES</b> .....	<b>227,262</b>	<b>233,728</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>227,262</b>	<b>233,728</b>

SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
<b>UKRAINE SECURITY ASSISTANCE INITIATIVE</b>			
010	UKRAINE SECURITY ASSISTANCE INITIATIVE .....	0	800,000
	Program increase .....		[500,000]
	Transfer from Defense Security Cooperation Agency .....		[300,000]
	<b>SUBTOTAL UKRAINE SECURITY ASSISTANCE INITIATIVE .....</b>	<b>0</b>	<b>800,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE .....</b>	<b>0</b>	<b>1,701,112</b>
<b>RED HILL RECOVERY FUND</b>			
<b>RED HILL RECOVERY FUND</b>			
010	RED HILL RECOVERY FUND .....	1,000,000	1,000,000
	<b>SUBTOTAL RED HILL RECOVERY FUND .....</b>	<b>1,000,000</b>	<b>1,000,000</b>
	<b>TOTAL RED HILL RECOVERY FUND .....</b>	<b>1,000,000</b>	<b>1,000,000</b>
<b>SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE OPERATIONS SUPPORT</b>			
100	SUPPORT OF INTERNATIONAL SPORTING COMPETITIONS, DEFENSE .....	10,377	10,673
	Inflation effects .....		[296]
	<b>SUBTOTAL OPERATIONS SUPPORT .....</b>	<b>10,377</b>	<b>10,673</b>
	<b>TOTAL SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS, DEFENSE .....</b>	<b>10,377</b>	<b>10,673</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>271,218,877</b>	<b>284,261,671</b>

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL  
(In Thousands of Dollars)

Item	FY 2023 Request	Senate Authorized
<b>MILITARY PERSONNEL</b>		
<b>MILITARY PERSONNEL APPROPRIATIONS</b>		
MILITARY PERSONNEL APPROPRIATIONS .....	164,139,628	170,015,728
Additional special incentive pays .....		100,000
Air Force end strength—E-10 Sentry AWACS and medical billets .....		234,000
Home leave demonstration program .....		10,000
LSD-42, CG-69, T-ESD-1, T-ESD-2 and LCS-11, -13, -15, -17, -19 restoral .....		116,500
LSD-44, LSD-46, LSD-48 restoral .....		58,900
Navy end strength—improve fleet manning .....		924,000
Undistributed—compensation inflation effects .....		5,000,000
Unobligated balances .....		[-567,300]
<b>SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS .....</b>	<b>164,139,628</b>	<b>170,015,728</b>
<b>MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS</b>		
MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS .....	9,743,704	9,743,704
<b>SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND CONTRIBUTIONS .....</b>	<b>9,743,704</b>	<b>9,743,704</b>
<b>TOTAL MILITARY PERSONNEL .....</b>	<b>173,883,332</b>	<b>179,759,432</b>

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
<b>WORKING CAPITAL FUND</b>			
<b>WORKING CAPITAL FUND, ARMY</b>			
1	INDUSTRIAL OPERATIONS .....	28,448	28,448
2	SUPPLY MANAGEMENT—ARMY .....	1,489	1,489
	<b>SUBTOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>29,937</b>	<b>29,937</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>			
2	SUPPLIES AND MATERIALS .....	80,448	80,448
	<b>SUBTOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>80,448</b>	<b>80,448</b>
<b>NATIONAL DEFENSE STOCKPILE TRANSACTION FUND</b>			
1	ACQUISITION, UPGRADE, AND RELOCATION .....	253,500	1,003,500
	Program increase .....		[750,000]
	<b>SUBTOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND .....</b>	<b>253,500</b>	<b>1,003,500</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>			
1	DEFENSE AUTOMATION & PRODUCTION SERVICES .....	2	2
3	ENERGY MANAGEMENT—DEF .....	8,300	8,300

SEC. 4501. OTHER AUTHORIZATIONS  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
	<b>SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</b>	<b>8,302</b>	<b>8,302</b>
	<b>WORKING CAPITAL FUND, DECA</b>		
2	WORKING CAPITAL FUND, DECA	1,211,208	1,225,333
	Inflation effects		[14,125]
	<b>SUBTOTAL WORKING CAPITAL FUND, DECA</b>	<b>1,211,208</b>	<b>1,225,333</b>
	<b>TOTAL WORKING CAPITAL FUND</b>	<b>1,583,395</b>	<b>2,347,520</b>
	<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION OPERATION &amp; MAINTENANCE</b>		
1	CHEM DEMILITARIZATION—O&M	84,612	84,612
	<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b>	<b>84,612</b>	<b>84,612</b>
	<b>RESEARCH, DEVELOPMENT, TEST, AND EVALUATION</b>		
2	CHEM DEMILITARIZATION—RDT&E	975,206	975,206
	<b>SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION</b>	<b>975,206</b>	<b>975,206</b>
	<b>PROCUREMENT</b>		
3	UNDISTRIBUTED	0	28,929
	Inflation effects		[28,929]
	<b>SUBTOTAL PROCUREMENT</b>	<b>0</b>	<b>28,929</b>
	<b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>	<b>1,059,818</b>	<b>1,088,747</b>
	<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF DRUG INTRDCTN</b>		
1	COUNTER-NARCOTICS SUPPORT	619,474	635,716
	Counter-narcotics support NORTHCOM		[8,000]
	INDOPACOM UFR—JIATF-W		[8,242]
	<b>SUBTOTAL DRUG INTRDCTN</b>	<b>619,474</b>	<b>635,716</b>
	<b>DRUG DEMAND REDUCTION PROGRAM</b>		
2	DRUG DEMAND REDUCTION PROGRAM	130,060	130,060
	<b>SUBTOTAL DRUG DEMAND REDUCTION PROGRAM</b>	<b>130,060</b>	<b>130,060</b>
	<b>NATIONAL GUARD COUNTER-DRUG PROGRAM</b>		
3	NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
	<b>SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM</b>	<b>100,316</b>	<b>100,316</b>
	<b>NATIONAL GUARD COUNTER-DRUG SCHOOLS</b>		
4	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
	<b>SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS</b>	<b>5,878</b>	<b>5,878</b>
5	UNDISTRIBUTED	0	18,898
	Inflation effects		[18,898]
	<b>SUBTOTAL DRUG INTRDCTN</b>	<b>0</b>	<b>18,898</b>
	<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>	<b>855,728</b>	<b>890,868</b>
	<b>OFFICE OF THE INSPECTOR GENERAL OFFICE OF THE INSPECTOR GENERAL</b>		
1	OPERATION AND MAINTENANCE	474,650	474,650
2	OPERATION AND MAINTENANCE	1,321	1,321
3	RDT&E	1,864	1,864
4	PROCUREMENT	1,524	1,524
5	UNDISTRIBUTED	0	4,932
	Inflation effects		[4,932]
	<b>SUBTOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>475,971</b>	<b>475,971</b>
	<b>SUBTOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>1,864</b>	<b>1,864</b>
	<b>SUBTOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>1,524</b>	<b>1,524</b>
	<b>SUBTOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>0</b>	<b>4,932</b>
	<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>479,359</b>	<b>484,291</b>
	<b>DEFENSE HEALTH PROGRAM OPERATION &amp; MAINTENANCE</b>		
1	IN-HOUSE CARE	9,906,943	9,926,943
	Anomalous Health Incidents		[20,000]
2	PRIVATE SECTOR CARE	18,455,209	18,455,209
3	CONSOLIDATED HEALTH SUPPORT	1,916,366	1,916,366
4	INFORMATION MANAGEMENT	2,251,151	2,251,151
5	MANAGEMENT ACTIVITIES	338,678	338,678
6	EDUCATION AND TRAINING	334,845	334,845
7	BASE OPERATIONS/COMMUNICATIONS	2,111,558	2,126,558
	National Disaster Medical System pilot program		[15,000]
	<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b>	<b>35,314,750</b>	<b>35,349,750</b>
	<b>RDT&amp;E</b>		
10	R&D ADVANCED DEVELOPMENT	320,862	320,862
11	R&D DEMONSTRATION/VALIDATION	166,960	166,960
12	R&D ENGINEERING DEVELOPMENT	103,970	103,970

**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

Line	Item	FY 2023 Request	Senate Authorized
12	R&D MANAGEMENT AND SUPPORT .....	85,186	85,186
14	R&D CAPABILITIES ENHANCEMENT .....	17,971	17,971
8	R&D RESEARCH .....	39,568	39,568
9	R&D EXPLORATORY DEVELOPMENT .....	175,477	175,477
	<b>SUBTOTAL RDT&amp;E .....</b>	<b>909,994</b>	<b>909,994</b>
<b>PROCUREMENT</b>			
15	PROC INITIAL OUTFITTING .....	21,625	21,625
16	PROC REPLACEMENT & MODERNIZATION .....	234,157	234,157
17	PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM .....	1,467	1,467
18	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER .....	72,601	72,601
19	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION .....	240,224	240,224
	<b>SUBTOTAL PROCUREMENT .....</b>	<b>570,074</b>	<b>570,074</b>
<b>SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS</b>			
20	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS .....	137,356	137,356
	<b>SUBTOTAL SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS .....</b>	<b>137,356</b>	<b>137,356</b>
	<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>36,932,174</b>	<b>36,967,174</b>
	<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>40,910,474</b>	<b>41,778,600</b>

**TITLE XLVI—MILITARY CONSTRUCTION**

**SEC. 4601. MILITARY CONSTRUCTION.**

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
<b>ARMY</b>				
	Alabama			
Army	Redstone Arsenal	Physics Lab .....	0	44,000
Army	Redstone Arsenal	Storage Consolidation .....	0	52,000
	Alaska			
Army	Fort Wainwright	Physical Fitness Facility .....	0	50,000
	Arizona			
Army	Yuma Proving Ground	Cost to Complete: Ready Building .....	0	6,500
	Bulgaria			
Army	Novo Selo Training Area	Cost to Complete: EDI- Ammunition Holding Area .....	0	3,640
	Colorado			
Army	Fort Carson	Fire Station .....	14,200	14,200
	Florida			
Army	Camp Bull Simons	Child Development Center (P&D) .....	0	4,750
	Georgia			
Army	Fort Gillem	Cost to Complete: Forensic Laboratory .....	0	24,700
	Germany			
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx1 (Brks/Veh Maint) .....	104,000	14,000
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplx2 (Ops/Veh Maint) .....	64,000	64,000
	Hawaii			
Army	Fort Shafter	Water System Upgrade .....	0	33,000
Army	Schofield Barracks	Company Operations Facilities .....	0	111,000
	Japan			
Army	Kadena Air Force Base	Vehicle Maintenance Shop .....	0	99,000
	Kentucky			
Army	Fort Campbell	Cost to Complete: Vehicle Maintenance Shop .....	0	13,650
	Kwajalein			
Army	Kwajalein Atoll	Medical Clinic .....	69,000	69,000
	Louisiana			
Army	Fort Polk	Child Development Center .....	32,000	32,000
Army	Fort Polk	Cost to Complete: Child Development Center .....	0	9,000
Army	Fort Polk	Cost to Complete: Information System Facility .....	0	35,360
Army	Fort Polk	Cost to Complete: Joint Operations Center .....	0	61,000
	Maryland			
Army	Fort Meade	Cost to Complete: Cantonment Area Roads .....	0	17,550
	Mississippi			
Army	Engineer Research and Development Center	Lab and Test Building .....	0	20,000
	New York			
Army	Fort Drum	Physical Fitness Testing Facility (P&D) .....	0	5,300
Army	United States Military Academy	Engineering Center .....	39,800	39,800
	North Carolina			
Army	Fort Bragg	Fort Bragg Schools Modernization (P&D) .....	0	7,500
Army	Fort Bragg	Multipurpose Training Range .....	34,000	34,000
	Oklahoma			
Army	Fort Sill	Cost to Complete: Advance Individual Training Complex, Phase 2.	0	85,800
Army	McAlester Army Ammunition Plant	Cost to Complete: Ammunition Demolition Shop .....	0	39,000
	Pennsylvania			

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Army	Texas Letterkenny Army Depot	Shipping and Receiving Building .....	38,000	38,000
Army	Texas Corpus Christi Army Depot	Powertrain Facility (Engine Assembly) .....	103,000	55,000
Army	Washington Fort Bliss	Fire Station .....	15,000	15,000
Army	Washington Joint Base Lewis-McChord	Barracks .....	49,000	49,000
Army	Worldwide Unspecified			
Army	Unspecified Worldwide Loca- tions	Unaccompanied Barracks Planning and Design .....	0	15,930
Army	Unspecified Worldwide Loca- tions	Host Nation Support .....	26,000	26,000
Army	Unspecified Worldwide Loca- tions	Planning & Design .....	167,151	167,151
Army	Unspecified Worldwide Loca- tions	Unspecified Minor Military Construction .....	90,414	90,414
Army	Unspecified Worldwide Loca- tions	Cost to Complete: FY22 Inflation Effects .....	0	227,570
Army	Unspecified Worldwide Loca- tions	Cost to Complete: FY23 Inflation Effects .....	0	111,300
Army	Unspecified Worldwide Loca- tions	Inflation & Market Adjustment Fund .....	0	142,116
<b>Subtotal Military Construction, Army .....</b>			<b>845,565</b>	<b>1,927,231</b>
<b>NAVY</b>				
Navy	Australia Royal Australian Air Force Base Darwin	PDI: Aircraft Parking Apron (INC) .....	72,446	72,446
Navy	California Marine Corps Air Ground Com- bat Center Twentynine Palms	Range Simulation Training & Operations Fac. ....	120,382	10,382
Navy	California Marine Corps Base Camp Pen- dleton	Basilone Road Realignment .....	85,210	85,210
Navy	California Marine Corps Base Camp Pen- dleton	Child Development Center .....	0	32,100
Navy	California Marine Corps Recruit Depot San Diego	Recruit Barracks .....	0	83,200
Navy	California Naval Air Station Lemoore	F-35C Aircraft Maint. Hangar & Airfield Pave .....	201,261	41,261
Navy	California Naval Base Point Loma Annex	Child Development Center .....	56,450	56,450
Navy	California Naval Base San Diego	Floating Dry Dock Mooring Facility .....	0	9,000
Navy	California Naval Base San Diego	Pier 6 Replacement (INC) .....	15,565	15,565
Navy	California Naval Surface Warfare Center Corona Division	Data Science Analytics and Innovation (P&D) .....	0	2,845
Navy	California Naval Surface Warfare Center Corona Division	Performance Assessment Communications Laboratory .....	0	15,000
Navy	Connecticut Naval Submarine Base New Lon- don	Relocate Underwater Electromagnetic Measure .....	15,514	15,514
Navy	Djibouti Camp Lemonnier	Electrical Power Plant .....	0	12,000
Navy	Florida Naval Air Station Jacksonville	Engine Test Cells Modifications .....	86,232	86,232
Navy	Florida Naval Air Station Whiting Field	AHTS Aircraft Flight Simulator Facility .....	57,789	57,789
Navy	Florida Naval Air Station Whiting Field	Advanced Helicopter Training System Hangar .....	0	141,500
Navy	Florida Naval Surface Warfare Center Carderock Division	SFOMF Storage Laboratory .....	0	2,073
Navy	Georgia Naval Submarine Base Kings Bay	Nuclear Regional Maintenance Facility .....	213,796	13,796
Navy	Georgia Naval Submarine Base Kings Bay	Trident Training Fac. Columbia Trainer Expan .....	65,375	65,375
Navy	Guam Marine Corps Base Camp Blaz	PDI: 9th Eng Supp Battalion Equip & Main Fac .....	131,590	41,590
Navy	Guam Marine Corps Base Camp Blaz	PDI: 9th Engineer Support Battalion Ops. Fac .....	35,188	35,188
Navy	Guam Marine Corps Base Camp Blaz	PDI: Brown Tree Snake Exclusion Barrier South .....	14,497	14,497
Navy	Guam Marine Corps Base Camp Blaz	PDI: Ground Combat Element Inf Btn 1 & 2 Fac .....	149,314	69,314
Navy	Hawaii Joint Base Pearl Harbor-Hickam	Dry Dock 3 Replacement (INC) .....	621,185	421,185
Navy	Hawaii Joint Base Pearl Harbor-Hickam	Missile Magazines .....	0	10,000
Navy	Hawaii Joint Base Pearl Harbor-Hickam	Waterfront Production Facility (P&D) .....	0	40,000
Navy	Hawaii Marine Corps Base Kaneohe Bay	Bachelor Enlisted Quarters .....	0	57,900
Navy	Idaho Naval Surface Warfare Center Carderock Division	ARD Range Craft Berthing Facility (P&D) .....	0	707
Navy	Japan Kadena Air Base	PDI: Marine Corps Bachelor Enlisted Quarters .....	94,100	14,100
Navy	Japan Kadena Air Base	PDI: Marine Corps Barracks Complex .....	101,300	31,300
Navy	Maine Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension (INC) .....	503,282	503,282
Navy	Maryland Naval Surface Warfare Center Carderock Division	Ship Systems Integration and Design Facility (P&D) .....	0	2,651



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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Navy	Naval Surface Warfare Center Indian Head Division	Combustion Laboratory .....	0	6,000
Navy	Naval Surface Warfare Center Indian Head Division	Contained Burn Facility (P&D) .....	0	5,651
Navy	Naval Surface Warfare Center Indian Head Division	EOD Explosive Testing Range 2 Expansion at SN, Building 2107.	0	2,039
Navy	Nevada Naval Air Station Fallon	F-35C Aircraft Maintenance Hangar .....	97,865	30,865
Navy	Naval Air Station Fallon	Fallon Range Training Complex Land Acquisition Phase 2 .....	0	48,300
Navy	North Carolina Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (INC) .....	106,000	11,000
Navy	Marine Corps Air Station Cherry Point	CH-53K Gearbox Repair and Test Facility .....	38,415	38,415
Navy	Marine Corps Air Station Cherry Point	F-35 Flightline Util Modernization Ph 2 (INC) .....	58,000	58,000
Navy	Marine Corps Air Station New River	Three Module Type II Hangar .....	0	21,000
Navy	Marine Corps Base Camp Lejeune	Regional Communications Station, Hadnot Point .....	47,475	47,475
Navy	Pennsylvania Naval Surface Warfare Center Philadelphia Division	Machinery Control Developmental Center .....	0	86,610
Navy	South Carolina Marine Corps Recruit Depot Parris Island	Recruit Barracks .....	0	37,600
Navy	Marine Corps Recruit Depot Parris Island	Recruit Barracks .....	0	38,300
Navy	Spain Naval Station Rota	EDI: Missile Magazines .....	0	76,300
Navy	Virginia Naval Surface Warfare Center Dahlgren Division	Upgrade Electrical Substation 1 .....	0	2,503
Navy	Naval Surface Warfare Center Dahlgren Division	Weapons Integration and Test Campus (P&D) .....	0	1,237
Navy	Naval Station Norfolk	Submarine Logistics Support Facilities .....	16,863	16,863
Navy	Naval Station Norfolk	Submarine Pier 3 (INC) .....	155,000	125,000
Navy	Portsmouth Naval Shipyard	Dry Dock Saltwater System for CVN-78 (INC) .....	47,718	47,718
Navy	Washington Naval Air Station Whidbey Island	E/A-18G Aircraft Flt. Read. Squad. Train. Fac .....	37,461	37,461
Navy	Naval Air Station Whidbey Island	P-8A Aircraft Airfield Pavements Improvements .....	0	68,100
Navy	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design (Navy) .....	0	63,400
Navy	Unspecified Worldwide Locations	Planning & Design (SIOP) .....	0	75,000
Navy	Unspecified Worldwide Locations	Planning & Design (USMC) .....	0	37,800
Navy	Unspecified Worldwide Locations	Planning & Design (INDOPACOM) .....	0	31,170
Navy	Unspecified Worldwide Locations	MCON Planning and Funds .....	397,124	397,124
Navy	Unspecified Worldwide Locations	Unspecified Minor Military Construction .....	109,994	109,994
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects .....	0	456,210
Navy	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects (P&D) .....	0	28,550
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (P&D) .....	0	16,680
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects (UMMC) .....	0	9,900
Navy	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects .....	0	172,690
Navy	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund .....	0	225,537
<b>Subtotal Military Construction, Navy .....</b>			<b>3,752,391</b>	<b>4,489,944</b>
<b>AIR FORCE</b>				
Air Force	Alabama Maxwell Air Force Base	Commercial Vehicle Inspection Gate .....	0	15,000
Air Force	Alaska Clear Air Force Station	LRDR Dormitory .....	68,000	68,000
Air Force	Joint Base Elmendorf-Richardson	Extend Runway 16/34 (INC) .....	100,000	100,000
Air Force	Joint Base Elmendorf-Richardson	PFAS: Contaminated Soil Removal .....	0	5,200
Air Force	Arizona Luke Air Force Base	Child Development Center (P&D) .....	0	4,750

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Davis-Monthan Air Force Base	Combat Rescue Helicopter Simulator .....	0	7,500
Air Force	California Air Force Test Center—Edwards Air Force Base	Munitions Igloo—East (P&D) .....	0	650
Air Force	Travis Air Force Base	KC-46A ADAL B179, Simulator Facility .....	0	7,500
Air Force	Vandenberg Air Force Base	GBSD Consolidated Maintenance Facility .....	89,000	89,000
Air Force	Florida Tyndall Air Force Base	Cost to Complete—Natural Disaster Recovery .....	0	66,000
Air Force	Air Force Research Laboratory—Eglin Air Force Base	Shock and Applied Impact Laboratory (SAIL) (P&D) .....	0	530
Air Force	Hawaii Air Force Research Laboratory—Maui Experimental Site #1	Secure Integration Support Lab w/ Land Acquisition .....	0	89,000
Air Force	Hungary Pápa Air Base	EDI: DABS-FEV Storage .....	71,000	71,000
Air Force	Iceland Naval Air Station Keflavik	EDI: DABS-FEV Storage .....	94,000	30,000
Air Force	Illinois Scott Air Force Base	Child Development Center .....	0	19,893
Air Force	Italy Aviano Air Base	Combat Rescue Helicopter Simulator Facility .....	15,500	15,500
Air Force	Aviano Air Base	EDI: RADR Storage Facility .....	31,000	31,000
Air Force	Japan Kadena Air Base	Helicopter Rescue Ops Maintenance Hangar (INC) .....	71,000	71,000
Air Force	Kadena Air Base	PDI: Theater A/C Corrosion Control Ctr (INC) .....	77,000	77,000
Air Force	Yokota Air Base	Cost to Complete: PDI: C-130J Corrosion Control Hangar .....	0	10,000
Air Force	Jordan Muwaffaq Salti Air Base	Bulk Petroleum/Oil/Lubricants Storage .....	32,000	32,000
Air Force	Muwaffaq Salti Air Base	Fuel Cell and Phase Maintenance Hangars .....	18,000	18,000
Air Force	Louisiana Barksdale Air Force Base	Weapons Generation Facility (INC) .....	125,000	125,000
Air Force	Mariana Islands Tinian	PDI: Airfield Development Phase 1 (INC) .....	58,000	58,000
Air Force	Tinian	PDI: Fuel Tanks w/Pipeline & Hydrant Sys, INC .....	92,000	92,000
Air Force	Tinian	PDI: Parking Apron (INC) .....	41,000	41,000
Air Force	Maryland Joint Base Andrews	Cost to Complete: PAR Relocate Haz Cargo Pad and EOD Range.	0	28,200
Air Force	Massachusetts Hanscom Air Force Base	MIT-Lincoln Lab (West Lab CSL/MIF), INC .....	30,200	30,200
Air Force	Nebraska Offutt Air Force Base	Cost to Complete—Natural Disaster Recovery .....	0	235,000
Air Force	New Mexico Holloman Air Force Base	High Speed Test Track (P&D) .....	0	15,000
Air Force	New York Air Force Research Laboratory—Rome Research Site	HF Antennas, Newport and Stockbridge Test Annexes .....	0	4,200
Air Force	Norway Rygge Air Station	EDI: Base Perimeter Security Fence .....	8,200	8,200
Air Force	Ohio Wright Patterson Air Force Base	Child Development Center/School Age Center .....	0	29,000
Air Force	Oklahoma Tinker Air Force Base	E-7 Operations Center (P&D) .....	0	15,000
Air Force	Tinker Air Force Base	Facility and Land Acquisition (MROTC) .....	30,000	30,000
Air Force	Tinker Air Force Base	KC-46A 1-Bay Depot Corrosion Control Hangar .....	0	40,000
Air Force	Tinker Air Force Base	KC-46A 2-Bay Program Depot Maintenance Hangar .....	0	90,000
Air Force	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar (INC) .....	49,000	49,000
Air Force	Tinker Air Force Base	KC-46A Fuel POL Infrastructure .....	13,600	13,600
Air Force	South Carolina Shaw Air Force Base	RAPCON Facility .....	10,000	10,000
Air Force	South Dakota Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility (INC) .....	91,000	31,000
Air Force	Ellsworth Air Force Base	B-21 Radio Frequency Facility .....	77,000	77,000
Air Force	Ellsworth Air Force Base	B-21 Weapons Generation Facility (INC) .....	50,000	50,000
Air Force	Spain Morón Air Base	EDI: RADR Storage Facility .....	29,000	29,000
Air Force	Tennessee Arnold Air Force Base	ARC Heater Test Facility Dragon Fire .....	38,000	38,000
Air Force	Texas Joint Base San Antonio-Lackland	Cost to Complete: BMT Recruit Dormitory 8 .....	0	5,400
Air Force	Joint Base San Antonio-Randolph	Child Development Center .....	0	29,000
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 7 (INC) .....	90,000	0
Air Force	United Kingdom Royal Air Force Lakenheath	Cost to Complete: F-35 PGM Facility .....	0	3,100
Air Force	Royal Air Force Molesworth	Cost to Complete: Joint Intelligence Analysis Complex Consolidation, PH3.	0	13,000
Air Force	Royal Air Force Molesworth	Joint Intelligence Analysis Complex .....	0	421,000
Air Force	Utah Hill Air Force Base	GBSD Organic Software Sustain Ctr (INC) .....	95,000	95,000

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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
Air Force	Hill Air Force Base Washington	GBSD Technology and Collaboration Center .....	84,000	84,000
Air Force	Fairchild Air Force Base	ADAL KC-135 Flight Simulator .....	0	8,000
Air Force	Fairchild Air Force Base	Cost to Complete: Consolidate TFI Base Operations .....	0	7,300
Air Force	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Planning & Design .....	135,794	135,794
Air Force	Various Worldwide Locations Wyoming	Unspecified Minor Military Construction .....	66,162	66,162
Air Force	F.E. Warren Air Force Base	Cost to Complete: Weapons Storage Facility .....	0	26,000
Air Force	F.E. Warren Air Force Base	Military Working Dog Kennel .....	0	10,000
Air Force	F.E. Warren Air Force Base	GBSD Integrated Command Center Wing A .....	95,000	60,800
Air Force	F.E. Warren Air Force Base	GBSD Land Acquisition .....	34,000	34,000
Air Force	F.E. Warren Air Force Base	GBSD Missile Handling Complex Wing A .....	47,000	47,000
Air Force	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY22 Inflation Effects .....	0	237,700
Air Force	Unspecified Worldwide Locations	Cost to Complete: FY23 Inflation Effects .....	0	323,400
Air Force	Unspecified Worldwide Locations	Inflation & Market Adjustment Fund .....	0	174,840
<b>Subtotal Military Construction, Air Force .....</b>			<b>2,055,456</b>	<b>3,748,419</b>
<b>DEFENSE-WIDE</b>				
Defense-Wide	Alabama			
Defense-Wide	Redstone Arsenal	MSIC Advanced Analysis Facility Phase 2 (INC) .....	0	15,000
Defense-Wide	Redstone Arsenal (Missile and Space Intelligence Center)	Backup Power Generation .....	0	10,700
Defense-Wide	California			
Defense-Wide	Naval Base Coronado	SOF Operations Support Facility .....	75,712	75,712
Defense-Wide	Marine Corps Mountain Warfare Training Center Bridgeport	Microgrid and Backup Power .....	0	25,560
Defense-Wide	Naval Base Ventura County, Point Mugu	Ground Mounted Solar Photovoltaic System .....	0	13,360
Defense-Wide	Djibouti			
Defense-Wide	Camp Lemonnier	Enhanced Energy Security and Control Systems .....	0	24,000
Defense-Wide	Florida			
Defense-Wide	Hurlburt Field	SOF Human Performance Training Center .....	9,100	9,100
Defense-Wide	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation .....	0	2,400
Defense-Wide	Patrick Space Force Base	Underground Electric Distribution System .....	0	8,400
Defense-Wide	Patrick Space Force Base	Water Distribution Loop .....	0	7,300
Defense-Wide	Georgia			
Defense-Wide	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid .....	0	25,400
Defense-Wide	Naval Submarine Base Kings Bay	SCADA Modernization .....	0	11,200
Defense-Wide	Germany			
Defense-Wide	Baumholder	Baumholder Elementary School .....	71,000	71,000
Defense-Wide	Baumholder	SOF Battalion Annex .....	22,468	22,468
Defense-Wide	Baumholder	SOF Communications Annex .....	9,885	9,885
Defense-Wide	Baumholder	SOF Operations Annex .....	23,768	23,768
Defense-Wide	Baumholder	SOF Support Annex .....	21,902	21,902
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (INC 10) .....	299,790	24,790
Defense-Wide	Wiesbaden	Clay Kaserne Elementary School .....	60,000	60,000
Defense-Wide	Guam			
Defense-Wide	Naval Base Guam	Electrical Distribution System .....	0	34,360
Defense-Wide	Hawaii			
Defense-Wide	Joint Base Pearl Harbor-Hickam	Primary Electrical Distribution .....	0	25,000
Defense-Wide	Japan			
Defense-Wide	Fleet Activities Yokosuka	Kinnick High School (INC) .....	20,000	20,000
Defense-Wide	Iwakuni	PDI: Bulk Storage Tanks PH 1 .....	85,000	85,000
Defense-Wide	Kadena Air Base	Lighting Upgrades .....	0	780
Defense-Wide	Yokota Air Base	PDI: Bulk Storage Tanks PH I (INC) .....	44,000	44,000
Defense-Wide	Yokota Air Base	PDI: Operations and Warehouse Facilities .....	72,154	72,154
Defense-Wide	Kansas			
Defense-Wide	Fort Riley	Power Generation and Microgrid .....	0	25,780
Defense-Wide	Kuwait			
Defense-Wide	Camp Arifjan	Power Generation and Microgrid .....	0	26,850
Defense-Wide	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration (INC 6) .....	75,500	75,500
Defense-Wide	Fort Meade	NSAW Mission Ops and Records Center (INC) .....	140,000	80,000
Defense-Wide	Fort Meade	NSAW Recap Building 4 (INC) .....	378,000	318,000
Defense-Wide	Fort Meade	Reclaimed Water Infrastructure Expansion .....	0	23,310
Defense-Wide	North Carolina			
Defense-Wide	Fort Bragg	SOF Operations Building .....	18,870	18,870
Defense-Wide	Fort Bragg	SOF Supply Support Activity .....	15,600	15,600
Defense-Wide	Texas			
Defense-Wide	Fort Hood	Power Generation and Microgrid .....	0	31,500
Defense-Wide	Joint Base San Antonio	Ambulatory Care Center Replacement (Dental) .....	58,600	58,600
Defense-Wide	U.S. Army Reserve Center, Conroe	Power Generation and Microgrid .....	0	9,600

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Defense-Wide	Virginia			
Defense-Wide	Dam Neck	SOF Operations Building Addition .....	26,600	26,600
Defense-Wide	Naval Support Activity Hampton Roads	Backup Power Generation .....	0	3,400
Defense-Wide	Naval Support Activity Hampton Roads	Primary Distribution Substation .....	0	19,000
Defense-Wide	NCE Springfield, Ft Belvoir	Chilled Water Redundancy .....	0	1,100
Defense-Wide	Pentagon	Commercial Vehicle Inspection Facility .....	18,000	18,000
Defense-Wide	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide	Loca- Energy Resilience and Conserv. Invest. Prog. ....	329,000	0
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (Defense-Wide) .....	3,000	3,000
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (DHA) .....	15,000	15,000
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (DLA) .....	31,702	31,702
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (DODEA) .....	8,000	8,000
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (INDOPACOM) .....	0	16,130
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (NSA) .....	6,000	6,000
Defense-Wide	Unspecified Worldwide	Loca- Unspecified Minor Military Construction (SOCOM) .....	36,726	36,726
Defense-Wide	Unspecified Worldwide	Loca- Exercise Related Minor Construction (TJS) .....	18,644	18,644
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (Defense-Wide) .....	26,689	26,689
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (ERCIP) .....	224,250	224,250
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (DHA) .....	33,227	33,227
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (DLA) .....	30,000	30,000
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (DODEA) .....	20,086	20,086
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (MDA) .....	47,063	47,063
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (NSA) .....	9,618	9,618
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (SOCOM) .....	26,978	26,978
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (TJS) .....	2,360	2,360
Defense-Wide	Unspecified Worldwide	Loca- Planning & Design (WHS) .....	2,106	2,106
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (DHA) .....	0	39,570
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (DIA) .....	0	30,600
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (DLA) .....	0	22,000
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (DODEA) .....	0	42,650
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (NSA) .....	0	9,200
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (OSD) .....	0	81,070
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (SOCOM) .....	0	79,390
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects (WHS) .....	0	10,110
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (DHA) .....	0	11,720
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (DLA) .....	0	17,000
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (DODEA) .....	0	29,200
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (OSD) .....	0	65,800
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (SOCOM) .....	0	59,210
Defense-Wide	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (WHS) .....	0	3,600
Defense-Wide	Unspecified Worldwide	Loca- Inflation & Market Adjustment Fund .....	0	181,426
<b>Subtotal Military Construction, Defense-Wide .....</b>			<b>2,416,398</b>	<b>2,735,074</b>
<b>ARMY NATIONAL GUARD</b>				
Alaska				

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Army National Guard	Joint Base Elmendorf-Richardson Arkansas	Aircraft Maintenance Hangar .....	0	63,000
Army National Guard	Camp Robinson	Automated Multipurpose Machine Gun Range .....	0	9,500
Army National Guard	Delaware River Road Training Site	National Guard Readiness Center .....	16,000	16,000
Army National Guard	Florida Gainesville	National Guard Readiness Center .....	0	21,000
Army National Guard	Palm Coast Flagler Rc Fms 9	National Guard Vehicle Maintenance Shop .....	12,000	12,000
Army National Guard	Hawaii Kalaeloa	National Guard Readiness Center Addition .....	29,000	29,000
Army National Guard	Indiana Atlanta Readiness Center	National Guard Readiness Center .....	20,000	20,000
Army National Guard	Iowa West Des Moines Armory	National Guard Readiness Center .....	15,000	15,000
Army National Guard	Michigan Grayling Airfield	National Guard Readiness Center .....	16,000	16,000
Army National Guard	Minnesota New Ulm Armory and Fms	National Guard Readiness Center .....	17,000	17,000
Army National Guard	Nevada Harry Reid Training Center	National Guard Readiness Center Add/Alt .....	18,000	18,000
Army National Guard	New York Glenmore Rd Armory/Fms 17	National Guard Vehicle Maintenance Shop .....	17,000	17,000
Army National Guard	Lexington Armory	National Guard Readiness Center Addition/ Alteration (P&D)	0	3,580
Army National Guard	North Carolina Mcleansville Camp Burton Road	National Guard Vehicle Maintenance Shop .....	15,000	15,000
Army National Guard	Oregon Camp Umatilla	Collective Training Unaccompanied Housing .....	0	14,243
Army National Guard	Puerto Rico Camp Santiago Joint Maneuver Training Center	Engineering/Housing Maintenance Shops (DPW) .....	14,500	14,500
Army National Guard	Tennessee Smyrna Volunteer Training Site	Army Aviation Support Facility and Readiness Center (P&D)	0	780
Army National Guard	Vermont Bennington	National Guard Readiness Center .....	14,800	0
Army National Guard	West Virginia Buckhannon Brushy Fork	National Guard Readiness Center Add/Alt .....	14,000	14,000
Army National Guard	Wyoming Camp Guernsey	Aviation Operations and Fire Rescue Building .....	0	19,500
Army National Guard	Ts NG Sheridan	National Guard Vehicle Maintenance Shop .....	14,800	14,800
Army National Guard	Worldwide Unspecified Unspecified Worldwides	Locations Planning & Design .....	28,245	32,745
Army National Guard	Unspecified Worldwides	Locations Unspecified Minor Military Construction .....	35,933	61,333
Army National Guard	Unspecified Worldwides	Locations Cost to Complete: FY22 Inflation Effects .....	0	54,610
Army National Guard	Unspecified Worldwides	Locations Cost to Complete: FY23 Inflation Effects (P&D) .....	0	8,470
Army National Guard	Unspecified Worldwides	Locations Cost to Complete: FY23 Inflation Effects (UMMC) .....	0	15,210
Army National Guard	Unspecified Worldwides	Locations Cost to Complete: FY23 Inflation Effects .....	0	65,200
Army National Guard	Unspecified Worldwides	Locations Inflation & Market Adjustment Fund .....	0	48,459
<b>Subtotal Military Construction, Army National Guard .....</b>			<b>297,278</b>	<b>635,930</b>
<b>ARMY RESERVE</b>				
Army Reserve	California Camp Pendleton	Area Maintenance Support Activity .....	0	13,000
Army Reserve	Florida Perrine	Army Reserve Center/AMSA .....	46,000	46,000

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(In Thousands of Dollars)

Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Army Reserve	Massachusetts Fort Devens				Cost to Complete: Multi-Purpose Machine Gun Range .....	0	3,000
Army Reserve	Michigan Southfield				Cost to Complete: Area Maintenance Shop .....	0	1,600
Army Reserve	North Carolina Asheville				Cost to Complete: Army Reserve Center .....	0	2,000
Army Reserve	Ohio Wright-Patterson Air Force Base				Area Maintenance Support Activity .....	0	16,000
Army Reserve	Wright-Patterson Air Force Base				Cost to Complete: Army Reserve Center .....	0	2,000
Army Reserve	Puerto Rico Fort Buchanan				Army Reserve Center .....	24,000	24,000
Army Reserve	Washington Yakima				Equipment Concentration Site Warehouse .....	0	22,000
Army Reserve	Wisconsin Fort McCoy				Transient Training Enlisted Barracks .....	0	38,000
Army Reserve	Fort McCoy				Transient Training Officer Barracks .....	0	26,000
Army Reserve	Worldwide Unspecified						
Army Reserve	Unspecified	Worldwide	Loca-	Barracks Planning and Design .....	0	3,000	
Army Reserve	Unspecified	Worldwide	Loca-	Planning and Design .....	0	20,000	
Army Reserve	Unspecified	Worldwide	Loca-	Unspecified Minor Construction .....	0	25,000	
Army Reserve	Unspecified	Worldwide	Loca-	Planning & Design .....	9,829	9,829	
Army Reserve	Unspecified	Worldwide	Loca-	Unspecified Minor Military Construction .....	20,049	20,049	
Army Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects .....	0	70,000	
Army Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (P&D) .....	0	2,950	
Army Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (UMMC) .....	0	6,000	
Army Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects .....	0	21,000	
Army Reserve	Unspecified	Worldwide	Loca-	Inflation & Market Adjustment Fund .....	0	27,842	
<b>Subtotal Military Construction, Army Reserve .....</b>						<b>99,878</b>	<b>399,270</b>
<b>NAVY RESERVE &amp; MARINE CORPS RESERVE</b>							
Navy Reserve & Marine Corps Reserve	Hawaii Marine Corps Base Kaneohe Bay				C-40 Aircraft Maintenance Hangar .....	0	7,000
Navy Reserve & Marine Corps Reserve	Michigan Marine Forces Reserve Battle Creek				Organic Supply Facilities .....	0	24,300
Navy Reserve & Marine Corps Reserve	Virginia Marine Forces Reserve Dam Neck Virginia Beach				G/ATOR Support Facilities .....	0	10,400
Navy Reserve & Marine Corps Reserve	Worldwide Unspecified						
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Loca-	MCNR Unspecified Minor Construction .....	27,747	27,747	
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Loca-	USMCR Planning & Design .....	2,590	2,590	
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects (P&D) .....	0	250	
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY22 Inflation Effects .....	0	7,850	
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Loca-	Cost to Complete: FY23 Inflation Effects (P&D) .....	0	110	

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects (UMMC) .....	0	2,500
Navy Reserve & Marine Corps Reserve	Unspecified	Worldwide	Locations	Inflation & Market Adjustment Fund .....	0	25,863
<b>Subtotal Military Construction, Navy Reserve &amp; Marine Corps Reserve .....</b>					<b>30,337</b>	<b>108,610</b>
<b>AIR NATIONAL GUARD</b>						
Alabama						
Air National Guard	Birmingham	International	Airport	Security and Services Training Facility .....	7,500	7,500
Air National Guard	Montgomery	Regional	Airport	F-35 Weapons Load Crew Training .....	0	9,200
Arizona						
Air National Guard	Morris	Air National	Guard Base	Base Entry Complex .....	0	12,000
Air National Guard	Tucson	International	Airport	Land Acquisition .....	10,000	10,000
Florida						
Air National Guard	Jacksonville	International	Airport	F-35 Construct Flight Simulator Facility .....	22,200	22,200
Indiana						
Air National Guard	Fort Wayne	International	Airport	Munitions Maintenance & Storage Complex .....	12,800	12,800
Missouri						
Air National Guard	Jefferson	Barracks	Air Guard Station	Consolidated Air Operations Group (157th Air Operations Group) (P&D).	0	2,100
Rhode Island						
Air National Guard	Quonset	State	Airport	Consolidated Headquarters Medical & Dining Facility .....	0	35,000
Tennessee						
Air National Guard	McGhee	Tyson	Airport	KC-135 Maintenance Shops .....	23,800	23,800
West Virginia						
Air National Guard	Mclaughlin	Air National	Guard Base	C-130J Apron Expansion .....	0	10,000
Worldwide Unspecified						
Air National Guard	Unspecified	Worldwide	Locations	Planning & Design .....	28,412	28,412
Air National Guard	Unspecified	Worldwide	Locations	Unspecified Minor Military Construction .....	44,171	44,171
Air National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY22 Inflation Effects .....	0	72,400
Air National Guard	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects .....	0	17,700
Air National Guard	Unspecified	Worldwide	Locations	Inflation & Market Adjustment Fund .....	0	54,236
<b>Subtotal Military Construction, Air National Guard .....</b>					<b>148,883</b>	<b>361,519</b>
<b>AIR FORCE RESERVE</b>						
Arizona						
Air Force Reserve	Davis-Monthan	Air Force	Base	610th CACS Command & Control Facility .....	0	8,000
Massachusetts						
Air Force Reserve	Westover	Air Reserve	Base	Taxiway Golf Extension (P&D) .....	0	1,900
Mississippi						
Air Force Reserve	Keesler	Air Force	Base	Aeromedical Evacuation Training Facility .....	0	10,000
Oklahoma						
Air Force Reserve	Tinker	Air Force	Base	10th Flight Test Squadron Facility .....	0	12,500
Virginia						
Air Force Reserve	Langley	Air Force	Base	Intelligence Group Facility .....	0	10,500
Worldwide Unspecified						
Air Force Reserve	Unspecified	Worldwide	Locations	Planning & Design .....	11,773	11,773
Air Force Reserve	Unspecified	Worldwide	Locations	Unspecified Minor Military Construction .....	11,850	11,850
Air Force Reserve	Unspecified	Worldwide	Locations	Cost to Complete: FY22 Inflation Effects .....	0	11,800
Air Force Reserve	Unspecified	Worldwide	Locations	Cost to Complete: FY23 Inflation Effects .....	0	4,500
Air Force Reserve	Unspecified	Worldwide	Locations	Inflation & Market Adjustment Fund .....	0	26,611



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Account	State/Country and Installation	Project Title	FY 2023 Request	Senate Authorized
<b>Subtotal Military Construction, Air Force Reserve</b>			<b>23,623</b>	<b>109,434</b>
<b>NATO SECURITY INVESTMENT PROGRAM</b>				
Worldwide Unspecified				
NATO	NATO Security Investment Program	NATO Security Investment Program	210,139	210,139
NATO	NATO Security Investment Program	Inflation & Market Adjustment Fund	0	5,980
<b>Subtotal NATO Security Investment Program</b>			<b>210,139</b>	<b>216,119</b>
<b>TOTAL MILITARY CONSTRUCTION</b>			<b>9,879,948</b>	<b>14,731,550</b>
<b>FAMILY HOUSING</b>				
<b>FAMILY HOUSING CONSTRUCTION, ARMY</b>				
Germany				
Fam Hsg Con, Army	Baumholder	Cost to Complete: Family Housing New Construction	0	121,822
Fam Hsg Con, Army	Baumholder	Family Housing Improvements	0	20,000
Fam Hsg Con, Army	Baumholder	Family Housing Replacement Construction	57,000	57,000
Fam Hsg Con, Army	Vilseck	Cost to Complete: Family Housing New Construction	0	13,000
Italy				
Fam Hsg Con, Army	Vicenza	Family Housing New Construction	95,000	40,000
Fam Hsg Con, Army	Vicenza	Cost to Complete: Family Housing New Construction	0	51,540
Kwajalein				
Fam Hsg Con, Army	Kwajalein Atoll	Cost to Complete: Family Housing Replacement	0	47,060
Worldwide Unspecified				
Fam Hsg Con, Army	Unspecified Worldwide	Loca- Family Housing P&D	17,339	17,339
Fam Hsg Con, Army	Unspecified Worldwide	Loca- Cost to Complete: FY22 Inflation Effects	0	24,290
Fam Hsg Con, Army	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects (P&D)	0	5,200
Fam Hsg Con, Army	Unspecified Worldwide	Loca- Cost to Complete: FY23 Inflation Effects	0	49,200
Fam Hsg Con, Army	Unspecified Worldwide	Loca- Inflation & Market Adjustment Fund	0	4,819
<b>Subtotal Family Housing Construction, Army</b>			<b>169,339</b>	<b>451,270</b>
<b>FAMILY HOUSING O&amp;M, ARMY</b>				
Worldwide Unspecified				
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Furnishings	22,911	22,911
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Housing Privatization Support	65,740	65,740
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Leasing	127,499	127,499
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Maintenance	117,555	117,555
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Management	45,718	45,718
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Miscellaneous	559	559
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Services	9,580	9,580
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Utilities	46,849	46,849
Fam Hsg O&M, Army	Unspecified Worldwide	Loca- Inflation & Market Adjustment Fund	0	12,103
<b>Subtotal Family Housing Operation And Maintenance, Army</b>			<b>436,411</b>	<b>448,514</b>
<b>FAMILY HOUSING CONSTRUCTION, NAVY &amp; MARINE CORPS</b>				
District of Columbia				
Fam Hsg Con, Navy & Marine Corps	United States Headquarters	Marine Corps Design	7,043	7,043
Fam Hsg Con, Navy & Marine Corps	United States Headquarters	Marine Corps Improvements	74,540	74,540
Guam				
Fam Hsg Con, Navy & Marine Corps	Naval Support Activity	Andersen Replace Andersen Housing PH IV	86,390	86,390

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Account	State/Country and Installation				Project Title	FY 2023 Request	Senate Authorized
Fam Hsg Con, Navy & Marine Corps	Naval	Support	Activity	Ander- sen	Replace Andersen Housing PH V .....	93,259	93,259
Fam Hsg Con, Navy & Marine Corps	Naval	Support	Activity	Ander- sen	Replace Andersen Housing PH VI .....	68,985	68,985
Fam Hsg Con, Navy & Marine Corps	Worldwide Unspecified				USMC DPRI/Guam Planning & Design .....	7,080	7,080
Fam Hsg Con, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Cost to Complete: FY22 Inflation Effects .....	0	240
Fam Hsg Con, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund .....	0	9,597
<b>Subtotal Family Housing Construction, Navy &amp; Marine Corps .....</b>						<b>337,297</b>	<b>347,134</b>
<b>FAMILY HOUSING O&amp;M, NAVY &amp; MARINE CORPS</b>							
Fam Hsg O&M, Navy & Marine Corps	Worldwide Unspecified				Furnishings .....	16,182	16,182
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Housing Privatization Support .....	61,605	61,605
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Leasing .....	66,333	66,333
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Maintenance .....	105,470	105,470
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Management .....	59,312	59,312
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Miscellaneous .....	411	411
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Services .....	16,494	16,494
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Utilities .....	42,417	42,417
Fam Hsg O&M, Navy & Marine Corps	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund .....	0	8,664
<b>Subtotal Family Housing Operation &amp; Maintenance, Navy &amp; Marine Corps .....</b>						<b>368,224</b>	<b>376,888</b>
<b>FAMILY HOUSING CONSTRUCTION, AIR FORCE</b>							
Fam Hsg Con, Air Force	Delaware	Dover Air Force Base			MHPI Restructure .....	25,492	25,492
Fam Hsg Con, Air Force	Florida	Tyndall Air Force Base			AETC Restructuring .....	150,685	150,685
Fam Hsg Con, Air Force	Illinois	Scott Air Force Base			MHPI Restructure .....	52,003	52,003
Fam Hsg Con, Air Force	Japan	Kadena Air Base			Family Housing North Terrance Improvement, Phase 2 (4 Units).	0	3,800
Fam Hsg Con, Air Force	Maryland	Andrews Air Force Base			MHPI Equity Contribution CMSSF House .....	1,878	1,878
Fam Hsg Con, Air Force	Worldwide Unspecified				Planning & Design .....	2,730	17,730
Fam Hsg Con, Air Force	Unspecified	Worldwide	Loca-		Inflation & Market Adjustment Fund .....	0	6,444

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
<b>Subtotal Family Housing Construction, Air Force</b>					<b>232,788</b>	<b>258,032</b>
<b>FAMILY HOUSING O&amp;M, AIR FORCE</b>						
Worldwide Unspecified						
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Furnishings	27,379	27,379
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Housing Privatization	33,517	33,517
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Leasing	7,882	7,882
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Maintenance	150,375	150,375
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Management	77,042	77,042
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Miscellaneous	2,240	2,240
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Services	10,570	10,570
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Utilities	46,217	46,217
Fam Hsg O&M, Air Force	Unspecified	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	8,306
<b>Subtotal Family Housing Operation And Maintenance, Air Force</b>					<b>355,222</b>	<b>363,528</b>
<b>FAMILY HOUSING O&amp;M, DEFENSE-WIDE</b>						
Worldwide Unspecified						
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Furnishings (DIA)	656	656
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Furnishings (NSA)	87	87
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Leasing (DIA)	31,849	31,849
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Leasing (NSA)	13,306	13,306
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Maintenance (NSA)	34	34
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Utilities (DIA)	4,166	4,166
Fam Hsg O&M, Defense-Wide	Unspecified	Worldwide	Loca-	Utilities (NSA)	15	15
<b>Subtotal Family Housing Operation And Maintenance, Defense-Wide</b>					<b>50,113</b>	<b>50,113</b>
<b>FAMILY HOUSING IMPROVEMENT FUND</b>						
Worldwide Unspecified						
Family Housing Improvement Fund	Unspecified	Worldwide	Loca-	Administrative Expenses—FHIF	6,442	6,442
Family Housing Improvement Fund	Unspecified	Worldwide	Loca-	Inflation & Market Adjustment Fund	0	184
<b>Subtotal Family Housing Improvement Fund</b>					<b>6,442</b>	<b>6,626</b>
<b>UNACCOMPANIED HOUSING IMPROVEMENT FUND</b>						
Worldwide Unspecified						
Unaccompanied Housing Improvement Fund	Unspecified	Worldwide	Loca-	Administrative Expenses—UHIF	494	494
<b>Subtotal Unaccompanied Housing Improvement Fund</b>					<b>494</b>	<b>494</b>
<b>TOTAL FAMILY HOUSING</b>					<b>1,956,330</b>	<b>2,302,599</b>
<b>DEFENSE BASE REALIGNMENT AND CLOSURE</b>						

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Account	State/Country and Installation			Project Title	FY 2023 Request	Senate Authorized
<b>BASE REALIGNMENT AND CLOSURE, ARMY</b>						
BRAC, Army	Worldwide	Unspecified	Loca-	Base Realignment and Closure .....	67,706	67,706
BRAC, Army	Worldwide	Unspecified	Loca-	Inflation & Market Adjustment Fund .....	0	1,927
<b>Subtotal Base Realignment and Closure—Army .....</b>					<b>67,706</b>	<b>69,633</b>
<b>BASE REALIGNMENT AND CLOSURE, NAVY</b>						
BRAC, Navy	Worldwide	Unspecified	Loca-	Base Realignment and Closure .....	106,664	106,664
BRAC, Navy	Worldwide	Unspecified	Loca-	Inflation & Market Adjustment Fund .....	0	2,767
<b>Subtotal Base Realignment and Closure—Navy .....</b>					<b>106,664</b>	<b>109,431</b>
<b>BASE REALIGNMENT AND CLOSURE, AIR FORCE</b>						
BRAC, Air Force	Worldwide	Unspecified	Loca-	Base Realignment and Closure .....	107,311	107,311
BRAC, Air Force	Worldwide	Unspecified	Loca-	Inflation & Market Adjustment Fund .....	0	3,053
<b>Subtotal Base Realignment and Closure—Air Force .....</b>					<b>107,311</b>	<b>110,364</b>
<b>BASE REALIGNMENT AND CLOSURE, DEFENSE-WIDE</b>						
BRAC, Defense-Wide	Worldwide	Unspecified	Loca-	Int-4: DLA Activities .....	3,006	3,006
BRAC, Defense-Wide	Worldwide	Unspecified	Loca-	Inflation & Market Adjustment Fund .....	0	85
<b>Subtotal Base Realignment and Closure—Defense-Wide .....</b>					<b>3,006</b>	<b>3,091</b>
<b>TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE .....</b>					<b>284,687</b>	<b>292,519</b>
<b>TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC .....</b>					<b>12,120,965</b>	<b>17,326,668</b>

TITLE XLVII—DEPARTMENT OF ENERGY  
NATIONAL SECURITY PROGRAMS  
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
<b>Discretionary Summary by Appropriation</b>		
<b>Energy Programs</b>		
Nuclear Energy .....	156,600	156,600
<b>Atomic Energy Defense Activities</b>		
<b>National Nuclear Security Administration:</b>		
Weapons Activities .....	16,486,298	17,090,298
Defense Nuclear Nonproliferation .....	2,346,257	2,331,257
Naval Reactors .....	2,081,445	2,081,445
Federal Salaries and Expenses .....	496,400	496,400
<b>Total, National Nuclear Security Administration .....</b>	<b>21,410,400</b>	<b>21,999,400</b>
Defense Environmental Cleanup .....	6,914,532	6,538,532
Other Defense Activities .....	978,351	978,351
<b>Total, Atomic Energy Defense Activities .....</b>	<b>29,303,283</b>	<b>29,516,283</b>
<b>Total, Discretionary Funding .....</b>	<b>29,459,883</b>	<b>29,672,883</b>
<b>Nuclear Energy</b>		
Safeguards and security .....	156,600	156,600
<b>Total, Nuclear Energy .....</b>	<b>156,600</b>	<b>156,600</b>
<b>Weapons Activities</b>		
<b>Stockpile major modernization</b>		
B61 Life extension program .....	672,019	672,019
W88 Alteration program .....	162,057	162,057
W80-4 Life extension program .....	1,122,451	1,122,451
W80-4 ALT SLCM .....	0	20,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
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Program	FY 2023 Request	Senate Authorized
Program increase .....		(20,000)
W87-1 Modification Program .....	680,127	680,127
W93 .....	240,509	240,509
<b>Subtotal, Stockpile major modernization .....</b>	<b>2,877,163</b>	<b>2,897,163</b>
Stockpile sustainment .....	1,321,139	1,321,139
Weapons dismantlement and disposition .....	50,966	50,966
Production operations .....	630,894	630,894
Nuclear enterprise assurance .....	48,911	48,911
<b>Total, Stockpile management .....</b>	<b>4,929,073</b>	<b>4,949,073</b>
<b>Production Modernization</b>		
<b>Los Alamos Plutonium Modernization</b>		
Los Alamos Plutonium Operations .....	767,412	767,412
21-D-512, Plutonium Pit Production Project, LANL .....	588,234	588,234
15-D-302, TA-55 Reinvestments Project, Phase 3, LANL .....	30,002	30,002
07-D-220-04, Transuranic Liquid Waste Facility, LANL .....	24,759	24,759
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL .....	162,012	162,012
<b>Subtotal, Los Alamos Plutonium Modernization .....</b>	<b>1,572,419</b>	<b>1,572,419</b>
<b>Savannah River Plutonium Modernization</b>		
Savannah River Plutonium Operations .....	58,300	58,300
21-D-511, Savannah River Plutonium Processing Facility, SRS .....	700,000	1,200,000
Program increase—glovebox long lead procurement .....		(200,000)
Program increase—long lead items .....		(100,000)
Program increase—demolition of MOX building .....		(165,000)
Program increase—site prep .....		(35,000)
<b>Subtotal, Savannah River Plutonium Modernization .....</b>	<b>758,300</b>	<b>1,258,300</b>
Enterprise Plutonium Support .....	88,993	88,993
<b>Total, Plutonium Modernization .....</b>	<b>2,419,712</b>	<b>2,919,712</b>
<b>High Explosives &amp; Energetics</b>		
High Explosives & Energetics .....	101,380	101,380
23-D-516, Energetic Materials Characterization Facility, LANL .....	19,000	19,000
21-D-510, HE Synthesis, Formulation, and Production, PX .....	108,000	108,000
15-D-301, HE Science & Engineering Facility, PX .....	20,000	20,000
<b>Subtotal, High Explosives &amp; Energetics .....</b>	<b>248,380</b>	<b>248,380</b>
<b>Total, Primary Capability Modernization .....</b>	<b>2,668,092</b>	<b>3,168,092</b>
<b>Secondary Capability Modernization</b>		
Secondary Capability Modernization .....	536,363	544,363
Program increase—calciner .....		(8,000)
18-D-690, Lithium Processing Facility, Y-12 .....	216,886	216,886
06-D-141, Uranium Processing Facility, Y-12 .....	362,000	362,000
<b>Total, Secondary Capability Modernization .....</b>	<b>1,115,249</b>	<b>1,123,249</b>
<b>Tritium and Domestic Uranium Enrichment</b>		
Tritium and Domestic Uranium Enrichment .....	506,649	506,649
18-D-650, Tritium Finishing Facility, SRS .....	73,300	73,300
<b>Total, Tritium and Domestic Uranium Enrichment .....</b>	<b>579,949</b>	<b>579,949</b>
Non-Nuclear Capability Modernization .....	123,084	123,084
Capability Based Investments .....	154,220	154,220
<b>Total, Production Modernization .....</b>	<b>4,640,594</b>	<b>5,148,594</b>
<b>Stockpile research, technology, and engineering</b>		
<b>Assessment Science</b>		
Assessment Science .....	801,668	801,668
14-D-640, U1a Complex Enhancements Project, NNSS .....	53,130	53,130
<b>Total, Assessment Science .....</b>	<b>854,798</b>	<b>854,798</b>
Engineering and integrated assessments .....	366,455	366,455
Inertial confinement fusion .....	544,095	584,095
Program increase .....		(40,000)
Advanced simulation and computing .....	742,646	752,646
Program increase .....		(10,000)
Weapon technology and manufacturing maturation .....	286,165	286,165
Academic programs .....	100,499	100,499
<b>Total, Stockpile research, technology, and engineering .....</b>	<b>2,894,658</b>	<b>2,944,658</b>
<b>Infrastructure and operations</b>		
<b>Operating</b>		
Operations of facilities .....	1,038,000	1,046,000
Program increase .....		(8,000)
Safety and Environmental Operations .....	162,000	162,000
Maintenance and Repair of Facilities .....	680,000	690,000
Program increase .....		(10,000)
<b>Recapitalization</b>		
Infrastructure and Safety .....	561,663	561,663
<b>Subtotal, Recapitalization .....</b>	<b>561,663</b>	<b>561,663</b>
<b>Total, Operating .....</b>	<b>2,441,663</b>	<b>2,459,663</b>
<b>Mission enabling construction</b>		
22-D-514 Digital Infrastructure Capability Expansion .....	67,300	67,300
22-D-517 Electrical Power Capacity Upgrade, LANL .....	24,000	24,000
22-D-518 Plutonium Modernization Ops & Waste Mngmt Office Bldg, LANL .....	48,500	48,500
23-D-519, Special Material Facility, Y-12 .....	49,500	49,500
<b>Total, Mission enabling construction .....</b>	<b>189,300</b>	<b>189,300</b>
<b>Total, Infrastructure and operations .....</b>	<b>2,630,963</b>	<b>2,648,963</b>

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
<b>Secure transportation asset</b>		
Operations and equipment .....	214,367	214,367
Program direction .....	130,070	130,070
<b>Total, Secure transportation asset</b> .....	<b>344,437</b>	<b>344,437</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	878,363	878,363
<b>Construction:</b>		
17-D-710, West end protected area reduction project, Y-12 .....	3,928	11,928
Program increase .....		(8,000)
<b>Subtotal, Construction</b> .....	<b>3,928</b>	<b>11,928</b>
<b>Total, Defense nuclear security</b> .....	<b>882,291</b>	<b>890,291</b>
<b>Information technology and cybersecurity</b> .....	<b>445,654</b>	445,654
<b>Legacy contractor pensions</b> .....	<b>114,632</b>	114,632
<b>Total, Weapons Activities</b> .....	<b>16,882,302</b>	<b>17,486,302</b>
<b>Adjustments</b>		
Use of prior year balances .....	-396,004	-396,004
<b>Total, Adjustments</b> .....	<b>-396,004</b>	<b>-396,004</b>
<b>Total, Weapons Activities</b> .....	<b>16,486,298</b>	<b>17,090,298</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Material management and minimization</b>		
Conversion (formerly HEU Reactor Conversion) .....	153,260	153,260
Nuclear material removal .....	41,600	41,600
Material disposition .....	256,025	256,025
<b>Total, Material management &amp; minimization</b> .....	<b>450,885</b>	<b>450,885</b>
<b>Global material security</b>		
International nuclear security .....	81,155	81,155
Radiological security .....	244,827	244,827
Nuclear smuggling detection and deterrence .....	178,095	178,095
<b>Total, Global material security</b> .....	<b>504,077</b>	<b>504,077</b>
Nonproliferation and arms control .....	207,656	207,656
<b>Defense nuclear nonproliferation R&amp;D</b>		
Proliferation detection .....	287,283	287,283
Nonproliferation stewardship program .....	109,343	109,343
Nuclear detonation detection .....	279,205	279,205
Forensics R&D .....	44,414	44,414
<b>Total, Defense Nuclear Nonproliferation R&amp;D</b> .....	<b>720,245</b>	<b>720,245</b>
<b>Nonproliferation construction</b>		
18-D-150 Surplus Plutonium Disposition Project, SRS .....	71,764	71,764
<b>Total, Nonproliferation construction</b> .....	<b>71,764</b>	<b>71,764</b>
NNSA Bioassurance Program .....	20,000	5,000
Program reduction .....		(-15,000)
Legacy contractor pensions .....	55,708	55,708
<b>Nuclear counterterrorism and incident response program</b>		
Emergency Operations .....	29,896	29,896
Counterterrorism and Counterproliferation .....	409,074	409,074
<b>Total, Nuclear counterterrorism and incident response program</b> .....	<b>438,970</b>	<b>438,970</b>
<b>Subtotal, Defense Nuclear Nonproliferation</b> .....	<b>2,469,305</b>	<b>2,454,305</b>
<b>Adjustments</b>		
Use of prior year balances .....	-123,048	-123,048
<b>Total, Adjustments</b> .....	<b>-123,048</b>	<b>-123,048</b>
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>2,346,257</b>	<b>2,331,257</b>
<b>Naval Reactors</b>		
Naval reactors development .....	798,590	798,590
Columbia-Class reactor systems development .....	53,900	53,900
S8G Prototype refueling .....	20,000	20,000
Naval reactors operations and infrastructure .....	695,165	695,165
Program direction .....	58,525	58,525
<b>Construction:</b>		
22-D-533 BL Component Test Complex .....	57,420	57,420
14-D-901, Spent Fuel Handling Recapitalization Project, NRF .....	397,845	397,845
<b>Total, Construction</b> .....	<b>455,265</b>	<b>455,265</b>
<b>Total, Naval Reactors</b> .....	<b>2,081,445</b>	<b>2,081,445</b>
<b>Federal Salaries and Expenses</b>		
Program direction .....	513,200	513,200
Use of prior year balances .....	-16,800	-16,800
<b>Total, Federal Salaries and Expenses</b> .....	<b>496,400</b>	<b>496,400</b>
<b>TOTAL, National Nuclear Security Administration</b> .....	<b>21,510,796</b>	<b>21,999,400</b>
<b>Defense Environmental Cleanup</b>		
Closure sites administration .....	4,067	4,067
<b>Richland</b>		
River corridor and other cleanup operations .....	135,000	135,000
Central plateau remediation .....	650,240	650,240

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
Richland community and regulatory support .....	10,013	10,013
18-D-404 Modification of Waste Encapsulation and Storage Facility .....	3,100	3,100
22-D-401 L-888, 400 Area Fire Station .....	3,100	3,100
22-D-402 L-897, 200 Area Water Treatment Facility .....	8,900	8,900
23-D-404 181D Export Water System Reconfiguration and Upgrade .....	6,770	6,770
23-D-405 181B Export Water System Reconfiguration and Upgrade .....	480	480
<b>Total, Richland .....</b>	<b>817,603</b>	<b>817,603</b>
<b>Office of River Protection:</b>		
Waste Treatment Immobilization Plant Commissioning .....	462,700	462,700
Rad liquid tank waste stabilization and disposition .....	801,100	811,100
Program increase .....		(10,000)
<b>Construction</b>		
23-D-403 Hanford 200 West Area Tank Farms Risk Management Project .....	4,408	4,408
01-D-16D, High-level waste facility .....	316,200	316,200
01-D-16E, Pretreatment Facility .....	20,000	20,000
<b>Subtotal, Construction .....</b>	<b>340,608</b>	<b>340,608</b>
<b>Total, Office of River Protection .....</b>	<b>1,604,408</b>	<b>1,614,408</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	350,658	350,658
Idaho community and regulatory support .....	2,705	2,705
<b>Construction</b>		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility .....	8,000	8,000
22-D-404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project .....	8,000	8,000
22-D-402 Calcine Construction .....	10,000	10,000
<b>Subtotal, Construction .....</b>	<b>26,000</b>	<b>26,000</b>
<b>Total, Idaho National Laboratory .....</b>	<b>379,363</b>	<b>379,363</b>
<b>NNSA sites and Nevada off-sites</b>		
Lawrence Livermore National Laboratory .....	1,842	1,842
LLNL Excess Facilities D&D .....	12,004	22,004
Program increase .....		(10,000)
Separations Processing Research Unit .....	15,300	15,300
Nevada Test Site .....	62,652	62,652
Sandia National Laboratory .....	4,003	4,003
Los Alamos National Laboratory .....	286,316	286,316
Los Alamos Excess Facilities D&D .....	40,519	40,519
<b>Total, NNSA sites and Nevada off-sites .....</b>	<b>422,636</b>	<b>432,636</b>
<b>Oak Ridge Reservation:</b>		
OR Nuclear Facility D&D .....	334,221	339,221
Program increase .....		(5,000)
U233 Disposition Program .....	47,628	47,628
OR cleanup and waste disposition .....	62,000	62,000
<b>Construction</b>		
17-D-401 On-site waste disposal facility .....	35,000	35,000
<b>Subtotal, Construction .....</b>	<b>35,000</b>	<b>35,000</b>
OR community & regulatory support .....	5,300	5,300
OR technology development and deployment .....	3,000	3,000
<b>Total, Oak Ridge Reservation .....</b>	<b>487,149</b>	<b>492,149</b>
<b>Savannah River Site:</b>		
Savannah River risk management operations .....	416,317	416,317
Savannah River legacy pensions .....	132,294	132,294
Savannah River community and regulatory support .....	12,137	12,137
Savannah River National Laboratory O&M .....	41,000	41,000
<b>Construction:</b>		
20-D-401 Saltstone Disposal Unit #10, 11, 12 .....	37,668	37,668
19-D-701 SR Security systems replacement .....	5,000	5,000
18-D-402 Saltstone Disposal Unit #8, 9 .....	49,832	49,832
8-D-402 Emergency Operations Center Replacement, SR .....	25,568	25,568
<b>Subtotal, Construction .....</b>	<b>118,068</b>	<b>118,068</b>
Radioactive liquid tank waste stabilization .....	851,660	861,660
Program increase .....		(10,000)
<b>Total, Savannah River Site .....</b>	<b>1,571,476</b>	<b>1,581,476</b>
<b>Waste Isolation Pilot Plant</b>		
Waste Isolation Pilot Plant .....	371,943	371,943
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	59,073	59,073
15-D-412 Exhaust shaft, WIPP .....	25,000	25,000
Program increase .....		6,000
<b>Total, Construction .....</b>	<b>84,073</b>	<b>84,073</b>
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>456,016</b>	<b>456,016</b>
Program direction—Defense Environmental Cleanup .....	317,002	317,002
Program support—Defense Environmental Cleanup .....	103,239	103,239
Safeguards and Security—Defense Environmental Cleanup .....	309,573	309,573
Technology development and deployment .....	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund .....	417,000	0
Program reduction .....		(-417,000)



SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2023 Request	Senate Authorized
<b>Subtotal, Defense Environmental Cleanup</b> .....	<b>6,914,532</b>	<b>6,532,532</b>
<b>TOTAL, Defense Environmental Cleanup</b> .....	<b>6,914,532</b>	<b>6,532,532</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security mission support .....	138,854	138,854
Program direction .....	76,685	76,685
<b>Total, Environment, health, safety and security</b> .....	<b>215,539</b>	<b>215,539</b>
<b>Office of Enterprise Assessments</b>		
Enterprise assessments .....	27,486	27,486
Program direction .....	57,941	57,941
<b>Total, Office of Enterprise Assessments</b> .....	<b>85,427</b>	<b>85,427</b>
Specialized security activities .....	306,067	306,067
<b>Legacy Management</b>		
Legacy Management Activities—Defense .....	174,163	174,163
Program Direction .....	21,983	21,983
<b>Total, Legacy Management</b> .....	<b>196,146</b>	<b>196,146</b>
Defense-related administrative support .....	170,695	170,695
Office of hearings and appeals .....	4,477	4,477
<b>Subtotal, Other defense activities</b> .....	<b>978,351</b>	<b>978,351</b>
<b>Total, Other Defense Activities</b> .....	<b>978,351</b>	<b>978,351</b>

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. PADILLA. Mr. President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, September 15, 2022, at 9 a.m., to conduct an executive business meeting.

RETURN OF PAPERS REQUEST—S. 1198

Mr. SCHUMER. I ask unanimous consent that the Secretary of the Senate be authorized to request the House of Representatives to return the papers on S. 1198; further, upon receipt of the bill from the House, the Senate's actions on September 8, 2022, with respect to S. 1198, be vitiated; that the Senate then proceed to the immediate consideration of S. 1198; that the committee-reported substitute be withdrawn, the Tester substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed, and the motions to reconsider be considered made and laid upon the table, all without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING SEPTEMBER 11, 2022, AS A "NATIONAL DAY OF SERVICE AND REMEMBRANCE"

Mr. SCHUMER. Madam President, I ask unanimous consent the Committee on the Judiciary be discharged from further consideration, and the Senate now proceed to S. Res. 755.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 755) recognizing September 11, 2022, as a "National Day of Service and Remembrance".

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 755) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 8, 2022, under "Submitted Resolutions.")

NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed immediately to consideration of S. Res. 767, which was submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 767) designating the week beginning September 11, 2022, as "National Direct Support Professionals Recognition Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. CARDIN. Madam President, I rise today to mark the week beginning on September 11, 2022, as National Direct Support Professionals Recognition Week. Direct support professionals assist millions of individuals living with disabilities to perform a wide range of

essential daily tasks such as meal preparation, transportation, and medication management. Direct support professionals provide critical home- and community-based services—HCBS—that allow individuals to stay connected with their communities.

As direct support professionals stepped up during the pandemic and provided care while facing increased personal risks as frontline workers, many faced long-standing difficulties such as inadequate wages and benefits. These challenges disproportionately affect racial and ethnic minorities, who comprise 62 percent of the home care workforce, which includes direct support professionals. These issues have led to high turnover and vacancy rates, contributing to a growing shortage of direct support professionals.

Even as this shortage persists and millions of jobs in the field remain open, demand for direct support professionals is expected to increase by at least 1.4 million new direct care jobs by 2026, according to PHI. An insufficient number of direct support professionals will likely mean longer wait lists for individuals seeking assistance, force providers to turn away new referrals, or discontinue programs and services. These circumstances hurt quality of care and put further stress on family caregivers.

Under President Biden's leadership, we have taken steps to invest in home- and community-based services by building up the home care workforce and expanding access to care. I am proud to have voted for the American Rescue Plan Act, which—among many critical provisions—included \$12.7 billion for HCBS. I am also a cosponsor of the Better Care Better Jobs Act, which would build on the funding from American Rescue Plan Act by continuing enhanced Medicaid funding for HCBS for States that expand access to these services and invest in the workforce, such as the direct support professionals.

It is more important than ever that we take the time to recognize the work of those who choose to be direct support professionals. I would like to congratulate two Marylanders who were recognized this year for their work as direct support professionals: Maria Swift of Penn-Mar Humans Services received the American Network of Community Options and Resources' National Direct Support Professional of the Year Award and Tammy Wright of Consumer Direct Care Network received the Maryland State award. Maria and Tammy are making an enormous difference and I appreciate their service to others. I would also like to thank Senators Collins, Blumenthal, Brown, Casey, Kaine, King, Klobuchar, Menendez, Smith, Van Hollen, and Warren for joining me in showing our appreciation for direct support professionals across the Nation and recognizing the essential role they play in our healthcare system.

Mr. SCHUMER. I further ask that the resolution be agreed to, the preamble

be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 767) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL FORENSIC SCIENCE WEEK

Mr. SCHUMER. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 768, submitted earlier today.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 768) recognizing and supporting the goals and ideals of National Forensic Science Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 768) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR MONDAY, SEPTEMBER 19, 2022

Mr. SCHUMER. And, finally—I thank again my colleagues from Oklahoma and Nebraska—I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, September 19, and that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Pan nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m.; finally, that if any nominations are confirmed during Monday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators LANKFORD and SASSE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

#### ABRAHAM ACCORDS

Mr. LANKFORD. Madam President, 2 years ago, almost to the exact moment, I was sitting on the south lawn of the White House in the blazing Sun, where a redhead should never sit, getting a sunburn, on a hot September day in DC, watching leadership of the UAE, Bahrain, Israel, and the United States all shake hands and sign an agreement called the Abraham Accords. It was a remarkable moment in American history.

We have become so accustomed in the last 2 years to this conversation about the Abraham Accords, we lose track that it was just 2 years ago that we had one of the greatest breakthroughs in Middle East peace that we have had in decades.

In 1979, Egypt and Israel came together for a peace agreement under President Jimmy Carter and the Camp David Accords. In 1994, Jordan and Israel normalized relationships under President Clinton. But for 26 years, there were no additional peace agreements and, quite frankly, very few conversations even. It stopped. All the conversation among foreign affairs was that you had to resolve the Palestinian conflict before anything else could be resolved in the Middle East, and for 26 years, all the focus was on that.

The Trump administration came in and put the whole thing on its head and said: What if? What if we work towards peace agreements outside of the Palestinian conversation? If we set that aside, could we still normalize agreements?

Again, most people said: No, that is not possible—until 2 years ago today. Two years ago today, when the leaders of UAE, Bahrain, Israel, and the United States met together and signed an agreement, they started not just a process, they started a conversation and a dialogue. They shook hands and signed an agreement that had remarkable statements in it about religious liberty that we look at and think: The Arab world would not sign that, but they did, quite frankly, because people hadn't asked them to.

There were conversations and agreements made about energy policy, about economic development in a region of the world that many would say that no one will ever meet and this will never get better.

President Reagan once said:

Our involvement in the search for Middle East peace is not a matter of preference; it is a moral imperative.

We are a people of peace. We are a people, as a nation, passionate about religious liberty. We are a people who want to see a nation joining other nations in economic development. It is who we are. It is who we have been from the beginning, and we are at our best when we are expanding that.

Since the signing of that document, several things have happened in that 2-year time period.

The first thing that happened, really, was that in October of 2020, Sudan raised their hand and said: I want to join that agreement. Then, in December of 2020, Morocco raised their hand and said: I want to be in that agreement. It quickly went from four nations to five, to six, all in this ongoing dialogue about peace in the region.

The countries have exchanged Ambassadors since then. Again, that may not sound revolutionary, but it is in that region. The UAE, Morocco, and Bahrain all opened up Embassies in Israel—again, revolutionary. Israel opened up its Embassy—the first ever in the Gulf nations—in Abu Dhabi in January of 2021. It opens up its next Embassy in Bahrain in September of 2021.

The UAE and Israel have signed comprehensive free-trade agreements. There is now \$10 billion worth of trade in the next 5 years that has been set up between those nations. Trade has begun between Israel and Morocco. In fact, it has increased 94 percent in a year. Trade between the UAE and Israel has increased 88 percent in 1 year. Trade between Israel and Egypt, even, has increased 41 percent in the last year and between Israel and Jordan, with a longstanding agreement, has increased 55 percent.

The UAE and Morocco now have university students who are studying in Israeli universities—something we thought we would never see. The UAE has overhauled its school curriculum to increase tolerance and understanding of other faiths and other religious groups.

Dozens of daily flights are now moving in those Abraham Accord countries, bringing business and tourism. There are even real conversations about water, about energy sharing and development and large economic infrastructure projects.

There are other countries, even, in the region that have started to take notice of this. Countries like Saudi Arabia are now allowing Israeli-bound flights to fly through Saudi airspace. Now, again, that may not seem revolutionary to some, that planes get to fly over them, but, you understand, 2 years ago, that didn't happen. The Saudis made every Israeli-bound flight go around their airspace. Israel and Saudi Arabia have also participated in multi-lateral naval and air drills, alongside UAE, Bahrain, and other countries. It is an enormous shift.

If I can even say this in the region, Israel and Lebanon are very close right now to forming an agreement on what

they call the Blue Line, the border between Israel and Lebanon, including the maritime areas. What does that matter? It is a tremendous development for Lebanon, for their economic development, because there is a large natural gas field just off of Lebanon's coast, but the border has been unresolved for years.

In the conflict between nations and the trust that has collapsed, the Abraham Accords have provided an opportunity and a moment for the nations in the region to say: If peace can begin with UAE and Bahrain and Sudan and Morocco and Israel and recognition and economic development and Ambassadors can be exchanged, who else can engage in economic development?

Let's start with their neighbor Lebanon. To build trust is to also build clear borders. This is real progress in 2 years.

My challenge to the administration and to our State Department is, fan the flame. Keep going on this. We have seen nations begin to do economic development, families meeting other families, school curriculum changing to taking out anti-Semitic tropes, basically, out of their curriculum. We have seen real progress in this area. Keep going. Other nations should be welcomed to be able to join in the Abraham Accords. It is not closed. Other nations can join in that economic development.

There are four of us who began the Abraham Accords Caucus: myself, Senator ROSEN, Senator ERNST, and Senator BOOKER. We launched out the four of us and invited all of our colleagues to be able to join into it. Our focus is to be able to work with the Ambassadors of those nations to say: How can we partner together to bless what has already occurred, and how can we expand into other nations? How can we encourage increased economic development?

Now, there are still very real challenges. The work is not done by any means, but it has at least begun, and progress is taking off—this simple principle of economic engagement, going past all of the government noise and saying: What if we allowed infrastructure to be able to work together? What if we allowed tourism to be able to happen? What if we allowed businesses to work with other businesses in other nations that used to be hostile? How can we engage in such a way that would help?

The four of us in the Abraham Accords Caucus brought to the floor today a resolution to recognize this 2-year anniversary. It sat before all 100 Senators, and I don't know a single Senator who is opposed to that because we all want to see peace in the Middle East. We all want to see that kind of progress, and we all want to see this increase.

So, to our State Department, keep the work going. Keep the conversation going. To nations around the world that used to be hostile to Israel and the

region, why don't we set down the past and prepare our families for the future? I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

#### INFLATION

Mr. SASSE. Madam President, first, I would like to associate myself with the comments of the Senator from Oklahoma and thank him for all of the work he has done on this.

The Abraham Accords are really something to celebrate, something that we should be building on. And there is not a lot of good news right now on a whole bunch of scores, and this is worth celebrating. So commendations on your resolution.

Something we shouldn't be celebrating is inflation, and I wasn't invited, but it looks like there was one heck of a party this week at the White House.

In case folks missed it, President Biden, Majority Leader SCHUMER, Speaker PELOSI, and others gathered on the south lawn of the White House on Tuesday afternoon to clink champagne glasses and celebrate the so-called Inflation Reduction Act, passed along straight party lines last month. James Taylor even flew in for the festivities.

But at the same time that Washington politicians were patting themselves on the back, here is actual reality—not Orwellian rhetoric, not sort of made-up names for legislation to spend hundreds and hundreds of billions of dollars—here is actual reality: Americans are getting slapped in the face with yet another month of bad news. Core inflation grew another six-tenths of a percent just in the month of August, defying even the most pessimistic estimations and analyses heading into those reporting numbers.

Both the Dow and the S&P had their worst day since the very arrival of COVID.

Consumer prices are now up 8.3 percent for the year, but it is worse than that for median-income households in America. Grocery prices are 13 percent more expensive this middle of September than they were the last middle of September.

How do you think about what 13 percent inflation looks like? Here is the way I explained it to my kids: You know, if a year ago today, you went to the grocery store checkout line and you had \$100 in your pocket and you had a cart full of groceries and you paid your \$100 for the \$100 of groceries, if you showed up today at the checkout line at the grocery store with the exact same cart and the exact same hundred bucks, you would then have to awkwardly and in an embarrassed way, in front of the people behind you in line, say: I have to figure out how to take \$13 of stuff off this checkout line because the \$100 that I had last year that bought \$100 of food only buys \$87 of food right now. That is what 13 percent inflation means.

Even CNN had to admit that the White House's timing was awkward, calling the event "a bizarre split-screen moment," with President Biden taking a victory lap with a so-called Inflation Reduction Act while in the real world, inflation was tanking markets. That was actually what was happening on Tuesday. On air, the CNN anchor suggested it "feels a little hard to be celebratory." That is a kind of awkward, timid way to tell the truth.

Lots of Americans have become used to this split-screen reality where Washington says one thing, but reality is completely different. It often feels like officials in Washington are living alternate realities and then trying to convince the American people: You don't know what you are talking about. What you are actually experiencing at the checkout line when you had to put back \$13 of groceries—it is not really true. The great news is, we have wine glasses in our hands; let's clink them together.

Washington, DC, is obviously in a bubble—and not for the first time. The same folks who threw that party are the types who order lots of their food from DoorDash and therefore might actually not know what the price of eggs, milk, and meat is. They are the kind of folks who see inflation as something that happens on paper, but seeing it on paper is different than feeling it.

DC sees many problems on paper but doesn't really connect with what the American people are living. DC saw the housing crisis of 2008, 2009 as something on paper, not as reality. Why? Well, because five of the seven richest counties in America are the five suburban counties of Northern Virginia and Maryland that ring Washington, DC. Think about that. Of 3,000 counties in America, 5 of the 7 richest ones are the places that surround the city.

So in 2008, 2009, when housing was collapsing everywhere, when lots of people were going bankrupt in the country, people in this city said: I don't know what the heck you are talking about. We have massive demand. Houses sell with escalation clauses.

There are way more buyers than there are sellers, so housing prices in Washington, DC, in Northern Virginia, and in suburban Maryland went up even as the country was living that collapse.

Opioids are a crisis that a lot of people in Washington, DC, know only on paper because they don't see it around the yuppified neighborhoods of Washington, DC.

Inflation is now that kind of crisis. It is a very real thing, and yet people in this city host white wine parties to talk about how great it is passing legislation that spent hundreds of billions of dollars more, accelerating inflation, and they decided they would name it the "Inflation Reduction Act."

Let's review a little bit of history about what we have learned about inflation over the last 15 months.

More than a year ago, last summer, when Americans were already feeling their prices creep higher, the President dismissed long-term worries about inflation with this quote:

There's nobody suggesting there's any unchecked inflation on the way—no serious economist.

What?

That was an incredibly bizarre, dishonest statement, and everyone knew. When it was spoken and when speechwriters wrote it, they knew that that wasn't true.

Why did they know? Well, because inflation had gone from 1.4 to 5.5 percent in the 3 months before that statement was uttered.

Larry Summers, a longtime Democratic economist across multiple administrations and who is well respected by folks in academia and in government and in both parties, was screaming at the White House not just in private but in public that this was nonsense, that they were delusional about what was happening with inflation numbers. Yet our President said that there was nobody suggesting that unchecked inflation was on the way—no serious economist.

Here is what was actually happening in White House meeting rooms at that time. Half of the Obama economic team was coming in and telling the Biden economic team: Hey, you guys are going to get caught with your pants down. That isn't true. That spin isn't reality. Inflation is big, it is bad, and it is growing.

Yet the speechwriters said: Let's have the President go out to the podium and say there is no serious economist who believes inflation is coming.

That was in July of 2021.

In February of this year, when inflation had hit 7.8 percent, our President predicted that "inflation ought to be able to start to taper off as we go through this year." He had predicted in December that inflation had already peaked. Every one of these comments was detached from reality, and the people writing the speeches knew they were detached from reality.

The President is obviously not the only offender. Last October, with high prices already eating away at families' savings accounts, White House Chief of Staff Ron Klain applauded a tweet describing inflation and supply chain snarls as "high-class problems." That is some white wine-drunk commentary for you. This is a middle-class American problem that families in all 50 States are suffering.

A week later, the White House Press Secretary shrugged off the same problem when asked about inflation as being "the tragedy of the treadmill that's delayed." "The tragedy of the treadmill that's delayed"—ouch.

Do these people know anyone in America who has ever had to put stuff back at the checkout line at the grocery store? Because that is what I have experienced and see at Walmart and Hy-Vee right now in Fremont, NE.

Have they ever sat down with people to compare their receipts week over week or month over month—those people who are looking at their receipts, knowing that they have to put stuff back? They are not wrong, and they are not talking about a 3-month delay on a Peloton delivery.

Just 2 months later, another White House Press Secretary declared that the United States is "stronger economically than we have ever been in our history." That is what was said at the White House podium: "stronger economically than we have ever been in our history"—totally drunk stuff.

According to a Gallup poll, 56 percent of Americans now say price increases are causing financial hardships for their families. That is up from 49 percent a couple of months ago and 45 percent the previous fall.

According to a Monmouth poll, nearly 9 out of 10 Americans say the country is on the wrong track, but the White House is throwing wine and cheese parties to celebrate the Inflation Reduction Act.

Americans have watched the President announce that he plans to force noncollege graduates in Scottsbluff, NE, and Beckley, WV, to pay for the debt burden of people with masters and Ph.D.s who live in Berkeley and Bethesda. Let's be clear. Fifty-six percent of all of the student loan debt in America is held by people with graduate degrees. The majority of college loan debt in America is held by people with graduate degrees, and about a third of Americans go to college. But what we should do, Washington says, is take money from noncollege graduates and give it to folks with graduate degrees. Then let's claim it is somehow going to reduce the deficit. Drunk stuff.

Americans have watched as every basic household necessity has become more expensive, from groceries to gas. Then they hear politicians change the name of their bill to the Inflation Reduction Act and applaud themselves for spending hundreds of billions of inflationary dollars. This was on the steps of the White House on Tuesday afternoon.

Folks, this isn't just offensive; it is the kind of behavior and the kind of dishonesty that poisons democracy. Politicians are saying things here that are 180 degrees reversed from reality, and that cuts to the issue of public trust. It doesn't just matter economically; it matters civically.

The relationship between the American people and their leaders is a relationship built on trust—a trust that, when elected officials are at their desks in Washington, takes seriously the needs and desires of their constituents. We have a bunch of people in Washington, DC, who mistake the Washington, DC, elite experience, where the income of folks who work for the Federal Government is substantially higher than that of the median American. It attacks public trust. Elected officials are not special. Elected officials, quite frankly, are often

not that impressive. Elected officials are not demagogues. Public servants are supposed to be serving the public.

It is in our job description to trust that the people we represent actually know something about their struggles and their challenges and their day-to-day difficulties of making ends meet. It is in our job description to listen to them, to look at their experiences, and to take them to heart. It is in our job description to think carefully about the challenges they face and the ways we can address those challenges, always with a mindful eye to the direction established by our constitutional order and the best of our democratic traditions.

That relationship is destroyed when Washington, DC, breaks faith with the American people, when it declares: You don't know what you are talking about. You don't know what your experience is at the grocery store checkout line. There is no serious inflation, and no serious economist thinks inflation is coming.

The actual numbers are 13 percent grocery and 8½ percent overall. These are late 1970s kinds of numbers.

Politicians know best.

No, we don't.

The relationship is destroyed when self-satisfied appointees and smug bureaucrats in Washington bustle up and down Pennsylvania Avenue and decide that division is more efficient politics than competent governance. Lectures about the soul of America ring pretty hollow from practitioners of this craven kind of politics of contempt.

Americans deserve better. Starting with honesty is a pretty good start.

Here is honesty: We have an inflationary crisis on our hands, and the reality is that inflation is making life a lot more difficult and a lot more precarious for millions and millions of our neighbors. Our families and friends are feeling pain at the pump and at the checkout lines. They are watching their savings accounts and pensions be nibbled away. They haven't imagined a hardship. This is reality—experiential and economic reality.

The only thing that is misaligned is the rhetoric of this place, and Americans won't be bludgeoned into believing that they are actually thriving when they are experiencing 13 percent grocery inflation. Things are hard, and the barest minimum this White House could do is to admit it, to tell the truth, and to put away the party hats.

The American people are resilient. We are tough. We are not ready to accept this as the new normal. We are going to work our way through this, but we need less condescension and less spin. We need a lot more truth-telling from those in power. We need fewer tone-deaf, wine-glass-clinking parties from folks who have escalated inflation with reckless spending and then claimed that the American people are wrong and that this new spending will

somehow reduce inflation. Nobody really believes that.

The folks who are writing those press releases and those speeches and inviting people to parties at the White House should reconsider. They should tell the truth. It is hogwash, and they know it. More importantly, the American people know it, and we should tell them the truth.

### ADJOURNMENT UNTIL MONDAY, SEPTEMBER 19, 2022, AT 3 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 3 p.m. on Monday, September 19, 2022.

Thereupon, the Senate, at 3:57 p.m., adjourned until Monday, September 19, 2022, at 3 p.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### DEPARTMENT OF JUSTICE

ROGER B. HANDBERG, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE MARIA CHAPA LOPEZ, RESIGNED.

MARKENZY LAPOINTE, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE ARIANA FAJARDO ORSHAN, RESIGNED.

MCLAIN J. SCHNEIDER, OF NORTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF NORTH DAKOTA FOR THE TERM OF FOUR YEARS, VICE DREW H. WRIGLEY, RESIGNED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. DANIEL R. FOWLER

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. PATRICK E. MATLOCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. JAMES D. TURINETTI IV

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

KEENAN E. DALRYMPLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

SUSAN D. BAUMGARTNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

STIGEN A. WESTBERG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BEAU D. GRAHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

KRISTEN M. BARRA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

EVANS R. WRIGHT

#### IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

*To be major*

TRAVIS J. WILDER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

*To be major*

DAVID LAW  
RAMI SARID

#### IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

AMY M. RESPONDEK

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

ELLEN M. NELSON

#### IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

*To be colonel*

ERNEST L. BONNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

ASHTON M. SHELTON

### CONFIRMATIONS

Executive nominations confirmed by the Senate September 15, 2022:

#### THE JUDICIARY

SARAH A. L. MERRIAM, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

#### DEPARTMENT OF STATE

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (ENERGY RESOURCES).

#### DEPARTMENT OF HOMELAND SECURITY

DAVID P. PEKOSKE, OF MARYLAND, TO BE ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION FOR A TERM OF FIVE YEARS.

#### DEPARTMENT OF STATE

NATHANIEL FICK, OF MAINE, TO BE AMBASSADOR AT LARGE FOR CYBERSPACE AND DIGITAL POLICY.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ROLFE MICHAEL SCHIFFER, OF NEW YORK, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

#### UNITED NATIONS

PATRICK LEAHY, OF VERMONT, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

JAMES E. RISCH, OF IDAHO, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SEVENTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DONALD R. ALDERMAN AND ENDING WITH JOHN M. GRONDELSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MAY 19, 2022.

## EXTENSIONS OF REMARKS

IN RECOGNITION OF LT. COL.  
JASON CULLINANE

**HON. WILLIAM R. KEATING**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. KEATING. Madam Speaker, I rise today in recognition of Lt. Col. Jason Cullinane as he retires from the U.S. Army after three decades of service.

Raised in Falmouth, Massachusetts, Jason Cullinane had a passion for running from a young age. One of the seven "Running Cullinanes," Lt. Col. Cullinane ran in multiple Falmouth Road Races, served as captain of the Falmouth High School cross country team, and was named a Boston Globe All Scholastic and Cape Cod Times All Star athlete.

After graduating from Falmouth High School, Lt. Col. Cullinane went on to receive his Bachelor of Science in communications media from Fitchburg State University, where he was also a four-time NCAA All American in track and field. At Fitchburg State University, Lt. Col. Cullinane began what would be an extensive career with the U.S. Army, joining his school's Army Reserve Officers Training Corps program in 1989.

Following graduation, Lt. Col. Cullinane served his country and continued his passion for running, competing as an athlete for the U.S. Army multiple times at the International Military Sports Council (CISM). Lt. Col. Cullinane also ran in the 1996 Olympic trials in steeplechase and came in ninth at the 1998 U.S. Track and Field Championship. He then went on to run professionally for Reebok Boston and the Nike Farm Team, and wrote LogbookONE, a running training manual.

Following the attacks on September 11, 2001, Lt. Col. Cullinane returned to the U.S. Army and has been on active duty since. During his many years of service, Lt. Col. Cullinane was deployed to Bosnia, Afghanistan, and Iraq, managed training operations at several military bases, served as a policy analyst at the Pentagon, and received a master's degree in strategic studies from the United States Army War College.

After officially retiring from the U.S. Army this September, Lt. Col. Cullinane plans to spend ample time with his daughters, Niamh and Mayumi, and coach Falmouth Youth Running and the Falmouth Academy cross country team.

Madam Speaker, I am proud to honor Lt. Col. Jason Cullinane. I ask that my colleagues join me in recognizing his career and commitment to serving his community and country.

INTRODUCTION OF THE DISTRICT  
OF COLUMBIA HOME RULE EX-  
PANSION ACT OF 2022

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Ms. NORTON. Madam Speaker, today I introduce the District of Columbia Home Rule Expansion Act of 2022, which would expand D.C.'s authority to govern its local affairs. Specifically, the bill would give D.C. the authority to prosecute and grant clemency for all D.C. crimes and eliminate the congressional review period for D.C. legislation.

D.C. should—and will—be a state. However, until Congress grants D.C. statehood, there is no constitutional or policy reason Congress should not pass this bill. This bill is about local control over local affairs. It does nothing more than give D.C. the same authorities states and territories have over certain local governmental functions. Under the Constitution, Congress has plenary authority over both D.C. and the territories. It has already used its plenary authority to give the territories the self-governing authorities this bill would give D.C.

First, this bill would give D.C. the authority to prosecute all crimes committed under its laws. Congress already lets D.C. write D.C. criminal laws, and lets D.C. enforce them against some violators. Congress should let D.C. enforce them against all violators. This provision would effectuate a 2002 advisory referendum, approved by 82 percent of D.C. voters, to create a local prosecutor's office.

Currently, the U.S. Attorney for D.C. has the authority to prosecute most D.C. crimes committed by adults and some by juveniles, while the D.C. Attorney General has the authority to prosecute most D.C. crimes committed by juveniles and some by adults. Giving D.C. the authority to prosecute all D.C. crimes would not only give D.C. residents a say in the enforcement of all their laws, it also would save the federal government tens of millions of dollars a year by reducing the number of assistant U.S. attorneys in the U.S. Attorney's Office for D.C.

Second, this bill would give D.C. the authority to grant clemency for crimes committed under D.C. laws, as Congress previously has done. Currently, the President exercises the authority to grant clemency for D.C. crimes, though almost never grants it. D.C. residents deserve a say in whether their fellow residents deserve mercy.

Finally, this bill would eliminate the congressional review period for D.C. legislation. D.C. legislation takes effect after a congressional review period, unless a joint resolution of disapproval is enacted into law during the review period. The review process imposes significant costs on both D.C. and Congress, but only three D.C. disapproval resolutions have been enacted since passage of the D.C. Home Rule Act, and none since 1991, more than 30 years ago. Yet, the D.C. Council has had to develop

a Kafkaesque legislative process to comply with the review period, often having to pass the same bill multiple times. Congress loses nothing by eliminating the abandoned congressional review period. Congress can legislate on any D.C. matter at any time, and has done so many times outside of the review period, such as through the appropriations process.

The congressional review period (30 days for civil bills and 60 days for criminal bills) includes those days when either house of Congress is in session, delaying D.C. bills from becoming law, often for many months. The delay forces the D.C. Council to pass most bills several times, using a cumbersome and complicated process to ensure that the operations of this large city continue uninterrupted. The congressional calendar means that a 30-day period usually lasts a couple of months and often much longer because of congressional recesses.

Placing a congressional hold on D.C. bills has not only proven unnecessary, but has imposed costs on the D.C. government, residents and businesses. District residents and businesses are also placed on hold because they have no certainty when D.C. bills, from taxes to regulations, will take effect, making it difficult to plan. It is particularly unfair to require the D.C. Council to engage in this unnecessary, labor-intensive and costly process to no effect.

I urge my colleagues to support this important bill.

RECOGNIZING THE RIVERTON  
PEACE POLE COALITION

**HON. ANDY KIM**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. KIM of New Jersey. Madam Speaker, I rise today to recognize the Riverton Peace Pole Coalition as they celebrate the United Nations' International Day of Peace.

Since 1981, people and organizations across the world commemorate this day in the hope of strengthening the prospect of peace. For New Jersey's 3rd District and beyond, this day of non-violence and cease-fire serves as a reminder for us to continuously strive for equality and justice. Now more than ever, our role on the world stage is magnified and our leadership in promoting international peace will be a positive influence in countries and cultures across the globe.

This year's International Day of Peace theme, "End Racism. Build Peace," is a reminder for us of how dismantling racism both in our own homes and overseas can positively impact people of color and other minority communities. We are at a pivotal point in history where internal divisions resulting from discrimination and racism have become more common and violent than in recent years. Following the COVID-19 pandemic and the rise

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



of numerous social movements fighting for change, we have seen how conflicts around the world can affect some racial minorities harder than others. In keeping with the United Nations' values on this day, we recognize each of us can contribute to a future built on the premises and promises of human rights, everywhere.

I am incredibly humbled by what the coalition members in New Jersey's 3rd District are doing today to honor our commitment to build stronger communities and extend hope for empathy internationally. As they prepare to honor the United Nation's call for peace, I extend my best wishes to everyone in this district for doing their part to spread positivity and peace.

HONORING AND CELEBRATING  
EDWIN J. 'DICK' MORRIS, JR.

### HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mrs. HARTZLER. Madam Speaker, I rise today to recognize Mr. Edwin J. 'Dick' Morris, Jr. of Peculiar, Missouri, in celebration of his 100th birthday on September 16, 2022.

Mr. Morris still lives at his home in Peculiar and continues to live life to the fullest. He makes weekly trips to visit his wife, Maxine, at her nursing home in nearby Harrisonville, and stays independent, still doing his own cooking, cleaning, and even mowing his own lawn.

Although his independence and drive today is inspiring, Edwin Morris is nothing short of an American Hero. Drafted in 1942, Morris served his country with the Forest Rangers, Coast Guard, Air Force and 442nd Signal Battalion. Joining the Armed Services at the same time as his brother, Morris first spent time on the West Coast as part of the Forest Rangers and Coast Guard and was then shipped out to New Guinea at the beginning of 1943 when they declared independence. He then spent the latter half of the war in Japan. Morris's service didn't stop after WWII; after returning home to his farm in Missouri for a few years, he reenlisted in the spring of 1951 to serve in the Korean War, where he worked with the only B-36 bomber in the area. After his service in the Korean War, Morris became a farmer and tractor salesman, and now spends his time visiting with friends and family at the Belton Senior Center.

Today, there are very few WWII Veterans like Edwin still with us, making the celebration of his service and this milestone in his life even more admirable. Mr. Morris is undoubtedly an American Hero and Treasure, and this country is better for people like him. Please join me in recognizing Edwin and wishing him a very happy 100th birthday.

PERSONAL EXPLANATION

### HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. GAETZ. Madam Speaker, my first vote on September 13, 2022, was not cast because of a proxy vote communications error. Further,

my letter sent to the Clerk of the U.S. House of Representatives on September 13, 2022, altered my proxy designation before Roll Call No. 421, which was received and verified pursuant to H. Res. 8. Had I been present, I would have voted YEA on Roll Call No. 421.

IN RECOGNITION OF THE LIFE  
AND MEMORY OF OFFICER  
BLAIZE MADRID-EVANS

### HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. CLEAVER. Madam Speaker, I rise today with an aching in my heart as Missouri's Fifth Congressional District marks a somber occasion. I rise to honor and celebrate the life of Officer Blaize Alyxander Madrid-Evans, a 22-year-old member of the Independence Police Department who was killed one year ago today while responding to a call. Independence lost an incredible young man who wished to dedicate his life to protecting and serving everyday people as a police officer. Today, on this painful anniversary, we reflect on the selflessness and courage that Officer Madrid-Evans displayed throughout his 22 years of life.

Blaize Madrid-Evans was born on June 2, 1999 in North Kansas City, Missouri. Blaize grew up in Kansas City up until his senior year of high school. In 2018, he graduated from Smithville High School. He then began working for the American Medical Response (AMR) as an Emergency Responder, where he remained for nearly two years. In July 2021, Blaize graduated from the Police Academy and started his tour with the Independence Police Department. Sadly, Officer Madrid-Evans' tour would last only two months.

Officer Madrid-Evans is remembered as being a sharp-dressed coffee connoisseur who loved going out to eat, playing computer games, and putting Sriracha on all sorts of foods. Blaize was an organ donor, and in the year since his passing, he has saved seven lives and enhanced another thirty-seven. Through the donation of his corneas, skin, muscles, tendons, bones, and other tissues, the Midwest Transplant Team estimates that Blaize will impact the lives of up to seventy-five people. In one instance, Blaize's kidney was donated to a fellow police officer in Springfield, Missouri who was critically injured in the line of duty. Even after ending his watch, Blaize has continued to make his charitable presence felt through acts of service and sacrifice. Blaize's life came to an end far too soon, but in his death, he has bestowed the gift of life upon others. He would not want it any other way. He was a beloved son, brother, fiancé, friend, and police officer. According to his family, Blaize was loving, kind, respectful, and brought joy to all those who had the privilege of knowing him. He was a bright light in his loved ones' lives and has been missed terribly this past year.

On September 15, 2021, a tragedy occurred, and Blaize's life was cut short by an act of senseless, indescribable violence. When news broke that Officer Madrid-Evans had passed away, all of the Greater Kansas City Area grieved alongside his family, friends, and fellow officers. As we spend this day in loving

remembrance, I keep all those who had the privilege of knowing Blaize Madrid-Evans in my thoughts and prayers. As I have been told, to know Blaize was to love him, and I am deeply saddened to have never met this fine young man. I mourn with Blaize's long list of family and friends. No parent or grandparent should have to outlive their child or grandchild. I truly hope that the love and support that Independence and the surrounding areas have offered has brought some comfort into their lives. Blaize was so loved.

Officer Madrid-Evans was awarded the highest form of recognition from the Independence Police Department, the Medal of Valor on March 25, 2022. The medal is a profound honor given only to officers that display extraordinary acts of heroism and courage that go above and beyond the call of duty. Additionally, Officer Madrid-Evans was added to the Smithville Education Foundation's Wall of Fame in February of 2022. These tributes cannot heal the loss of Blaize, but they are symbols of gratitude for his distinguished service and boundless bravery.

When tragedies like this occur, it is difficult to comprehend the loss we all feel. In times like these, I am called to Scripture. Matthew 5:1-3 says, "Blessed are the poor in spirit, for theirs is the kingdom of heaven. Let us find solace in the word of God and remember that we will be reunited, once more, in the Kingdom of Heaven."

Today, my thoughts—and the thoughts of Missouri's Fifth Congressional District—are with Officer Madrid-Evans' family. Madam Speaker, please join me in honoring the life and everlasting legacy of Blaize Alyxander Madrid-Evans. Let us admire the fearlessness of Officer Blaize Madrid-Evans while never forgetting the sacrifice he made in the name of protecting others.

NEW FEDERAL COURT OPENS IN  
THE MARIANAS

### HON. GREGORIO KILILI CAMACHO SABLAN

OF THE NORTHERN MARIANA ISLANDS  
IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. SABLAN. Madam Speaker, on September 16, the United States District Court for the Northern Mariana Islands will be officially moved into its new courtroom and offices in Gualo Rai on the island of Saipan. The U.S. Pretrial and Probation Office, the U.S. Marshals Service, the U.S. Attorney's Office, and the Federal Protective Service are also now housed in this new building, leased by the General Services Administration from Marianas Management Corporation for the next twenty years.

To commemorate this move I want to add to the CONGRESSIONAL RECORD a history of the federal court in the Marianas, which is part of the ongoing story of how the people I represent have become members of the American political family and have been included in the institutions of the United States government.

I am indebted to the research of Ms. Lallane Guiao-Seng, MPA, who formerly interned with the Marianas congressional office and is now Generalist Clerk for the U.S. District Court. Ms. Guiao-Seng prepared a photo exhibition



with extensive captioning recounting the court's history for the ceremonial opening of the new courthouse this month. I am also indebted to Chief Judge Ramona V. Manglona, who agreed to allow Ms. Guiao-Seng to share her research with the congressional office. That work is extensively excerpted here.

Section 401 of the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, which the people of the Mariana approved in a plebiscite in 1975 and Congress agreed in Public Law 94–241 in 1976, provides that the United States will establish a District Court for the Northern Mariana Islands. The United States fulfilled this commitment in 1977 with enactment of Public Law 95–157 establishing the District Court under Article IV of the U.S. Constitution.

According to the Senate Judiciary Committee report that accompanied this legislation, establishment of the court was a legislative priority during the 95th Congress (1977–78). The Committee noted, in part, that

After the Constitution [of the Northern Mariana Islands] becomes effective, it will take the legislature an undetermined amount of time to create the local court authorized by the Constitution and to establish it as a functioning branch of the local government. Transitional provisions of the constitution will enable the current, local courts to hear and determine cases that will be within the limited jurisdiction of the Commonwealth trial court. However, unless the District Court for the Northern Mariana Islands is established by S. 2149 in this session of Congress, there will be no court in the Northern Mariana Islands to hear serious criminal and important civil cases, arising under local law. Moreover, there would be no court to hear cases involving Federal questions or Federal crimes, and there would be no appellate tribunal.

Consequently, the committee recognized “the urgent need for enactment of S. 2149 in this session of the Congress and, therefore, the committee reports the bill favorably with a recommendation that it do pass.” The legislation did pass the Senate on October 13, 1977, and the House on October 25. President Carter signed the bill on November 8 of that year.

In addition to establishing a judgeship for the court and assigning it to the same judicial circuit as Guam (which, at present, is the Ninth Circuit), the legislation also authorized the President to appoint a U.S. attorney and a marshal for the Northern Mariana Islands. The legislation also granted the court the same jurisdiction as a U.S. district court (i.e., district courts authorized under Article III of the Constitution). The Chief Judge of the Ninth Judicial Circuit was empowered to assign certain persons “to serve temporarily as a judge in the District Court for the Northern Mariana Islands whenever such an assignment is necessary for the proper dispatch of the business of the court.”

Quickly, the Chief Judge of the Ninth Judicial Circuit did assign three senior federal judges and the new Northern Mariana Islands District Court received its first case filings on January 9, 1978. Quickly, too, President Jimmy Carter nominated Alfred Laureta, who hailed from Hawaii, to be the district judge. He was confirmed by the Senate on May 17, 1978.

The new courthouse and federal office building we are celebrating today is a far cry from quarters that Judge Laureta confronted,

when he arrived on the island of Saipan in the Marianas in August of 1978. “The Court convened in a poolside suite at the Saipan Beach Intercontinental Inn in the village of Garapan. The district judge’s law clerk’s office was ten yards from the Intercontinental swimming pool and thirty yards from the beach. The courtroom itself was set up at the end of the banquet room, which could be closed off from the rest of the room and then opened for jury trials,” according to the research of Ms. Guiao-Seng.

Mr. Howard K.K. Luke, Judge Laureta’s law clerk, recalled this scene when he and the judge first arrived:

Saipan had just had the heaviest rainfall in recent recorded history. The first thing we saw upon arriving at the Saipan Intercontinental Inn was a car that was mostly underwater. The District Court was in a small room that had been hastily repaired, as it was heavily damaged from a fire from the kitchen area next to it not long before our arrival. We found a metal desk that served as the federal bench for the next several months.

Despite these less than imposing circumstances, the court got to work. And for the next eight years, the District Court heard both federal cases and the most serious local cases, including criminal cases with penalties of five years imprisonment or more and civil cases dealing with amounts in controversy of over \$5,000. All jury trials also fell under the jurisdiction of the District Court.

As Ms. Guiao-Seng recounts, the Federal District Court also served as the appellate court for the Commonwealth Trial Court. “Cases appealed from [the Trial Court] were heard by a panel of three judges on the ‘Appellate Division’ of the District Court. The panel included the U.S. district judge for the NMI, a judge of the Commonwealth Trial Court, and another federal district judge assigned by the U.S. Court of Appeals for the Ninth Circuit. The opinions rendered by this appellate arm of the District Court for the [Northern Mariana Islands] were appealable to the Ninth Circuit.”

The federal government also had begun negotiations for a more appropriate setting in which the District Court could convene. In 1981, after three makeshift years at the hotel, space was rented at the newly opened Nauru Building, a seven-story commercial venture of the Republic of Nauru, to accommodate the needs of the federal court, including a small courtroom, library, judge’s chambers, and staff offices.

Judge Laureta’s 10-year term ended in 1988 at which time President Ronald Reagan nominated Alex R. Munson to be District Court judge for the Northern Mariana Islands. Judge Munson was familiar with the region having served as the Chief Judge for the High Court of the Trust Territory of the Pacific Islands, which encompassed the Marianas as well as Palau, Yap, Chuuk, Pohnpei, Kosrae, and the Marshall Islands. Munson also initiated a relocation of the court to more spacious accommodations in the Horiguchi Building. The courtroom was located on the ground floor, the Clerk’s Office and Judge’s Chambers on the second floor, and a grand jury room on the third floor.

Within ten years, however, this space, too, proved inadequate. “In the wake of the 1998 Oklahoma City federal courthouse bombing, a Federal Assessment Board determined that

the courtroom in the Horiguchi Building was the least safe courthouse in the nation,” Ms. Guiao-Seng reports. As a result, the General Services Administration decided to build a new federal building in Saipan, but Congress balked at the cost.

Not until 2010, when a drunk driver veered off the road and crashed a 16-passenger van into the Horiguchi Building courtroom, did the federal government agree that a more secure facility was required. Yet seven more years passed before the General Services Administration finally contracted with the Marianas Management Corporation on a construct/lease arrangement for a new federal court building. Construction dragged out in the aftermath of Super Typhoon Yutu in 2018 and during the COVID–19 pandemic; but in early 2020 the District Court began its move to the new courthouse. The first judicial proceeding there took place on July 14, 2020. And this week we celebrate the official grand opening.

Throughout the last four decades, the U.S. District Court for the Northern Mariana Islands and the U.S. judicial system have played a pivotal role in the life of our community. The case of *Commonwealth v. Atalig* established the right to a jury trial for defendants facing a substantial period of incarceration. *Wabol v. Villacrusis* let stand the land alienation restrictions in the Commonwealth Constitution. And the court presided over the conviction of a Lt. Governor on charges of corruption.

The court is also the venue for the swearing in of new U.S. citizens, a regular and inspirational event I have many times attended.

The federal court is a focal point of local pride, too. Though the first two judges were off-islanders, in 2011 President Barack Obama nominated Ramona V. Manglona, a person of Northern Marianas descent, to the bench; and the U.S. Senate confirmed her that year. It is my sincere hope that President Biden will acknowledge the exceptional work of Chief Judge Manglona and nominate her for a second, 10-year term.

In the meantime, I join Judge Manglona, her staff, and the members of the U.S. Pretrial and Probation Office, the U.S. Marshals Service, the U.S. Attorney’s Office, and the Federal Protective Service in celebrating their new workspace.

As so many Americans individually did and our governmental and civil institutions, as well, the U.S. District Court made substantial adjustments in practice to continue functioning during the pandemic. In-person proceedings were discontinued, trials and grand jury sessions were held remotely. Eventually, however, and with the cautions we have become accustomed to—N95 masks and other personal protective equipment—the court was able to hold an in-person jury trial last year. In part, the 35,696 square-feet of space provided by the new Gualo Rai courthouse made the necessary social distancing feasible. The design is also forward-looking in its incorporation of innovative lighting and landscaping; and energy efficient fixtures and wastewater technologies are projected to realize future cost savings and conserve resources.

So, the grand opening celebration this week is more than just a ribbon cutting. It has the feel of a return to normalcy. It is a new normal, however, enhanced by a fine new facility ready to serve the cause of justice in the Northern Mariana Islands.

HONORING LES CLARK II ON HIS SELECTION AS KERN COUNTY FAIR PERSON OF THE YEAR FOR 2022

**HON. KEVIN MCCARTHY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. MCCARTHY. Madam Speaker, I rise today, along with my colleague, Congressman DAVID VALADAO, to honor Les Clark on his selection as the 2022 Kern County Fair Person of the Year. This significant achievement builds upon Les' incredible legacy of 50 years of community service, which has been recognized by the City of Taft, the Kern County Board of Supervisors, and the State of California.

Nearly five years ago, Congressman DAVID VALADAO and I rose to recognize and pay tribute to Les on his retirement as Executive Vice President of the Independent Oil Producers' Agency after 37 years of dedicated service to hardworking local oil producers. In that statement, we spoke to Les' character, drive, knowledge of the Kern oil patch, and vision for our community. And most importantly, we attested to his life of service, which has never stopped, even after his official retirement. That is why Congressman VALADAO and I are proud to see Les being honored at this year's Kern County Fair.

Dating back to 1916, the Kern County Fair has a rich history that cuts across generations and brings Californians together to celebrate all Kern County has to offer. During the 12 days of festivities, community members have the opportunity to play carnival games, eat barbeque, and listen to lively music, including the famous "Bakersfield Sound." It is also where our next generation of agricultural producers exhibit a variety of their livestock showings, demonstrating their husbandry skills. With Les being recognized as Person of the Year at this year's fair, his name will forever be tied to the Kern County Fair's rich history and all that it represents in our community and across the Central Valley.

On behalf of the 23rd and 21st Congressional Districts of California, Congressman VALADAO and I would like to thank Les for the impact he has made and continues to make on countless individuals, both professionally and privately, and congratulate him on receiving this special recognition. We wish him and his family, including his wife, June, two daughters, Tessa and Kerrie, son "Little Les," ten grandchildren, Arizona, Ayana, Cash, Darius, Easton, Keylan, Logun, Sierra, Tanisha, and Willow, and six great grandchildren, Zaria, Ivy, Koast, River, Luka, and Kaisley the very best as they celebrate at this year's fair.

IN RECOGNITION OF THE RITZ THEATER'S 115TH ANNIVERSARY

**HON. MATT CARTWRIGHT**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. CARTWRIGHT. Madam Speaker, today I honor the Ritz Theater on its 115th anniversary. The occasion was marked with a ribbon cutting, birthday cake, and historic tour on September 2, 2022.

In 1906, Italian immigrant and talented wax modeler S.Z. Poli built the Ritz Theater—then called the Poli—for \$250,000. The grand theater could seat more than 2,000 theatergoers in its orchestra, balcony, and second story balcony. On Labor Day 1907, the theater opened its doors as Scranton's premier vaudeville theater and attracted some of the biggest names in the industry including Harry Houdini, W.C. Fields, and Will Rogers. News stories from the time reported a young Buster Keaton tended bar across the street in between performances. The reputation of the theater and the superstars who performed on its stage sparked the popular saying "if you can play Scranton, you can play anywhere."

On October 6, 1930, the theater began screening films and was rebranded as the Ritz Theater. In 1937, the theater was remodeled in the Art Deco style; the second story balcony was removed; and it was again renamed and became the Comerford Theater. By 1941, the theater was managed by the legendary Paramount Pictures, Inc. through their subsidiary, Frank Walker. The theater was once again remodeled, and on May 5, 1950, the theater reopened with a screening of *Paid in Full* which starred Scranton's own Lizabeth Scott.

Over the next several decades, the theater thrived, drawing crowds of moviegoers downtown, but when the theater began to struggle financially, the main floor was converted into a mini mall in 1978 with the theater operations relocating to the former balcony. As competition from two multiplexes continued to mount, the Ritz shifted to showing short-run movies, and in July 2000, "U-571" was the last film shown before the theater closed.

In the early 2000s, the building was purchased, and the buyer found many of the treasures of the theater's heyday still intact. In 2016, the Creative and Performing Arts Academy of NEPA, an arts program for kids, teens, and adults, took up residence in the Ritz. Today, more than 300 students attend classes in music, theater, and dance and participate in more than 24 annual productions. The Ritz also houses the Ritz Mainstage Players, a semi-professional, audition-based company that performs musicals and plays.

Through triumphs and challenges, the Ritz Theater has been a beacon for the arts in downtown Scranton for more than a century, and I admire the ingenuity and determination it took to preserve its legacy. I am honored to join with everyone at the Ritz Theater to celebrate their 115th anniversary. May they continue to find great success and welcome audiences through their doors for many years to come.

CELEBRATING THE 25TH ANNIVERSARY OF SOJOURNER TRUTH HOUSE

**HON. FRANK J. MRVAN**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. MRVAN. Madam Speaker, it is with great pleasure and admiration that I recognize Sojourner Truth House as the organization celebrates its 25th anniversary. In honor of this momentous occasion, Sojourner Truth House will celebrate with a special event taking place on Sunday, September 18, 2022, at Avalon Manor in Merrillville, Indiana.

Sojourner Truth House, located in Gary, Indiana, is a ministry organization sponsored by Poor Handmaids of Jesus Christ which provides shelter, support, and hope for homeless and at-risk women and children. The compassionate employees and volunteers at Sojourner Truth House assist and encourage their clients to regain their dignity and sense of purpose for themselves, their children, and their communities. The organization is dedicated to its mission which includes an emphasis on dignity and respect for all, strength in diversity and inclusion, and fostering a safe environment for its clients to identify and overcome the barriers in their lives. In addition, the organization is proud to provide numerous programs that have been immensely successful and provide clients with access to resources, classes, counseling, and various activities aimed at healing the mind, body, and spirit. For its noteworthy and lifelong positive impact on the community of Gary and the entirety of Northwest Indiana, Sojourner Truth House is worthy of the highest praise.

I would be remiss if I did not recognize some of the inspiring leaders in Northwest Indiana who have worked with Sojourner Truth House to bring about impactful change and to inspire the community. They include Sister Joan Fisher, PHJC, Sister Peg Spindler, CSA, Executive Director Angela Paul, Chairperson Scott Yahne, Vice-Chairperson Michael Gluszewski, Treasurer Sharon Morales, Secretary Greg Lee and other current members of the Board of Directors: Tai Adkins, Jodi Allen, Leo Barron, LaToya DuBose, Sister Annemarie Kampwerth, PHJC, Rozanne Morton, Margaret Tarchala, and Candace Williams.

I am also grateful for the sponsorship of Poor Handmaids of Jesus Christ, and for the grant partnerships, organizations, friends, and community groups who work tirelessly to support this incredible organization.

Madam Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating Sojourner Truth House on its 25th anniversary. For the past 25 years, the staff and leadership have touched the lives of countless individuals through their unwavering commitment to those in need. The ministry is a beacon of hope for so many and serves as an inspiration to us all.

IN HONOR OF THE 150TH ANNIVERSARY OF SINCLAIR LODGE

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. WILSON of South Carolina. Madam Speaker, today I recognize the 150th Anniversary of the Sinclair Lodge No. 154 of Ancient Free Masons in West Columbia, South Carolina.

The Sinclair Lodge was organized on November 1, 1869, with 20 members, and through continued growth still maintains true to the vision statement of being men of faith, morality, and perseverance.

The Sinclair Lodge exemplifies greatness, taking good men and teaching them to be better men. The organization also demonstrates outstanding generosity through their support of various charities. Among these include academic scholarships to local high schools and even the Special Olympics of South Carolina.

Surely this community in which it resides greatly benefits from the charitable actions of the Sinclair Lodge, led by the Worshipful Master Logan Roush.

I am humbled to accept the 40 Year Service Award from the Sinclair Lodge and am grateful for the impact it continues to make in the lives of its members and those with whom they interact in this great state of South Carolina.

HONORING THE 55TH  
ANNIVERSARY OF PROTEUS, INC.

**HON. CONNIE CONWAY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Ms. CONWAY. Madam Speaker, I rise today to recognize Proteus, Inc. for its 55 years of service in California's San Joaquin Valley.

Proteus was established in 1967 through the Tulare County Community Action Agency. It began as an adult basic education class for low-income residents held in a basement in Visalia, California. Within a year, over 2,000 students were enrolled in its classes, allowing Proteus to incorporate in 1972. Expanding rapidly, Proteus created numerous employment and vocational programs while moving into Kings, Fresno, Kern, and Los Angeles Counties. It opened skilled training centers in all 5 counties, which helped farmworkers transition into vocational careers.

In the 1980s and 1990s, Proteus adapted its services to the diversifying needs of the San Joaquin Valley. It provided job training to refugees, high school dropouts, and women outside the workforce. Family services were emphasized with the building of community centers. Proteus also led relief efforts for farmworkers and communities affected by environmental disasters. The agency celebrated the onset of the 21st Century with a milestone accomplishment: becoming an accredited educational training institution.

Today, Proteus continues to address the most pressing contemporary challenges. For example, responding to the energy crisis, Proteus created energy-saving programs for communities in need while building strong partnerships with local utility companies. After 55 years of operation, Proteus has earned its reputation as a nationally recognized full-service agency. In recognition of its outstanding work, the agency has won numerous awards including from the California Awards for Performance Excellence program.

Today, Proteus operates approximately 50 programs for people of all ages and backgrounds. Its work includes emergency supportive services, energy conservation, foster family services, prevention services, pesticide safety training, and career and technical education classes. Even with the diversification of its services, however, Proteus remains firmly rooted in its core mission: "to provide education, workplace training, job placement, and other support services to farm working families and diverse program participants to empower them to achieve self-sufficiency".

Madam Speaker, I ask my colleagues in the United States House of Representatives to join me in commending Proteus, Inc. for 55 years of service in the San Joaquin Valley and for many more decades of growth and success to come.

INTRODUCTION OF THE IMPROVING ACCESS TO ADVANCE CARE PLANNING ACT

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. BLUMENAUER. Madam Speaker, today I am pleased to introduce legislation to remove barriers to increase access to advance care planning in the Medicare program.

As we look for ways to lower health care spending, how we approach end of life care must be part of the conversation. When more than 90 percent of health care expenditures are spent on treating chronic conditions, it's clear that we shouldn't spend money on unwanted care and instead empower patients and families to think about these decisions before it is too late.

Improving Medicare coverage of voluntary discussions with providers about living wills, power of attorney, and other end-of-life treatment preferences can allow for these delicate and complex conversations to happen in a thoughtful manner.

Since 2009, I have introduced multiple pieces of legislation and built bipartisan support to improve Medicare coverage of these services to ensure that patients' wishes are respected and families are well prepared for this emotionally demanding time. In 2015, the Centers for Medicare and Medicaid Services (CMS) put forward a proposal, based on my Personalize Your Care Act, to allow physicians to bill for advance care planning. In the first year alone, these codes were used by more than 22,000 providers on behalf of more than 570,000 beneficiaries.

In the last two and a half years, we've seen tremendous loss and we must meet this moment. This legislation does just that by making this service free for beneficiaries and letting clinical social workers offer the service, allowing more patients to access this benefit.

I urge support for this legislation.

RECOGNIZING MRS. CHRISTIE  
JORDAN

**HON. ERIC A. "RICK" CRAWFORD**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. CRAWFORD. Madam Speaker, I rise today to recognize Mrs. Christie Jordan for her 25 years of dedicated service to the Food Bank of Northeast Arkansas as Chief Executive Officer.

Since becoming CEO in 1997, Mrs. Jordan has overseen the rapid growth of the Food Bank of Northeast Arkansas which today distributes millions of pounds of food to over 100 partnering organizations including food pantries, soup kitchens, and shelters across 12 counties serving thousands of people. In her role, Mrs. Jordan works with state and federal agencies, the Food Bank's partner organizations, local businesses, and oversees grant writing and fundraising to secure the resources the Food Bank needs each year. Additionally, through her leadership, the Food Bank continued operating and serving the community during the challenges of the COVID-19 pandemic.

Her biggest achievement as CEO came in 2012 when she moved the Food Bank from a 13,000-square-foot facility to a custom-designed 56,000-square-foot facility. This facility upgrade became possible after she led a fundraising effort to raise \$1.6 million in matching funds to receive a grant from the Donald W. Reynolds Foundation.

For her work at the Food Bank, she received the 2010 Public Citizen of the Year from the Arkansas chapter of the National Association of Social Workers and the 2011 Non-profit Executive of the Year in the inaugural Northeast Arkansas Business of the Year awards.

Throughout her career, Mrs. Jordan has given back to her community in other ways, including serving as a Founding Member in 2004 and currently as a Board Member for the Arkansas Hunger Relief Alliance, serving as the Jonesboro Regional Chamber of Commerce Governmental Affairs Committee Chairman, and serving as the Community Director for the March of Dimes from 1996 to 1997.

The City of Jonesboro and the entire Northeast Arkansas region are blessed to have Mrs. Jordan in our community, which includes the thousands of families who have been directly touched by her work. In her own words in an August 2021 interview, Mrs. Jordan said, "I feel passionate about people investing their time and talents into the community to make it a better place." Over her decades-long career of investing her time and talents, Mrs. Jordan has certainly made Northeast Arkansas a better place.

With heartfelt thanks, I congratulate Mrs. Jordan on 25 years as the CEO of the Food Bank of Northeast Arkansas and look forward to seeing her impact on our community for the years and decades to come.

HONORING THE CAREER OF SERGEANT FIRST CLASS TREVOR  
BRITTELL

**HON. JOE COURTNEY**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. COURTNEY. Madam Speaker, I rise today to honor the distinguished military career of Sergeant First Class Trevor Brittell in the Connecticut Army National Guard which recently ended after 25 years of valorous service. Sergeant Brittell officially discharged on September 8, 2021, which is being publicly celebrated post-COVID on its one-year anniversary this month. Throughout his years of distinguished service, Trevor has been a shining pillar of duty, compassion, and professionalism. His retirement has been well-deserved.

Trevor's Connecticut roots have taken hold since a young age, when he and his family moved to Simsbury, Connecticut from their home state of California at age six. Upon his graduation from Simsbury High School, Trevor followed in the steps of his late grandfather and voluntarily enlisted in the Army National Guard in 1997, where he was assigned to the 102nd Infantry. During this time, Trevor enrolled at Western Connecticut State University where he studied Justice and Law Administration, a curriculum he later applied to his work at the guard and local law enforcement.

Madam Speaker, Trevor's enlistment in the Army National Guard altered his life's trajectory forever, particularly with the 9–11 terrorist attack on U.S. soil. As every guard member and reservist knows, the demands on the reserve forces changed dramatically in the wake of 9–11. Every mission overseas by the U.S. military, whether in the Middle East or other hot spots required the robust and highly skilled men and women of our Nation's reserve forces. Sergeant Brittell's deployments after 9–11 are a perfect example of that pattern. A week after 9–11, he was deployed as an infantryman to Bosnia under Operation Joint Forge. Upon his return to the States, he was stationed at West Point under Operation Noble Eagle, supporting security efforts on U.S. military installations which were dramatically hardened after 9–11, requiring more personnel. That assignment rekindled a strong interest in a career as a Military Policeman. He also made another positive life decision during this point in his life, meeting and marrying his wife, Kateri.

Like all military families, the call to duty resulted in inevitable separations, which he and his wife steadfastly endured. In 2006, with the rank of Corporal, he successfully completed an 18-month deployment to Afghanistan under Operation Enduring Freedom. Upon return he made the decision to commit his skill and training to military policing. Almost immediately upon his graduation as a Military Policeman, then-promoted Sergeant Brittell was deployed in 2009 on a second, 12-month tour in the Middle East under Operation Iraqi Freedom.

Upon his return to Connecticut, Trevor was promoted to Staff Sergeant and transferred to the Regional Training Center in Camp Niantic, passing on the most impactful lessons and training which he had experienced over the years to new trainees. In 2014, he transferred closer to home with an eye set on continued operational leadership, serving as squad leader of the 143rd Military Police Company in West Hartford, Connecticut. Though Brittell transferred again and was promoted to Sergeant First Class in the interim, he ultimately returned to the 143rd, serving with the Company through to retirement, even being deployed once more to support safety procedures during the 2021 presidential inauguration and further operating as Team Commander of the 143rd Military Police team for the 2021 SWAT Challenge.

Despite Trevor's demanding schedule within the Connecticut National Guard, he found time to serve through many additional roles, including his most important as a father to his two children, Cara and Jack. In 2014, Trevor also began a second career with the Simsbury Police Department, purposing his valuable skills as a Military Policeman toward the safety of his hometown. During 2013 and 2014, Trevor also served in the Honor Guard for the Hartford Judicial Marshalls and is currently in the Honor Guard for the Simsbury Police Department. He is also, of note, the School Resource Officer for Simsbury High School. In that challenging job, he is entrusted with the safety and health of our state's most precious treasure, our children. With his commitment to creating bonds of trust in law enforcement with young people, Trevor volunteered to act as the director of the Simsbury Police Cadets.

Madam Speaker, it is hard to capture the entirety of SFC Brittell's passion for his community and nation which has been present

throughout his life and career. He has and continues to live a life that is defined by patriotism and compassion. Although his career with the military has come to a conclusion, we will forever appreciate his sharp sense of dedication, which has undoubtedly been further instilled within the countless trainees under his watch. I hope that his example of selfless dedication to his fellow citizens is carried on, and that he is able to enjoy a fruitful retirement with his family, while still serving the town of Simsbury. To that end, I ask my colleagues in the House to join me in honoring and congratulating Trevor Brittell for his dedication to our Nation through the Army National Guard.

CONGRATULATING BARBARA CRIDER ON HER RETIREMENT

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Ms. PINGREE. Madam Speaker, I rise today to extend my congratulations to a tireless advocate in my state who is retiring after over four decades of working to improve the lives of her fellow Mainers.

Barbara Crider first came to Maine in 1981 with a career in public service in mind. She spent ten years working for local Community Action Agencies in Bangor and Sanford as an Intake Specialist and Director of Community Services before pursuing a law degree at American University.

In 1994, Barbara returned to Maine permanently to found the Penquis Law Project. Barbara focused her practice on public interest family law, primarily providing invaluable representation to victims of domestic violence and sexual assault.

After founding a second law practice in Bangor, Barbara returned to the York County Community Action Corporation, serving first as its Deputy Director and later as its Executive Director, helping the organization to grow and diversify its program offerings. Most recently under her leadership, thousands of Mainers were able to get the assistance they needed during the height of the COVID–19 pandemic.

In Maine, we pride ourselves on having a 'can do' attitude and encouraging others to do the same. Perhaps that's why the term *dirigo* or 'I lead' was selected for our State seal in 1820. Barbara has spent her life embodying the *dirigo* spirit and I am proud to extend my sincere congratulations to her as she begins her next chapter.

RECOGNIZING LUIS QUINTANA

HON. ALBIO SIRES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. SIRES. Madam Speaker, I rise today to recognize my good friend Luis Quintana, the Councilman at Large in the City of Newark, New Jersey. Councilman Quintana is being honored as the Grand Marshall of this year's Puerto Rican Day Parade on September 18, 2022. Luis is a dedicated public servant and inspiring role model for the Puerto Rican com-

munity and the people of Newark who has served on the City Council for 28 years. Born in Añasco, Puerto Rico, Luis moved to Newark, NJ when he was seven years old. He faced challenges as he found himself in a new city where his classmates spoke a different language, but he overcame them and went on to graduate from Barringer High School before attending Seton Hall University. Luis became an advocate for Newark's youth, believing that all students deserved access to the same quality education regardless of background. At the same time, he was actively involved in the community, becoming a member of the Democratic County Committee in 1981 before serving as Deputy Mayor from 1986 to 1994. In 2013, Luis broke boundaries when he became the first Hispanic Mayor of Newark, NJ. I could continue to list his many accomplishments, but I think the most important one is a goal he set himself during his time as Mayor. Luis said in an interview that his "only mission is to make Newark a better place" and he has undoubtedly done just that. His work has benefitted the many New Jerseyans who call Newark home, and he is a role model for the Puerto Rican community. I am proud to call Councilman Luis Quintana a colleague and friend.

CELEBRATING B. BRAUN MEDICAL INC. GRAND OPENING IN DAYTONA BEACH, FLORIDA

HON. MICHAEL WALTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. WALTZ. Madam Speaker, I rise today to celebrate the grand opening of B. Braun Medical Inc.'s new pharmaceutical manufacturing plant in Daytona Beach, Florida.

B. Braun has long been a leader in manufacturing medical devices and IV solutions. The company has been able to emerge as a leader while also maintaining its staunch commitment to protecting patients from exposure to harmful chemicals—ensuring their devices and products are made with the highest quality materials. Their new facility in Daytona Beach is no different as it will manufacture Sodium Chloride for Injection in B. Braun's Excel Plus IV Bags, which are free from PVC, DEHP, and natural rubber latex.

As our healthcare providers know, Sodium Chloride for injection is a solution used to administer lifesaving and life-sustaining therapies. These IV solutions are often used for adult and pediatric patients as sources of electrolytes and water for hydration—commonly used to treat COVID–19 and Flu patients. Not only is Sodium Chloride included on the FDA's list of Essential Medicines, but there have also been several shortages of Sodium Chloride in the last 5 years.

With an investment of more than 300 million dollars, B. Braun's impressive 218,000 square foot facility will play a critical role in alleviating IV fluid shortages across the country. We learned the hard way during the COVID–19 pandemic that we can no longer rely on importing medical products from overseas and that reliance can be a matter of life and death. This new Daytona Beach facility will bring healthcare manufacturing back to where it belongs—right here in the United States.

This past August, I had the privilege of attending the ribbon cutting ceremony of B.

Braun's new facility in Daytona Beach. During this ceremony, I was excited to learn about the economic and educational impact B. Braun will have on our local community. In addition to their plans to expand beyond the 500 employees currently on site, B. Braun has also collaborated with local educational institutions, including Daytona State College and Embry-Riddle Aeronautical University, to establish a workforce development initiative to train employees for high-skilled jobs.

There is no doubt that B. Braun's new pharmaceutical manufacturing site in Daytona Beach will provide much needed relief to our healthcare industry and bring us one step closer to a self-sustaining medical manufacturing industry here in the United States. As the Representative of Florida's 6th Congressional District, I am proud to have this B. Braun facility in our community and I look forward to the positive impacts it will have on my constituents, Floridians, and every American.

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HONORING THE MEMORY OF  
CHARLES LAMAR ADAMS

**HON. BARRY MOORE**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. MOORE of Alabama. Madam Speaker, today, I rise to recognize the life of Charles Lamar Adams, who sadly passed away on Wednesday, August 10, 2022, at the age of 96.

Mr. Adams was a graduate of Graceville High School and he later attended Auburn University in 1943 for a few weeks before putting his education on hold to bravely enlist in the Navy and serve his country in the Second World War.

When he returned from his time in the service, Charles met and married Ms. Nelma Grace from Hartford, Alabama. Together, they were blessed with 3 lovely daughters, 8 beautiful grandchildren, and 12 great-grandchildren, who now carry on the family legacy.

After resuming his education, Charles went on to receive his Associate of Arts degree, a Bachelor's degree, and a Master's degree.

Later, Charles continued serving his community by pursuing a career in education—becoming a high school teacher, a high school principal, a college professor, and the Superintendent of Education in Washington County, Florida.

Charles continued to teach and remained active in the education system well into his seventies. In total, Charles' career in education spanned 54 years.

Charles dedicated his life to serving his community and his country. He was an American hero that touched many of the lives around him as an educator, a son, a brother, a husband, a father, a grandfather, and a great-grandfather.

Charles Lamar Adams left a lifelong impression on every student and member of the community that crossed his path. I join his many friends, family members, and the entire Second Congressional District of Alabama in honoring and preserving his legacy of service.

HONORING THE LIFE OF LEE  
DANKER

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. COSTA. Madam Speaker, I rise today to honor the life of Lee Walter Danker, a friend to many and advocate for animals. He fought pancreatic cancer for almost 4 years and passed surrounded by his family on Friday, July 22, 2022. Lee was an important component to the community and always cared for those around him.

Lee Walter Danker was born on November 18, 1961 in Barcelona, Spain. He graduated from Campolindo High School, and then in 1984, he earned his degree in Communications from California State University, Fresno.

After college, Lee worked in television for channel 30 and 47. In 1987, he decided that Macy's would be a great transition in career, and in 2003, he became a personal shopper. During those years, Lee made many friends and accumulated customers. During his time of working at Macy's, I met Lee and cherished our friendship. After years as a personal shopper, he retired in 2021. For a total of 35 years, Lee was part of Macy's and enjoyed every part of it.

Lee loved animals and was a proud supporter of donating your time to help them. He was a board member for the HOPE Animal Foundation for 16 years and was a fundraising volunteer for Valley Animal Center. For 36 years he spent his time helping that organization, and in 2019, Lee received the Animal Advocate Award from Valley Animal Shelter. On top of his volunteer work, he would give to numerous animal organizations whether it was local or not whenever an opportunity was provided to him.

His time was spent giving back to others, and that included for the homeless and children. He could be seen handing out water and/or goodie bags to the homeless and would contribute to the Big Brother/Big Sister Annual Coat Drive. He would advocate for children during those winters and encouraged people to purchase coats for the organization.

When he was not caring for those in need, Lee loved to travel, watch movies and TV, spending time in his garden, eating good food, and taking cat naps. As long as he was surrounded by people, Lee was his happiest.

Lee is survived by his father, Willard T. Danker of Superior, CO; his sister, Stephanie (Kerry) Kirby of Superior, CO; his nieces, Jennifer (Casey) Jaeger of Sheridan, WY and Nicole Kirby of Temple, TX; his great-niece and nephew, Madison, and Connor Jaeger; and many dear friends.

Madam Speaker, I ask my colleagues to join me in honoring the life of Lee Walter Danker. His selfless love for animals and people, and contributions to the community will forever be remembered.

REMEMBERING DINDAR SINGH  
BAINS

**HON. JOHN GARAMENDI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. GARAMENDI. Madam Speaker, I rise today to honor the life and lasting contributions of Dindar Singh Bains. Passing away at the age of 84, Mr. Bains leaves behind an indelible legacy in the farming and business community in the Yuba-Sutter area.

In 1958, Mr. Bains came to the United States from India with eight dollars and the hope of achieving his American Dream. Farming became Mr. Bains' passion when he arrived in Yuba City as he appreciated the land's likeness to Punjab, India. Through his tireless efforts as a farmer, Mr. Bains, otherwise known as the 'Peach King,' became the largest independent peach grower in the world and the second largest cranberry grower for Ocean Spray. As a board member of the California Canning Peach Association, Mr. Bains benefitted Californian growers and farmers through his tireless efforts and advocacy.

Mr. Bains was an integral part of the Yuba-Sutter community. Through his passion for farming, his advocacy for the city, and his instrumental efforts as a founding member of the Sikh Temple Gurdwara, Mr. Bains left a lasting impact on the community. His significant legacy will be commemorated with the construction of "Dindar S. Bains Park" in Yuba City on land Mr. Bains once farmed himself. This new public area will serve as a gathering place in honor of the community that Mr. Bains forged across the Yuba-Sutter area.

Mr. Bains is survived by his wife, three children, several grandchildren and great-grandchildren, and a community that will miss his tenacious spirit. I would like to extend my deepest sympathies to Mr. Bains' loved ones. I know that they, along with the entire Yuba-Sutter community, join me in celebrating his life and legacy.

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IN MEMORY OF QUEEN ELIZABETH  
II

**HON. JOE WILSON**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. WILSON of South Carolina. Madam Speaker, as co-chair of the U.K. Caucus of the U.S. Congress, I am grateful to recognize Queen Elizabeth II for her dedication and decades-long era of service to the people of the United Kingdom, the Commonwealth, and the Realms.

On September 8, 2022, after 70 years of service to the United Kingdom and the Commonwealth realms, the beloved Queen Elizabeth II died at Balmoral Castle in Scotland, the home she cherished. Queen Elizabeth reigned with dignity and elegance, leading unparalleled human progress, and winning over the hearts of many around the world. During her reign, she endured as a symbol of stability and strength as the monarchy faced constant political, cultural, and social change. The spirit of her steadfast leadership and devotion to the cause of freedom will remain with us all.

During Queen Elizabeth's seven decades of service, she worked with 15 prime ministers, from Churchill to Truss, and 14 American presidents, from Truman to Biden. She welcomed her responsibility to not just represent her country with grace and poise, but to also play a constitutional role in government decisions, meeting with prime ministers weekly in private audiences. She also valued maintaining a connection with her people. This included making radio broadcasts, establishing a social media presence, introducing the Commonwealth games, sponsoring 3,000 charities across the globe, and hosting her much adored Jubilees.

The civilized have benefitted incredibly with British cultural and government influences. I have experienced firsthand from an appreciation in America, to Ghana, to Hong Kong, to the Caribbean islands of St. Vincent, Barbados, British Virgin Islands, to Bermuda, freedom and democracy have been enhanced.

I especially appreciate that I grew up in the most British city of North America—Charleston, South Carolina. Founded in 1670, surviving the American Revolution and Civil War, until unintended mothballing by poverty for a century to be revived in the 1960's with restoration of the elegant homes of the 1700's.

Shortly after the Queen's passing, a double rainbow appeared over Buckingham Palace as thousands of members of the public gathered around to pay their respects. Not long after, a rainbow also appeared above Windsor Castle and Balmoral. This was a wonderful occurrence, as thousands of people, looking up at the sky, reflected on the Queen who served them so wonderfully for most of their lives. As Winston Churchill once stated, "All the film people in the world, if they had scoured the globe, could not have found anyone so suited to the part." I offer my sincerest condolences to friends in the United Kingdom, the Commonwealth, and across the world, on the passing of Queen Elizabeth II.

#### PERSONAL EXPLANATION

### HON. RICHARD HUDSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. HUDSON. Madam Speaker, I was unavoidably detained and missed a vote. Had I been present, I would have voted YEA on Roll Call No. 426.

#### HONORING KATHERIN ELAM

### HON. H. MORGAN GRIFFITH

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. GRIFFITH. Madam Speaker, I rise today to recognize Katherin Elam of Salem, Virginia, who over the years has been a consistent positive influence in Salem and the Roanoke region, on her upcoming retirement from the presidency of Junior Achievement of Southwest Virginia. During a 24-year career at the organization, Ms. Elam has been a tremendous positive presence for young people in the Roanoke Valley.

Junior Achievement seeks to prepare students for their futures by offering lessons in fi-

ancial literacy, work and career readiness, and entrepreneurship. Since 1998, Ms. Elam led this volunteer organization's efforts in the Roanoke Valley. In cooperation with local teachers, Junior Achievement reaches into classrooms to offer guidance and support as students set goals and plan to attain them. Ms. Elam has grown and maintained a volunteer corps and networks that connect students to the knowledge and skills they need to thrive.

Over Ms. Elam's time as president of Junior Achievement of Southwest Virginia, it worked with 220,000 local students. That number is incredible, but for the students who have made progress toward their dreams over the course of her long and fruitful career, Ms. Elam's true impact is beyond measure. I wish her all the best as she concludes her service at Junior Achievement of Southwest Virginia and pursues her own goals in the future.

#### FAREWELL TO MAJOR EDWARD C. GARCIA, JR.

### HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. KELLY of Mississippi. Madam Speaker, I rise today to honor a superb Soldier and Army legislative liaison for his tireless commitment to the United States Army, serving our Nation for 22 years, concluding in the Army Legislative Liaison Office. As Major Edward C. Garcia, Jr. retires from the United States Army, I believe it is fitting to recognize his service and dedication to fostering the relationship between the United States Army and this Chamber.

Major Garcia's commitment to service enabled him to excel in numerous leadership positions throughout his Army career. Major Garcia began his career by enlisting in the U.S. Army Reserves in 1999. He transitioned to active duty in 2001 and completed Officer Candidate School in 2008, commissioning into the Signal Corp, where he would serve for the remainder of his career. Throughout his career he distinguished himself as a tactical and technical expert, serving in the most demanding conventional and special operations units in the Army, to include serving as the communications officer-in-charge for the Commanding General of United States Central Command.

Major Garcia's relentless commitment to the Army proved invaluable in providing support to the House of Representatives and our constituents. He spent countless hours ensuring our Members were educated on Army combat systems, modernization programs and policy initiatives. He also managed and led multiple Congressional Delegations to various locations around the globe. Major Garcia has become a trusted adviser and friend to many of us, distinguishing himself by continuously going above and beyond the call of duty to serve the needs of Congress.

Major Garcia had a profound impact on this Chamber while supporting the House of Representatives. I join many past and present Members of Congress in my gratitude and appreciation to Major Garcia for his outstanding leadership and unwavering support. This nation is grateful for his commitment and the personal sacrifices he has made during his

time in the Army Legislative Liaison Office and United States Army.

On behalf of the United States House of Representatives and the United States of America, I commend Major Garcia for his tireless dedication in support of our Army, our Soldiers and this Nation. I congratulate him on an extremely successful career, dedicated to service, and wish him the best in all his future endeavors.

#### IN RECOGNITION OF SENATOR C.B. EMBRY, JR.

### HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. GUTHRIE. Madam Speaker, I rise today to honor the retirement of Senator C.B. Embry, Jr. from the Kentucky General Assembly after over 50 years of service to the Commonwealth of Kentucky.

From the youngest elected Mayor of Beaver Dam in 1970 to the oldest member of the Kentucky State Senate in 2022, Senator Embry has earned the trust of his constituents to hold numerous offices, including Kentucky State Representative for District 17 and Ohio County Judge-Executive. A testament to his skills as a legislator, Senator Embry has the distinction of five Kentucky Governors signing his sponsored legislation into law. This includes a bill he proudly championed to give hope to terminally ill patients, who had exhausted all other options, by allowing them to try experimental forms of medication with at least one round of clinical studies.

Being renowned for his tireless work, Senator Embry was recognized with several accolades, including AARP Kentucky's "Champion of the 50+" lifetime legislative leadership award, the National Guard Association of the United States' Patrick Henry Award, and the Kentucky Education Association's Friend of Education Award. Earlier in his career, he was awarded the Outstanding Young Republican in the Nation award by George H.W. Bush in 1975.

C.B. Embry and his wife Wanda celebrated 60 years of marriage this year and together they have 3 children, 4 grandchildren, and 2 great-grandchildren. Congratulations to Senator Embry on his retirement and I thank him for his decades of service to the Commonwealth of Kentucky.

#### IN MEMORIAM, VINCENT UNGRO

### HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 15, 2022*

Mr. GAETZ. Madam Speaker, I rise to recognize the life and accomplishments of Vincent Ungro. With his passing on September 5, 2022, America lost a true patriot. Vincent, also known as Vinny to friends and family, was a proud American from Staten Island. He had a heart of gold and a head for politics.

Vinny was never afraid to voice his opinions and beliefs, regardless of what others might think. He ran the popular 'Conservative Dad' Facebook page, where he advocated for conservatism and capitalism.

Family and friends will remember Vinny for fighting for what he believed in. His passion for politics is only matched by his love for the New York Islanders and Metallica.

In addition to being a 2020 National Pulse Writing Fellow, Vinny was a member and supporter of the New York Young Republican Club.

He also cared deeply for animals and loved working for the American Society for the Prevention of Cruelty to Animals (ASPCA).

As much as Vinny loved politics, family mattered most to him. He cherished his parents, Stephen and Jean; his wife, Judith; his children, Steve, Nicholas, Gabriella, and Mia;

and grandkids, Madison, Gabriella, Natalie, and Oliver.

Vinny was an extraordinary individual, and he will be missed by all.

Madam Speaker, on behalf of the United States Congress, I recognize the remarkable life lived by Vincent Ungro today. I thank him for all he did for his community and country.



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S4627–S4808*

**Measures Introduced:** Twenty-two bills and six resolutions were introduced, as follows: S. 4857–4878, and S. Res. 765–770. **Pages S4638–39**

#### Measures Reported:

S. 4553, to extend other transaction authority for the Department of Homeland Security. (S. Rept. No. 117–149)

S. 4428, to support the security of Taiwan and its right of self-determination, with an amendment in the nature of a substitute.

S. 4653, to provide for certain authorities of the Department of State, with an amendment in the nature of a substitute. **Page S4638**

#### Measures Passed:

*National Day of Service and Remembrance:* Committee on the Judiciary was discharged from further consideration of S. Res. 755, recognizing September 11, 2022, as a “National Day of Service and Remembrance”, and the resolution was then agreed to. **Page S4804**

*National Direct Support Professionals Recognition Week:* Senate agreed to S. Res. 767, designating the week beginning September 11, 2022, as “National Direct Support Professionals Recognition Week”. **Pages S4804–05**

*National Forensic Science Week:* Senate agreed to S. Res. 768, recognizing and supporting the goals and ideals of National Forensic Science Week. **Page S4805**

**Solid Start Act—Agreement:** A unanimous-consent agreement was reached providing that the Secretary of the Senate be authorized to request the House of Representatives to return the papers on S. 1198, to amend title 38, United States Code, to improve and expand the Solid Start program of the Department of Veterans Affairs; provided further that upon receipt of the bill from the House, the Senate’s actions on September 8, 2022 with respect to S. 1198 be vitiated, and Senate then proceed to the immediate consideration of S. 1198; the committee-reported

substitute be withdrawn, the Tester substitute amendment at the desk be considered and agreed to; and the bill, as amended, be considered read a third time and passed, all without intervening action or debate. **Page S4804**

**Pan Nomination—Cloture:** Senate began consideration of the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit. **Page S4634**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, September 15, 2022, a vote on cloture will occur at 5:30 p.m., on Monday, September 19, 2022. **Page S4634**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S4634**

A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, September 19, 2022, Senate resume consideration of the nomination; and that the motions to invoke cloture filed on Thursday, September 15, 2022, ripen at 5:30 p.m. on Monday, September 19, 2022. **Page S4805**

**Amendment to Montreal Protocol (“Kigali Amendment”)—Cloture:** Senate began consideration of the amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”) (Treaty Doc. 117–1), and a resolution of advice and consent to ratification with 1 declaration. **Page S4635**

A motion was entered to close further debate on the treaty and resolution of advice and consent to ratification with 1 declaration, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Florence Y.

Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

**Page S4635**

Prior to the consideration of this treaty, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session.

**Page S4634**

Senate agreed to the motion to proceed to Executive Session to consider the treaty.

**Page S4635**

A unanimous-consent agreement was reached providing that the filing deadline for first-degree amendments to treaty be at 4 p.m., on Monday, September 19, 2022.

**Page S4635**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 53 yeas to 44 nays (Vote No. EX. 337), Sarah A. L. Merriam, of Connecticut, to be United States Circuit Judge for the Second Circuit.

**Pages S4627–31**

By 77 yeas to 18 nays (Vote No. EX. 338), David P. Pekoske, of Maryland, to be Administrator of the Transportation Security Administration for a term of five years.

**Pages S4631–34**

Geoffrey R. Pyatt, of California, to be an Assistant Secretary of State (Energy Resources).

Nathaniel Fick, of Maine, to be Ambassador at Large for Cyberspace and Digital Policy.

Rolfe Michael Schiffer, of New York, to be an Assistant Administrator of the United States Agency for International Development.

Patrick Leahy, of Vermont, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations.

James E. Risch, of Idaho, to be a Representative of the United States of America to the Seventy-seventh Session of the General Assembly of the United Nations.

**Page S4635**

**Nominations Received:** Senate received the following nominations:

Roger B. Handberg, of Florida, to be United States Attorney for the Middle District of Florida for the term of four years.

Markenzy Lapointe, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

McLain J. Schneider, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

1 Air Force nomination in the rank of general.

2 Army nominations in the rank of general.

Routine lists in the Air Force, Army, Navy, and Space Force.

**Page S4808**

**Messages from the House:**

**Page S4637**

**Enrolled Bills Presented:**

**Page S4637**

**Executive Communications:** **Page S4638**

**Executive Reports of Committees:** **Page S4638**

**Additional Cosponsors:** **Pages S4639–40**

**Statements on Introduced Bills/Resolutions:** **Pages S4640–45**

**Additional Statements:** **Pages S4636–37**

**Amendments Submitted:** **Pages S4645–S4804**

**Authorities for Committees to Meet:** **Page S4804**

**Record Votes:** Two record votes were taken today. (Total—338) **Pages S4631, S4634**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 3:57 p.m., until 3 p.m. on Monday, September 19, 2022. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4805.)

## Committee Meetings

*(Committees not listed did not meet)*

### DIGITAL COMMODITY MARKET

*Committee on Agriculture, Nutrition, and Forestry:* Committee concluded a hearing to examine S. 4760, to amend the Commodity Exchange Act to provide the Commodity Futures Trading Commission jurisdiction to oversee the spot digital commodity market, after receiving testimony from Rostin Behnam, Chairman, Commodity Futures Trading Commission; Todd Phillips, Center for American Progress, Sheila Warren, Crypto Council for Innovation, Christine Parker, Coinbase, and Denelle Dixon, Stellar Development Foundation, all of San Francisco, California; and Heath P. Tarbert, Citadel Securities, Chicago, Illinois.

### NOMINATION

*Committee on Armed Services:* Committee concluded a hearing to examine the nomination of General Anthony J. Cotton, USAF, for reappointment to the grade of general and to be Commander of United States Strategic Command, Department of Defense, after the nominee testified and answered questions in his own behalf.

### SECURITIES AND EXCHANGE COMMISSION

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded an oversight hearing to examine the Securities and Exchange Commission, including S. 945, to provide temporary impact aid construction grants to eligible local educational agencies, S. 4356, to provide for responsible financial innovation and to bring digital assets within the regulatory perimeter, S. 4760, to amend the Commodity Exchange Act to provide the Commodity Futures

Trading Commission jurisdiction to oversee the spot digital commodity market, S. 374, to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, S. 3961, to permit a registered investment company to omit certain fees from the calculation of acquired fund fees and expenses, and S. 2009, to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, after receiving testimony from Gary Gensler, Chair, Securities and Exchange Commission.

### FUSION ENERGY

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine the Federal government's role in supporting the commercialization of fusion energy, after receiving testimony from Scott C. Hsu, Lead Fusion Coordinator, Office of the Undersecretary for Science and Innovation, Department of Energy; Steven Cowley, Princeton Plasma Physics Laboratory, Princeton, New Jersey; Tim Luce, ITER Organization, St. Paul lez Durance Cedex, France; and Bob Mumgaard, Commonwealth Fusion Systems, Cambridge, Massachusetts.

### VENEZUELA

*Committee on Foreign Relations:* Committee concluded a hearing to examine assessing United States policy

towards Venezuela, after receiving testimony from Brian A. Nichols, Assistant Secretary of State for Bureau of Western Hemisphere Affairs; and Marcela Escobari, Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

### BUSINESS MEETING

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 4524, to limit the judicial enforceability of predispute nondisclosure and nondisparagement contract clauses relating to disputes involving sexual assault and sexual harassment, with an amendment in the nature of a substitute; and

The nominations of Dana M. Douglas, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, Bradley N. Garcia, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, Frances Kay Behm, to be United States District Judge for the Eastern District of Michigan, Jerry W. Blackwell, to be United States District Judge for the District of Minnesota, Anne M. Nardacci, to be United States District Judge for the Northern District of New York, and Kevin G. Ritz, to be United States Attorney for the Western District of Tennessee, Department of Justice.

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## House of Representatives

### *Chamber Action*

**Public Bills and Resolutions Introduced:** 41 public bills, H.R. 8832–8872; and 9 resolutions, H.J. Res. 96; and H.Res. 1353–1360 were introduced.

**Pages H7880–82**

**Additional Cosponsors:**

**Pages H7883–84**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Carson to act as Speaker pro tempore for today.

**Page H7845**

***Preventing a Patronage System Act:*** The House passed H.R. 302, to impose limits on excepting competitive service positions from the competitive service, by a yea-and-nay vote of 225 yeas to 204 nays, Roll No. 432.

**Pages H7848–57**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee

on Oversight and Reform now printed in the bill shall be considered as adopted.

**Page H7848**

Rejected:

Hice amendment (No. 1 printed in part A of H. Rept. 117–464) that sought to ensure that a policy similar to Schedule F could be reinstated in the future by the President (by a yea-and-nay vote of 204 yeas to 226 nays, Roll No. 431).

**Pages H7854–56**

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

***Ensuring a Fair and Accurate Census Act:*** The House passed H.R. 8326, to amend title 13, United States Code, to improve the operations of the Bureau of the Census, by a yea-and-nay vote of 220 yeas to 208 nays, Roll No. 435. Consideration began yesterday, September 14th.

**Pages H7858–60**

Agreed to:

Danny K. Davis (IL) amendment en bloc No. 1 consisting of the following amendments printed in

part C of H. Rept. 117–464 that was debated on September 14th: Jackson Lee (No. 1) that directs the Deputy Director to appoint an employee within the Census Bureau who will be responsible for optimizing racial and ethnic equity in the decennial census count of the population by engaging in specified activities, the progress of which shall be included in the Secretary’s biannual reports to Congress; and Case (No. 3) that requires the Census Bureau to submit a report to Congress on the agency’s current processes for consulting and engaging with jurisdictions and local partners in conducting the decennial census and efforts by the Bureau to improve local-level data collection and coordination of local field operations (by a yea-and-nay vote of 223 yeas to 211 nays, Roll No. 433). **Pages H7858–59**

Rejected:

Hice amendment (No. 2 printed in part C of H. Rept. 117–464) that was debated on September 14th that sought to eliminate for-cause removal requirements of the Director of the Census Bureau; strike the requirement that the Deputy Director position be a career-reserved candidate and certain qualifications for the position; and add that the Deputy act as the Director in the event of a vacancy in the Director position (by a yea-and-nay vote of 210 yeas to 222 nays, Roll No. 434). **Pages H7859–60**

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

**Whistleblower Protection Improvement Act:** The House passed H.R. 2988, to amend title 5, United States Code, to modify and enhance protections for Federal Government whistleblowers, by a yea-and-nay vote of 221 yeas to 203 nays, Roll No. 437. Consideration began yesterday, September 14th.

**Pages H7860–62**

Agreed to:

Carolyn B. Maloney (NY) amendment en bloc No. 1 consisting of the following amendments printed in part C of H. Rept. 117–464 that was debated on September 14th: Auchincloss (No. 1) that requires GAO to conduct within four years of enactment a study that at a minimum examines the timeliness of MSPB whistleblower complaint rulings, reports on the rate of whistleblowers opting for a district court trial, and offers recommendations for MSPB to make improvements to its whistleblower complaint review process; Jackson Lee (No. 2) that directs each Office of Inspector General to establish and maintain a mechanism to receive anonymous whistleblower information that conforms to specified requirements to ensure and maintain anonymity; Porter (No. 3) that creates new reporting requirement for Inspectors General to provide to Congress the number of instances in which their Office did not resolve a whis-

tleblower retaliation complaint within 8 months after receiving the complaint; and Spanberger (No. 4) that adds language to allow whistleblowers to challenge adverse security clearance actions through the same adjudication process used for other whistleblower retaliation complaints (by a yea-and-nay vote of 224 yeas to 206 nays, Roll No. 436). **Page H7861**

H. Res. 1339, the rule providing for consideration of the bills (H.R. 302), (H.R. 2988), and (H.R. 8326) was agreed to yesterday, September 14th.

**Senate Referrals:** S. 533 was held at the desk. S. 4057 was held at the desk. S. 4235 was held at the desk. **Page H7845**

**Senate Message:** Message received from the Senate today appears on page H7845.

**Quorum Calls—Votes:** Seven yea-and-nay votes developed during the proceedings of today and appear on pages H7856, H7857, H7858–59, H7859, H7860, H7861, and H7861–62.

**Adjournment:** The House met at 12 p.m. and adjourned at 6:43 p.m.

## Committee Meetings

### A 2022 REVIEW OF THE FARM BILL: BROADBAND

*Committee on Agriculture:* Full Committee held a hearing entitled “A 2022 Review of the Farm Bill: Broadband”. Testimony was heard from Xochitl Torres Small, Under Secretary for Rural Development, Department of Agriculture; and public witnesses.

### BUSINESS MEETING; MISCELLANEOUS MEASURES

*Committee on Education and Labor:* Full Committee held a business meeting to approve Subcommittee assignments; and a markup on H. Res. 1295, of inquiry directing the Secretary of Education to transmit certain documents to the House of Representatives relating to the Department of Education’s cost estimates for the Secretary’s waivers related to public service loan forgiveness and income-driven repayment; H. Res. 1296, of inquiry requesting the President and directing the Secretary of Education to transmit, respectively, certain documents to the House of Representatives relating to the legal authority to forgive Federal student loan debt; and H. Res. 1273, of inquiry directing the President to provide certain documents in the President’s possession to the House of Representatives relating to communication between the executive branch and the American Federation of Teachers regarding reopening schools and supporting safe, in-person learning. Subcommittee assignments were approved. H. Res.

1295, H. Res. 1296, and H. Res. 1273 were ordered reported, as amended.

### MISCELLANEOUS MEASURES

*Committee on Foreign Affairs:* Full Committee concluded a markup on H.R. 8446, the “Global Food Security Reauthorization Act of 2022”; H.R. 2374, the “Peace and Tolerance in Palestinian Education Act”; H. Res. 1240, requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents in their possession referring or relating to certain aspects of the United States withdrawal from Afghanistan; H. Res. 1266, requesting the President to transmit certain documents to the House of Representatives relating to any initiative or negotiations regarding Iran’s nuclear program; H. Res. 1342, reaffirming the importance of diplomacy and development in United States-African Union relations, promoting strategic partnerships and shared objectives between the United States and the African Union, and expressing strong support for the successful implementation of the African Continental Free Trade Agreement; H.R. 4213, the “YSEALI Act”; H.R. 8681, the “John Lewis Civil Rights Fellowship Act”; H.R. 8153, the “Indo-Pacific Engagement Act”; H.R. 8813, the “AFFECT Human Rights in Venezuela Act”; and H.R. 6846, the “CORRUPT Act”. H.R. 8446, H.R. 8681, H.R. 6846, H.R. 4213, and H.R. 2374 were ordered reported, as amended. H. Res. 1342, H.R. 8813, H. Res. 1266, H. Res. 1240, and H.R. 8153 were ordered reported, without amendment.

### THE SUSTAINABLE DEVELOPMENT GOALS AND RECOVERY FROM THE COVID-19 PANDEMIC: IMPLICATIONS FOR U.S. POLICY

*Committee on Foreign Affairs:* Subcommittee on International Development, International Organizations, and Global Corporate Social Impact held a hearing entitled “The Sustainable Development Goals and Recovery from the COVID-19 Pandemic: Implications for U.S. Policy”. Testimony was heard from public witnesses.

### LEARNING LOSS IN LATIN AMERICA AND THE CARIBBEAN: BUILDING BETTER EDUCATION SYSTEMS IN THE WAKE OF THE PANDEMIC

*Committee on Foreign Affairs:* Subcommittee on the Western Hemisphere, Civilian Security, Migration and International Economic Policy held a hearing entitled “Learning Loss in Latin America and the Caribbean: Building Better Education Systems in the Wake of the Pandemic”. Testimony was heard from public witnesses.

### BUILDING ON OUR BASELINE: SECURING INDUSTRIAL CONTROL SYSTEMS AGAINST CYBERATTACKS

*Committee on Homeland Security:* Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation held a hearing entitled “Building on our Baseline: Securing Industrial Control Systems Against Cyberattacks”. Testimony was heard from Eric Goldstein, Executive Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security; and Vergle Gipson, Senior Advisor, Cybercore Integration Center, Idaho National Laboratory, Department of Energy.

### MISCELLANEOUS MEASURES

*Committee on Natural Resources:* Full Committee began a markup on H. Res. 1247, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the 2023–2028 five-year program for offshore oil and gas leasing; H. Res. 1248, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the compliance with the obligations of the Mineral Leasing Act; H. Res. 1251, of inquiry directing the Secretary of Agriculture to transmit certain documents to the House of Representatives relating to the mineral withdrawal within the Superior National Forest; H. Res. 1252, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the mineral withdrawal within the Superior National Forest; and H. Res. 1253, of inquiry directing the Secretary of the Interior to transmit certain documents to the House of Representatives relating to the actions of the Department of the Interior’s Departmental Ethics Office.

### FUELING THE CLIMATE CRISIS: EXAMINING BIG OIL’S PRICES, PROFITS, AND PLEDGES

*Committee on Oversight and Reform:* Full Committee held a hearing entitled “Fueling the Climate Crisis: Examining Big Oil’s Prices, Profits, and Pledges”. Testimony was heard from public witnesses.

### THE FOUNTAIN OF YOUTH? THE QUEST FOR AGING THERAPIES

*Committee on Science, Space, and Technology:* Subcommittee on Investigations and Oversight held a hearing entitled “The Fountain of Youth? The Quest for Aging Therapies”. Testimony was heard from public witnesses.

**BACK TO SCHOOL, BACK TO STARTUPS:  
SUPPORTING YOUTH APPRENTICESHIP,  
ENTREPRENEURSHIP, AND WORKFORCE  
DEVELOPMENT**

*Committee on Small Business:* Subcommittee on Innovation, Entrepreneurship, and Workforce Development held a hearing entitled “Back to School, Back to Startups: Supporting Youth Apprenticeship, Entrepreneurship, and Workforce Development”. Testimony was heard from Shani Watkins, Director, West Sound Technical Skills Center, Bremerton School District, Washington; and public witnesses.

**RECOVERY UPDATE: STATUS OF FEMA  
RECOVERY EFFORTS IN PUERTO RICO AND  
U.S. VIRGIN ISLANDS 5 YEARS AFTER  
HURRICANES IRMA AND MARIA**

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “Recovery Update: Status of FEMA Recovery Efforts in Puerto Rico and U.S. Virgin Islands 5 Years After Hurricanes Irma and Maria”. Testimony was heard from Anne Bink, Associate Administrator, Office of Response and Recovery, Federal Emergency Management Agency; Chris Currie, Director, Office of Homeland Security and Justice, Government Accountability Office, Department of Homeland Security; Adrienne Williams, Director, Office of Disaster Recovery, U.S. Virgin Islands; Manuel Laboy, Executive Director, Office of Recovery, Reconstruction, and Resiliency, Puerto Rico; Josue Colon, Executive Director, Puerto Rico Electric Power Authority; and a public witness.

**VETERAN READINESS AND EMPLOYMENT:  
IS VA SUCCEEDING?**

*Committee on Veterans' Affairs:* Subcommittee on Economic Opportunity held a hearing entitled “Veteran Readiness and Employment: Is VA Succeeding?”. Testimony was heard from Nick Pamperin, Executive Director, Veteran Readiness and Employment, Veterans Benefits Administration, Department of Veterans Affairs; and public witnesses.

**EXAMINING WOMEN VETERANS' ACCESS  
TO THE FULL SPECTRUM OF MEDICAL  
CARE, INCLUDING REPRODUCTIVE  
HEALTHCARE, THROUGH THE  
DEPARTMENT OF AFFAIRS (VA) VETERAN  
HEALTH ADMINISTRATION (VHA)**

*Committee on Veterans' Affairs:* Full Committee held a hearing entitled “Examining Women Veterans' Access to the Full Spectrum of Medical Care, Including Reproductive Healthcare, through the Department of Affairs (VA) Veteran Health Administration (VHA)”. Testimony was heard from Shereef Elnahal, Under Secretary for Health, Veterans Health Administration, Department of Veterans Affairs; Lindsay Church, Veteran, U.S. Navy; and public witnesses.

**PREPARING AMERICA'S HEALTH CARE  
INFRASTRUCTURE FOR THE CLIMATE  
CRISIS**

*Committee on Ways and Means:* Full Committee held a hearing entitled “Preparing America's Health Care Infrastructure for the Climate Crisis”. Testimony was heard from public witnesses.

## *Joint Meetings*

**RUSSIA'S WAR IN UKRAINE**

*Commission on Security and Cooperation in Europe:* Commission concluded a hearing to examine Russia's war in Ukraine, after receiving testimony from Yuliia Paievskia, Taira's Angels; and Hanna Hopko, International Center for Ukrainian Victory.

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**COMMITTEE MEETINGS FOR MONDAY,  
SEPTEMBER 19, 2022**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

No meetings/hearings scheduled.

**House**

*Committee on Oversight and Reform,* September 16, Subcommittee on Government Operations, hearing entitled “Project Federal Information Technology: Make IT Work”, 9 a.m., 2154 Rayburn and Zoom.

*Committee on Rules,* Full Committee, hearing on S. 1098, the “Joint Consolidation Loan Separation Act”, 2 p.m., H-313 Capitol.

*Next Meeting of the SENATE*

3 p.m., Monday, September 19

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Monday, September 19

## Senate Chamber

**Program for Monday:** After the transaction of any morning business, Senate will resume consideration of the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, and vote on the motion to invoke cloture thereon at 5:30 p.m.

The filing deadline for first-degree amendments to the Amendment to Montreal Protocol (“Kigali Amendment”) is at 4 p.m.

## House Chamber

**Program for Monday:** To be announced.

## Extensions of Remarks, as inserted in this issue

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