

JUNE 28, 2022

RULES COMMITTEE PRINT 117-54
TEXT OF H.R. 7900, NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR 2023

**[Showing the text of H.R. 7900, as ordered reported by the
Committee on Armed Services]**

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Defense Au-
3 thorization Act for Fiscal Year 2023”.

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

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

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

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

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

15 (4) Division D—Funding Tables.

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

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

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

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- Sec. 101. Authorization of appropriations.

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- Sec. 111. Requirements relating to EA-18G aircraft of the Navy.
- Sec. 112. Multiyear procurement authority for Arleigh Burke class destroyers.
- Sec. 113. Authority for procurement of additional Arleigh Burke class destroyer.
- Sec. 114. Authority for certain procurements for the Ship-to-Shore Connector program.
- Sec. 115. Authority to procure airframes and engines for CH-53K King Stallion heavy-lift helicopters.
- Sec. 116. Prohibition on availability of funds for retirement of HSC-85 aircraft.
- Sec. 117. Quarterly briefings on the CH-53K King Stallion helicopter program.

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- Sec. 122. Modification of minimum inventory requirement for air refueling tanker aircraft.
- Sec. 123. Requirements relating to F-22 aircraft.
- Sec. 124. Modification of inventory requirements and limitations relating to certain air refueling tanker aircraft.
- Sec. 125. Repeal of Air Force E-8C force presentation requirement.
- Sec. 126. Minimum inventory of C-130 aircraft.
- Sec. 127. Authority to procure upgraded ejection seats for certain T-38A aircraft.
- Sec. 128. Prohibition on availability of funds for retirement of C-40 aircraft.
- Sec. 129. Prohibition on availability of funds for procurement of bridge tanker aircraft.
- Sec. 130. Prohibition on availability of funds for termination of production lines for HH-60W aircraft.
- Sec. 131. Prohibition on certain reductions to B-1 bomber aircraft squadrons.
- Sec. 132. Limitation on retirement of E-3 Airborne Warning and Control System aircraft.
- Sec. 133. Requirements study and acquisition strategy for the combat search and rescue mission of the Air Force.
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- Sec. 212. Role of the Chief Digital and Artificial Intelligence Officer in fostering interoperability among joint force systems.
- Sec. 213. Modification of defense laboratory modernization pilot program.
- Sec. 214. Support for research and development of bioindustrial manufacturing processes.
- Sec. 215. Activities to support the use of metal additive manufacturing for the subsurface fleet of the Navy.
- Sec. 216. Digital mission operations platform for the Space Force.
- Sec. 217. Air-breathing test capacity upgrade to support critical hypersonic weapons development.
- Sec. 218. Information on use of commercial software for the warfighter machine interface of the Army.
- Sec. 219. Measures to increase the capacity of historically Black colleges and universities and other minority-serving institutions to achieve very high research activity status.
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- Sec. 1705. Federally funded research and development center analysis of Department of Defense capability and capacity to replenish missile and munition inventories.
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- Sec. 2104. Demolition of District of Columbia Fort McNair Quarters 4, 13, and 15.
- Sec. 2105. Modification of authority to carry out certain fiscal year 2019 project.
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- Sec. 3501. Authorization of the Maritime Administration.
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TITLE LIV—FINANCIAL SERVICES MATTERS

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TITLE LV—NATURAL RESOURCES MATTERS

- Sec. 5501. Ysleta del Sur Pueblo and Alabama-Coushatta Tribes of Texas Equal and Fair Opportunity amendment.
- Sec. 5502. Inclusion of Commonwealth of the Northern Mariana Islands and American Samoa.
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TITLE LVI—INSPECTOR GENERAL INDEPENDENCE AND EMPOWERMENT MATTERS

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- Sec. 5601. Short title.
- Sec. 5602. Removal or transfer of inspectors general; placement on non-duty status.
- Sec. 5603. Vacancy in position of inspector general.
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Subtitle B—Presidential Explanation of Failure to Nominate an Inspector General

- Sec. 5611. Presidential explanation of failure to nominate an inspector general.

Subtitle C—Integrity Committee of the Council of Inspectors General on Integrity and Efficiency Transparency

- Sec. 5621. Short title.
- Sec. 5622. Additional information to be included in requests and reports to Congress.
- Sec. 5623. Availability of information to Congress on certain allegations of wrongdoing closed without referral.
- Sec. 5624. Semiannual report.
- Sec. 5625. Additional reports.
- Sec. 5626. Requirement to report final disposition to Congress.
- Sec. 5627. Investigations of Offices of Inspectors General of establishments by the Integrity Committee.

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- Sec. 5631. Notice of ongoing investigations when there is a change in status of Inspector General.

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Subtitle G—Training Resources for Inspectors General and Other Matters

- Sec. 5671. Training resources for inspectors general.
- Sec. 5672. Definition of appropriate congressional committees.

- Sec. 5673. Semiannual reports.
- Sec. 5674. Submission of reports that specifically identify non-governmental organizations or business entities.
- Sec. 5675. Review relating to vetting, processing, and resettlement of evacuees from Afghanistan and the Afghanistan special immigrant visa program.

TITLE LVII—FEDERAL EMPLOYEE MATTERS

- Sec. 5701. Appeals to Merit Systems Protection Board relating to FBI reprisal allegations; salary of Special Counsel.
- Sec. 5702. Minimum wage for Federal contractors.
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TITLE LVIII—OTHER MATTERS

- Sec. 5801. Afghan Allies Protection.
- Sec. 5802. Advancing Mutual Interests and Growing Our Success.
- Sec. 5803. Expansion of study of PFAS contamination.
- Sec. 5804. National research and development strategy for distributed ledger technology.
- Sec. 5805. Commercial air waiver for next of kin regarding transportation of remains of casualties.

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

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

5 **DIVISION A—DEPARTMENT OF**
6 **DEFENSE AUTHORIZATIONS**
7 **TITLE I—PROCUREMENT**
8 **Subtitle A—Authorization of**
9 **Appropriations**

10 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2023 for procurement for the Army, the Navy
13 and the Marine Corps, the Air Force and the Space Force,
14 and Defense-wide activities, as specified in the funding
15 table in section 4101.

1 **Subtitle B—Navy Programs**

2 **SEC. 111. REQUIREMENTS RELATING TO EA-18G AIRCRAFT** 3 **OF THE NAVY.**

4 Section 8062 of title 10, United States Code, is
5 amended—

6 (1) by redesignating subsection (f) as sub-
7 section (g); and

8 (2) by inserting after subsection (e) the fol-
9 lowing new subsection:

10 “(f)(1)(A) The Secretary of the Navy may not—

11 “(i) retire an EA-18G aircraft;

12 “(ii) prepare to retire an EA-18G aircraft;

13 “(iii) place an EA-18G aircraft in active
14 storage status or inactive storage status; or

15 “(iv) keep an EA-18G aircraft in a status
16 considered excess to the requirements of the
17 possessing command and awaiting disposition
18 instructions.

19 “(B) The prohibition under subparagraph (A)
20 shall not apply to individual EA-18G aircraft that
21 the Secretary of the Navy determines, on a case-by-
22 case basis, to be no longer mission capable and un-
23 economical to repair because of aircraft accidents or
24 mishaps.

1 “(2)(A) Beginning on October 1, 2022, the Secretary
2 of the Navy shall maintain a total aircraft inventory of
3 EA–18G aircraft of not less than 158 aircraft, of which
4 not less than 126 aircraft shall be coded as primary mis-
5 sion aircraft inventory.

6 “(B) The Secretary of the Navy may reduce the num-
7 ber of EA–18G aircraft in the inventory of the Navy below
8 the minimum number specified in subparagraph (A) if the
9 Secretary determines on a case-by-case basis, that an air-
10 craft is no longer mission capable and uneconomical to re-
11 pair because of aircraft accidents or mishaps.

12 “(C) In this paragraph, the term ‘primary mission
13 aircraft inventory’ means aircraft assigned to meet the
14 primary aircraft authorization—

15 “(i) to a unit for the performance of its war-
16 time mission;

17 “(ii) to a training unit for technical and special-
18 ized training for crew personnel or leading to air-
19 crew qualification;

20 “(iii) to a test unit for testing of the aircraft
21 or its components for purposes of research, develop-
22 ment, test, and evaluation, operational test and eval-
23 uation, or to support testing programs; or

24 “(iv) to meet requirements for missions not oth-
25 erwise specified in clauses (i) through (iii).”.

1 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR**
2 **ARLEIGH BURKE CLASS DESTROYERS.**

3 (a) FINDINGS; SENSE OF CONGRESS.—

4 (1) FINDINGS.—Congress makes the following
5 findings:

6 (A) The DDG Flight III destroyer is the
7 most capable large surface combatant in the
8 world-wide inventory of the Department of De-
9 fense.

10 (B) The Department plans to retire 18
11 large surface combatants over the next five
12 years.

13 (C) Under the future-years defense plan,
14 the Department plans to procure two DDGs per
15 year over the next five years.

16 (2) SENSE OF CONGRESS.—It is the sense of
17 Congress that—

18 (A) the loss of aggregate fire power due to
19 the retirement of 18 large surface combatants
20 over the next five years is cause for concern;

21 (B) the Department should continue to
22 procure large surface combatants at the fastest
23 possible rate based on industrial base capacity;
24 and

25 (C) the Department should maximize sav-
26 ings and provide stability to the large surface

1 combatant industrial base through the use of
2 multiyear procurement contracts for the max-
3 imum number of ships, realized at a consistent
4 number of ships per year.

5 (b) **AUTHORITY FOR MULTIYEAR PROCUREMENT.**—
6 Subject to section 3501 of title 10, United States Code,
7 the Secretary of the Navy may enter into one or more
8 multiyear contracts for the procurement of up to 15
9 Arleigh Burke class Flight III guided missile destroyers.

10 (c) **AUTHORITY FOR ADVANCE PROCUREMENT.**—The
11 Secretary of the Navy may enter into one or more con-
12 tracts, beginning in fiscal year 2023, for advance procure-
13 ment associated with the destroyers for which authoriza-
14 tion to enter into a multiyear procurement contract is pro-
15 vided under subsection (b), and for systems and sub-
16 systems associated with such destroyers in economic order
17 quantities when cost savings are achievable.

18 (d) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
19 **MENTS.**—A contract entered into under subsection (b)
20 shall provide that any obligation of the United States to
21 make a payment under the contract for a fiscal year after
22 fiscal year 2023 is subject to the availability of appropria-
23 tions or funds for that purpose for such later fiscal year.

24 (e) **LIMITATION.**—The Secretary of the Navy may
25 not modify a contract entered into under subsection (b)

1 if the modification would increase the target price of the
2 destroyer by more than 10 percent above the target price
3 specified in the original contract or the destroyer under
4 subsection (b).

5 **SEC. 113. AUTHORITY FOR PROCUREMENT OF ADDITIONAL**
6 **ARLEIGH BURKE CLASS DESTROYER.**

7 (a) **PROCUREMENT AUTHORITY.**—The Secretary of
8 the Navy may procure one Arleigh Burke class Flight III
9 guided missile destroyer, in addition to any other procure-
10 ment of such destroyers otherwise authorized by law, to
11 be procured either—

12 (1) as an addition to the contract covering up
13 to 15 such destroyers authorized to be procured
14 under section 112 of this Act; or

15 (2) under a separate contract entered into in
16 fiscal year 2023.

17 (b) **INCREMENTAL FUNDING.**—With respect to a con-
18 tract for the procurement of the destroyer authorized
19 under subsection (a), the Secretary of the Navy may use
20 incremental funding to make payments under the con-
21 tract.

22 (c) **CONDITION FOR OUT-YEAR CONTRACT PAY-**
23 **MENTS.**—A contract for the procurement of the destroyer
24 authorized under subsection (a) shall provide that any ob-
25 ligation of the United States to make a payment under

1 the contract for a fiscal year after fiscal year 2023 is sub-
2 ject to the availability of appropriations or funds for that
3 purpose for such later fiscal year.

4 **SEC. 114. AUTHORITY FOR CERTAIN PROCUREMENTS FOR**
5 **THE SHIP-TO-SHORE CONNECTOR PROGRAM.**

6 (a) **CONTRACT AUTHORITY.**—The Secretary of the
7 Navy may enter into one or more contracts, beginning
8 with fiscal year 2023, for the procurement of up to 25
9 Ship-to-Shore Connector class craft and associated mate-
10 rial.

11 (b) **LIABILITY.**—Any contract entered into under
12 subsection (a) shall provide that—

13 (1) any obligation of the United States to make
14 a payment under the contract is subject to the avail-
15 ability of appropriations for that purpose; and

16 (2) that total liability of the Federal Govern-
17 ment for termination of any contract entered into
18 shall be limited to the total amount of funding obli-
19 gated to the contract at time of termination.

20 **SEC. 115. AUTHORITY TO PROCURE AIRFRAMES AND EN-**
21 **GINES FOR CH-53K KING STALLION HEAVY-**
22 **LIFT HELICOPTERS.**

23 (a) **CONTRACT AUTHORITY.**—During fiscal years
24 2023 and 2024, the Secretary of the Navy may enter
25 into—

1 (1) a single contract for the procurement of up
2 to 30 airframes in support of the CH-53K heavy-lift
3 helicopter program; and

4 (2) a single contract for the procurement of up
5 to 90 engines in support of such program.

6 (b) LIABILITY.—Any contract entered into under
7 subsection (a) shall provide that—

8 (1) any obligation of the United States to make
9 a payment under the contract is subject to the avail-
10 ability of appropriations for that purpose; and

11 (2) that total liability of the Federal Govern-
12 ment for termination of any contract entered into
13 shall be limited to the total amount of funding obli-
14 gated to the contract at time of termination.

15 **SEC. 116. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
16 **RETIREMENT OF HSC-85 AIRCRAFT.**

17 (a) PROHIBITIONS.—None of the funds authorized to
18 be appropriated by this Act or otherwise made available
19 for fiscal year 2023 for the Navy may be obligated or ex-
20 pended—

21 (1) to retire, prepare to retire, transfer, or
22 place in storage any Helicopter Sea Combat Squad-
23 ron 85 aircraft (referred to in this section as an
24 “HSC-85 aircraft”); or

1 (2) to make any changes to manning levels with
2 respect to any HSC-85 aircraft squadron.

3 (b) REPORT REQUIRED.—The Secretary of the Navy,
4 in consultation with the Commander of the United States
5 Special Operations Command, shall submit to the congress-
6 sional defense committees a report that includes—

7 (1) an explanation of the operational impact of
8 divestment of HSC-85 aircraft on the training and
9 readiness of Navy special warfare units and missions
10 based in the west coast of the United States;

11 (2) the estimated costs of sustaining HSC-85
12 aircraft at full operational capability from fiscal year
13 2024 through fiscal year 2028;

14 (3) a proposed cost sharing arrangement be-
15 tween the Navy and the United States Special Oper-
16 ations Command for sustaining HSC-85 aircraft at
17 full operational capabilities from fiscal year 2024
18 through fiscal year 2028;

19 (4) identification of a replacement capability
20 that would be available if prioritized and directed by
21 the Secretary of Defense and would meet all oper-
22 ational requirements, including special operational-
23 peculiar requirements of the combatant commands,
24 that are fulfilled by HSC-85 aircraft as of the date
25 of the report; and

1 (5) an estimate of the costs and a proposed
2 schedule for establishing the replacement capability
3 identified in paragraph (4) over the period of five
4 years following the date of the report.

5 **SEC. 117. QUARTERLY BRIEFINGS ON THE CH-53K KING**
6 **STALLION HELICOPTER PROGRAM.**

7 (a) **IN GENERAL.**—Not later than 30 days after the
8 date of the enactment of this Act, and on a quarterly basis
9 thereafter through the end of fiscal year 2024, the Sec-
10 retary of the Navy shall provide to the Committee on
11 Armed Services of the House of Representatives a briefing
12 on the progress of the CH-53K King Stallion helicopter
13 program.

14 (b) **ELEMENTS.**—Each briefing under subsection (a)
15 shall include, with respect to the CH-53K King Stallion
16 helicopter program, the following:

17 (1) An overview of the program schedule.

18 (2) A statement of the total cost of the program
19 as of the date of the briefing, including the cost of
20 development, testing, and production.

21 (3) A comparison of the total cost of the pro-
22 gram relative to the original acquisition program
23 baseline and the most recently approved acquisition
24 program baseline as of the date of the briefing.

1 (4) An assessment of the flight testing that re-
2 mains to be conducted under the program, including
3 any testing required for validation of correction of
4 technical deficiencies.

5 (5) An update on the status of the correction
6 of technical deficiencies under the program and any
7 effects on the program schedule resulting from the
8 discovery and correction of such deficiencies.

9 (c) CONFORMING REPEAL.—Section 132 of the Na-
10 tional Defense Authorization Act for Fiscal Year 2020
11 (Public Law 116–92; 133 Stat. 1238) is repealed.

12 **Subtitle C—Air Force Programs**

13 **SEC. 121. MODIFICATION OF INVENTORY REQUIREMENTS**

14 **FOR AIRCRAFT OF THE COMBAT AIR FORCES.**

15 (a) TOTAL FIGHTER AIRCRAFT INVENTORY RE-
16 QUIREMENTS.—Section 9062(i)(1) of title 10, United
17 States Code, is amended by striking “1,970” and inserting
18 “1,800”.

19 (b) A–10 MINIMUM INVENTORY REQUIREMENTS.—

20 (1) Section 134(d) of the National Defense Au-
21 thorization Act for Fiscal Year 2017 (Public Law
22 114–328; 130 Stat. 2038) is amended by striking
23 “171” and inserting “153”.

24 (2) Section 142(b)(2) of the National Defense
25 Authorization Act for Fiscal Year 2016 (Public Law

1 114–92; 129 Stat. 755) is amended by striking
2 “171” and inserting “153”.

3 (c) MODIFICATION OF LIMITATION ON AVAILABILITY
4 OF FUNDS FOR DESTRUCTION OF A–10 AIRCRAFT IN
5 STORAGE STATUS.—Section 135(a) of the National De-
6 fense Authorization Act for Fiscal Year 2017 (Public Law
7 114–328; 130 Stat. 2039) is amended by striking “the
8 report required under section 134(e)(2)” and inserting “a
9 report that includes the information described in section
10 134(e)(2)(C)”.

11 **SEC. 122. MODIFICATION OF MINIMUM INVENTORY RE-**
12 **QUIREMENT FOR AIR REFUELING TANKER**
13 **AIRCRAFT.**

14 (a) MINIMUM INVENTORY REQUIREMENT.—

15 (1) IN GENERAL.—Section 9062(j) of title 10,
16 United States Code, is amended—

17 (A) by striking “effective October 1,
18 2019,”; and

19 (B) by striking “479” each place it ap-
20 pears and inserting “466”.

21 (2) EFFECTIVE DATE.—The amendments made
22 by paragraph (1) shall take effect on October 1,
23 2022.

24 (b) PROHIBITION ON REDUCTION OF KC–135 AIR-
25 CRAFT IN PMAI OF THE RESERVE COMPONENTS.—

1 (1) IN GENERAL.—None of the funds author-
2 ized to be appropriated by this Act or otherwise
3 made available for fiscal year 2023 for the Air Force
4 may be obligated or expended to reduce the number
5 of KC-135 aircraft designated as primary mission
6 aircraft inventory within the reserve components of
7 the Air Force.

8 (2) PRIMARY MISSION AIRCRAFT INVENTORY
9 DEFINED.—In this subsection, the term “primary
10 mission aircraft inventory” has the meaning given
11 that term in section 9062(i)(2)(B) of title 10,
12 United States Code.

13 **SEC. 123. REQUIREMENTS RELATING TO F-22 AIRCRAFT.**

14 Section 9062 of title 10, United States Code, is
15 amended by adding at the end the following new sub-
16 section:

17 “(k)(1)(A) The Secretary of the Air Force may not—
18 “(i) retire an F-22 aircraft;
19 “(ii) prepare to retire an F-22 aircraft; or
20 “(iii) keep an F-22 aircraft in a status
21 considered excess to the requirements of the
22 possessing command and awaiting disposition
23 instructions (commonly referred to as ‘XJ’ sta-
24 tus).

1 “(B) The prohibition under subparagraph (A)
2 shall not apply to individual F-22 aircraft that the
3 Secretary of the Air Force determines, on a case-by-
4 case basis, to be no longer mission capable and un-
5 economical to repair because of aircraft accidents or
6 mishaps.

7 “(2)(A) Beginning on October 1, 2022, the Secretary
8 of the Air Force shall maintain a total aircraft inventory
9 of F-22 aircraft of not less than 186 aircraft.

10 “(B) The Secretary of the Air Force may reduce the
11 number of F-22 aircraft in the inventory of the Air Force
12 below the minimum number specified in subparagraph (A)
13 if the Secretary determines on a case-by-case basis, that
14 an aircraft is no longer mission capable and uneconomical
15 to repair because of aircraft accidents or mishaps.

16 “(3) Not later than October 1, 2029, the Secretary
17 of the Air Force shall ensure that all F-22 aircraft of the
18 Air Force are equipped with—

19 “(A) Block 30/35 mission systems, sensors, and
20 weapon employment capabilities; or

21 “(B) mission systems, sensors, and weapon em-
22 ployment capabilities more advanced than those de-
23 scribed in subparagraph (A).”.

1 **SEC. 124. MODIFICATION OF INVENTORY REQUIREMENTS**
2 **AND LIMITATIONS RELATING TO CERTAIN**
3 **AIR REFUELING TANKER AIRCRAFT.**

4 Section 137 of the National Defense Authorization
5 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
6 1576) is amended—

7 (1) by striking subsection (b); and

8 (2) by redesignating subsections (c) and (d) as
9 subsections (b) and (c), respectively.

10 **SEC. 125. REPEAL OF AIR FORCE E-8C FORCE PRESEN-**
11 **TATION REQUIREMENT.**

12 Section 147 of the John S. McCain National Defense
13 Authorization Act for Fiscal Year 2019 (Public Law 115–
14 232; 132 Stat. 1669) is amended by striking subsection
15 (f).

16 **SEC. 126. MINIMUM INVENTORY OF C-130 AIRCRAFT.**

17 (a) **MINIMUM INVENTORY REQUIREMENT.—**

18 (1) **IN GENERAL.—**During the covered period,
19 the Secretary of the Air Force shall maintain a total
20 inventory of C–130 aircraft of not less than 271 air-
21 craft.

22 (2) **EXCEPTION .—**The Secretary of the Air
23 Force may reduce the number of C–130 aircraft in
24 the Air Force below the minimum number specified
25 in subsection (a) if the Secretary determines, on a

1 case-by-case basis, that an aircraft is no longer mis-
2 sion capable because of a mishap or other damage.

3 (3) COVERED PERIOD DEFINED.—In this sub-
4 section, the term “covered period” means the pe-
5 riod—

6 (A) beginning at the close of the period de-
7 scribed in section 138(c) of the National De-
8 fense Authorization Act for Fiscal Year 2022
9 (Public Law 117–81; 135 Stat. 1577); and

10 (B) ending on October 1, 2028.

11 (b) PROHIBITION ON REDUCTION OF C–130 AIR-
12 CRAFT ASSIGNED TO NATIONAL GUARD.—

13 (1) IN GENERAL.—During fiscal year 2023, the
14 Secretary of the Air Force may not reduce the total
15 number of C–130 aircraft assigned to the National
16 Guard below the number so assigned as of the date
17 of the enactment of this Act.

18 (2) EXCEPTION.—The prohibition under para-
19 graph (1) shall not apply to an individual C–130 air-
20 craft that the Secretary of the Air Force determines,
21 on a case-by-case basis, to be no longer mission ca-
22 pable because of a mishap or other damage.

1 **SEC. 127. AUTHORITY TO PROCURE UPGRADED EJECTION**
2 **SEATS FOR CERTAIN T-38A AIRCRAFT.**

3 The Secretary of the Air Force is authorized to pro-
4 cure upgraded ejection seats for—

5 (1) all T-38A aircraft of the Air Force Global
6 Strike Command that have not received an upgraded
7 ejection seat under the T-38 Ejection Seat Upgrade
8 Program; and

9 (2) all T-38A aircraft of the Air Combat Com-
10 mand that have not received an upgraded ejection
11 seat as part of such Program.

12 **SEC. 128. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
13 **RETIREMENT OF C-40 AIRCRAFT.**

14 (a) PROHIBITION.—None of the funds authorized to
15 be appropriated by this Act or otherwise made available
16 for fiscal year 2023 for the Air Force may be obligated
17 or expended to retire, prepare to retire, or place in storage
18 or on backup aircraft inventory status any C-40 aircraft.

19 (b) EXCEPTION.—

20 (1) IN GENERAL.—The limitation under sub-
21 section (a) shall not apply to an individual C-40 air-
22 craft that the Secretary of the Air Force determines,
23 on a case-by-case basis, to be no longer mission ca-
24 pable because of a Class A mishap.

25 (2) CERTIFICATION REQUIRED.—If the Sec-
26 retary determines under paragraph (1) that an air-

1 craft is no longer mission capable, the Secretary
2 shall submit to the congressional defense committees
3 a certification that the status of such aircraft is due
4 to a Class A mishap and not due to lack of mainte-
5 nance or repairs or other reasons.

6 **SEC. 129. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
7 **PROCUREMENT OF BRIDGE TANKER AIR-**
8 **CRAFT.**

9 None of the funds authorized to be appropriated by
10 this Act or otherwise made available for fiscal year 2023
11 for the Air Force may be obligated or expended to enter
12 into a contract for the procurement of the bridge tanker
13 aircraft (as defined in section 136(b) of the National De-
14 fense Authorization Act for Fiscal Year 2022 (Public Law
15 117–81)) unless such contract is awarded using full and
16 open competition. Notwithstanding the preceding sen-
17 tence, the Secretary of the Air Force may enter into a
18 contract for the procurement of the bridge tanker aircraft
19 using procedures other than full and open competition if
20 the Secretary complies with the requirements of section
21 3204 of title 10, United States Code, with respect to the
22 award of such contract and provides to the Committee on
23 Armed Services of the House of Representatives a briefing
24 that explains the reasons such contract cannot be awarded
25 using full and open competition.

1 **SEC. 130. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **TERMINATION OF PRODUCTION LINES FOR**
3 **HH-60W AIRCRAFT.**

4 None of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2023
6 for the Air Force may be obligated or expended to termi-
7 nate the operations of, or to prepare to terminate the oper-
8 ations of, a production line for HH-60W Combat Rescue
9 Helicopters.

10 **SEC. 131. PROHIBITION ON CERTAIN REDUCTIONS TO B-1**
11 **BOMBER AIRCRAFT SQUADRONS.**

12 (a) PROHIBITION.—During the covered period, the
13 Secretary of the Air Force may not—

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

20 (2) reduce, below the levels in effect on such
21 date of enactment, the number of personnel assigned
22 to units responsible for the operation and mainte-
23 nance of B-1 aircraft if such reduction would affect
24 the ability of such units to meet the capability de-
25 scribed in paragraph (1).

1 (b) EXCEPTION.—The prohibition under subsection
2 (a) shall not apply to a bomb wing for which the Secretary
3 of the Air Force has commenced the process of replacing
4 B–1 bomber aircraft with B–21 bomber aircraft.

5 (c) DEFINITIONS.—In this section:

6 (1) The term “covered period” means the pe-
7 riod beginning on the date of the enactment of this
8 Act and ending on September 30, 2026.

9 (2) The term “designed operational capability
10 statement” has the meaning given that term in Air
11 Force Instruction 10–201.

12 (d) CONFORMING REPEAL.—Section 133 of the Na-
13 tional Defense Authorization Act for Fiscal Year 2022
14 (Public Law 117–81; 135 Stat. 1574) is repealed.

15 **SEC. 132. LIMITATION ON RETIREMENT OF E–3 AIRBORNE**
16 **WARNING AND CONTROL SYSTEM AIRCRAFT.**

17 (a) LIMITATION.—

18 (1) IN GENERAL.—Secretary of the Air Force
19 may not retire or prepare to retire more than a total
20 of 13 E–3 Airborne Warning and Control System
21 aircraft.

22 (2) RETIREMENT CONDITIONS.—Of the aircraft
23 authorized to be retired under paragraph (1)—

24 (A) up to eight aircraft may be retired at
25 any time during the period beginning on the

1 date of the enactment of this Act and ending on
2 October 1, 2023; and

3 (B) up to five aircraft may be retired only
4 after the Secretary of the Air Force enters into
5 a contract for the procurement of an E-7 air-
6 craft.

7 (b) DESIGNATION AS PTAI.—The Secretary of the
8 Air Force shall designate two E-3 aircraft as Primary
9 Training Aircraft Inventory.

10 (c) REPORT REQUIRED.—

11 (1) IN GENERAL.—The Secretary of the Air
12 Force shall submit to the congressional defense com-
13 mittees a report on the airborne warning and control
14 capabilities and capacity of the Air Force.

15 (2) ELEMENTS.—The report under subsection
16 (a) shall include the following:

17 (A) An assessment of—

18 (i) the airborne warning and control
19 capabilities and capacity of the Air Force
20 as of the date of the report; and

21 (ii) the airborne warning and control
22 capabilities and capacity needed to meet
23 the future requirements of the Air Force.

24 (B) Identification of—

1 (i) air moving target indicator and
2 battle management and command and con-
3 trol requirements as of the date of the re-
4 port;

5 (ii) the number of such requirements
6 being fulfilled by the current fleet of 31 E-
7 3 aircraft or other capabilities; and

8 (iii) the number of such requirements
9 that would be fulfilled by a reduced fleet of
10 16 E-3 aircraft.

11 (C) An assessment of whether and to what
12 extent a reduced fleet of 16 E-3 aircraft would
13 affect the level of support provided to the oper-
14 ations of the geographic combatant commands.

15 (D) A comparison of the capabilities of the
16 E-3 aircraft with the capabilities of the E-7
17 aircraft that is proposed as a replacement for
18 the E-3 aircraft.

19 (E) A comparison of the capacity required
20 to satisfy both current and future air moving
21 target indicator and battle management and
22 command and control requirements.

23 (F) An acquisition strategy for the E-7
24 aircraft proposed as a replacement for the E-
25 3 aircraft that is—

1 (i) approved by the Secretary of the
2 Air Force; and

3 (ii) includes cost and schedule data,
4 plans for training and fielding, and an as-
5 sessment of possible courses of action to
6 accelerate the proposed acquisition.

7 **SEC. 133. REQUIREMENTS STUDY AND ACQUISITION STRAT-**
8 **EGY FOR THE COMBAT SEARCH AND RESCUE**
9 **MISSION OF THE AIR FORCE.**

10 (a) REQUIREMENTS STUDY.—

11 (1) IN GENERAL.—The Secretary of the Air
12 Force shall conduct a study to determine the re-
13 quirements for the combat search and rescue mis-
14 sion of the Air Force in support of the objectives of
15 the National Defense Strategy.

16 (2) ELEMENTS.—The study under paragraph
17 (1) shall include the following:

18 (A) Identification of anticipated combat
19 search and rescue mission requirements nec-
20 essary to meet the objectives of the most recent
21 National Defense Strategy, including—

22 (i) requirements for short-term, mid-
23 term, and long-term contingency and
24 steady-state operations against adversaries;

1 (ii) requirements under the Agile
2 Combat Employment operational scheme of
3 the Air Force;

4 (iii) requirements relating to regions
5 and specific geographic areas that are ex-
6 pected to have a need for combat search
7 and rescue forces based on the combat-rel-
8 evant range and penetration capability of
9 United States air assets and associated
10 weapon systems; and

11 (iv) the level of operational risk asso-
12 ciated with each likely requirement and
13 scenario.

14 (B) An assessment of the rotary, tilt, and
15 fixed wing aircraft and key combat search and
16 rescue enabling capabilities that—

17 (i) are needed to meet the require-
18 ments identified under subparagraph (A);
19 and

20 (ii) have been accounted for in the
21 budget of the Air Force as of the date of
22 the study.

23 (C) Identification of any combat search
24 and rescue capability gaps, including an assess-
25 ment of—

1 (i) whether and to what extent such
2 gaps may affect the ability of the Air
3 Force to conduct combat search and rescue
4 operations;

5 (ii) any capability gaps that may be
6 created by procuring fewer HH-60W air-
7 craft than planned under the program of
8 record, including any expected changes to
9 the plan for fielding such aircraft for ac-
10 tive, reserve, and National Guard units;
11 and

12 (iii) any capability gaps attributable
13 to unfunded requirements.

14 (D) Identification and assessment of key
15 current, emerging, and future technologies with
16 potential application to the combat search and
17 rescue mission, including electric vertical take-
18 off and landing, unmanned aerial systems,
19 armed air launched effects or similar armed ca-
20 pabilities, or a combination of such tech-
21 nologies.

22 (E) An assessment of each technology
23 identified under subparagraph (D), including
24 (as applicable) an assessment of—

25 (i) technology maturity;

- 1 (ii) suitability to the combat search
2 and rescue mission;
3 (iii) range;
4 (iv) speed;
5 (v) payload capability and capacity;
6 (vi) radio frequency and infrared sig-
7 natures;
8 (vii) operational conditions required
9 for the use of such technology, such as
10 runway availability;
11 (viii) survivability;
12 (ix) lethality;
13 (x) potential to support combat mis-
14 sions other than combat search and rescue;
15 and
16 (xi) estimated cost.

17 (3) SUBMITTAL TO CONGRESS.—

18 (A) IN GENERAL.—Not later than March
19 30, 2023, the Secretary of the Air Force shall
20 submit to the Committees on Armed Services of
21 the Senate and the House of Representatives a
22 report on the results of the study under para-
23 graph (1).

1 (B) FORM.—The report required under
2 subparagraph (A) shall be submitted in unclas-
3 sified form, but may include a classified annex.

4 (b) ACQUISITION STRATEGY.—

5 (1) IN GENERAL.—Based on the results of the
6 study conducted under subsection (a), the Secretary
7 of the Air Force shall develop a strategy for the ac-
8 quisition of capabilities to meet the requirements
9 identified under such study.

10 (2) ELEMENTS.—The acquisition strategy
11 under paragraph (1) shall include—

12 (A) A prioritized list of the capabilities
13 needed to meet the requirements identified
14 under subsection (a).

15 (B) The estimated costs of such capabili-
16 ties, including—

17 (i) any amounts already budgeted for
18 such capabilities as of the date of the
19 strategy, including amounts already budg-
20 eted for emerging and future technologies;
21 and

22 (ii) any amounts not already budgeted
23 for such capabilities as of such date.

24 (C) An estimate of the date by which the
25 capability is expected to become operational.

1 (D) A description of any requirements
2 identified under subsection (a) that the Sec-
3 retary of the Air Force does not expect to meet
4 as part of the acquisition strategy and an expla-
5 nation of the reasons such requirements cannot
6 be met.

7 (3) SUBMITTAL TO CONGRESS.—

8 (A) IN GENERAL.—Not later than June 1,
9 2023, the Secretary of the Air Force shall sub-
10 mit to the Committees on Armed Services of
11 the Senate and the House of Representatives a
12 report on the acquisition strategy developed
13 under paragraph (1).

14 (B) FORM.—The report required under
15 subparagraph (A) shall be submitted in unclas-
16 sified form, but may include a classified annex.

17 **SEC. 134. PLAN FOR TRANSFER OF KC-135 AIRCRAFT TO**
18 **THE AIR NATIONAL GUARD.**

19 (a) PLAN REQUIRED.—The Secretary of the Air
20 Force shall develop a plan to transfer covered KC-135 air-
21 craft to air refueling wings of the Air National Guard that
22 are classic associations with active duty units of the Air
23 Force.

24 (b) BRIEFING.—Not later than 120 days after the
25 date of the enactment of this Act, the Secretary of the

1 Air Force shall provide to the Committees on Armed Serv-
2 ices of the Senate and the House of Representatives a
3 briefing on plan developed under subsection (a). The brief-
4 ing shall include an explanation of the effects the plan is
5 expected to have on the aerial refueling capability of the
6 Department of Defense.

7 (c) DEFINITIONS.—In this section:

8 (1) The term “covered KC–135 aircraft” means
9 a KC–135 aircraft that the Secretary of the Air
10 Force is in the process of replacing with a KC–46A
11 aircraft.

12 (2) The term “classic association” means a
13 structure under which a regular Air Force unit re-
14 tains principal responsibility for an aircraft and
15 shares the aircraft with one or more reserve compo-
16 nent units.

17 **SEC. 135. ANNUAL REPORT ON T-7A ADVANCED PILOT**
18 **TRAINING SYSTEM.**

19 (a) ANNUAL REPORT.—Not later than March 1,
20 2023, and annually thereafter for 5 years, the Assistant
21 Secretary of the Air Force for Acquisition, Technology,
22 and Logistics shall submit to the Committees on Armed
23 Services of the Senate and the House of Representatives
24 a report on the acquisition efforts of the Department of
25 Defense with respect to the T–7A Advanced Pilot Train-

1 ing System (including any associated aircraft and ground
2 training systems).

3 (b) ELEMENTS.—Each report under subsection (a)
4 shall include the following:

5 (1) An overview of the Assistant Secretary's ac-
6 quisition strategy for the T-7 Advanced Pilot Train-
7 ing System, including the current status of the ac-
8 quisition strategy as of the date of the report.

9 (2) The cost and schedule estimates for the pro-
10 gram.

11 (3) In the case of the initial report under this
12 section, the key performance parameters or the
13 equivalent requirements for the program. In the case
14 of subsequent reports, any key performance param-
15 eters or the equivalent requirements for the program
16 that have changed since the submission of the pre-
17 vious report under this section.

18 (4) The test and evaluation strategy and execu-
19 tion date of the testing program, including any re-
20 sults, and a summary of testing points closed per-
21 taining to the testing program.

22 (5) The logistics and sustainment strategy of
23 the program, and the planning, execution, and im-
24 plementation that has occurred related to that strat-
25 egy as of the date of the report.

1 (6) An explanation of the causes related to any
2 engineering, manufacturing, development, testing,
3 production, delivery, acceptance, and fielding delays
4 incurred by the program as of the date of the report
5 and any associated impacts and subsequent efforts
6 to address such delays.

7 (7) The post-production fielding strategy for
8 the program.

9 (8) Any other matters regarding the acquisition
10 of the T-7 Advanced Pilot Training System that the
11 Assistant Secretary determines to be of critical im-
12 portance to the long-term viability of the program.

13 **SEC. 136. REPORT ON F-22 AIRCRAFT FORCE LAYDOWN.**

14 Not later than April 30, 2023, the Secretary of the
15 Air Force shall submit to the Committees on Armed Serv-
16 ices of the Senate and the House of Representatives a re-
17 port on—

18 (1) the proposed plan of the Air Force for the
19 movement and basing of 186 F-22 aircraft; and

20 (2) the establishment of a new F-22 formal
21 training unit, including—

22 (A) the anticipated location of such unit;

23 (B) the anticipated schedule for the estab-
24 lishment of such unit; and

1 (C) the number of aircraft that are ex-
2 pected to be transferred to such unit.

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

5 **SEC. 141. CHARGING STATIONS AT COMMISSARY STORES**
6 **AND MILITARY EXCHANGES.**

7 (a) IN GENERAL.—Subchapter I of chapter 147 of
8 title 10, United States Code, is amended by adding at the
9 end the following new section:

10 **“§ 2486. Electric vehicle charging stations at com-**
11 **missary stores and military exchanges**

12 “(a) AUTHORITY.—The Secretary of Defense may
13 furnish electric vehicle charging stations at a commissary
14 store or military exchange for commercial use by individ-
15 uals authorized to access such facilities.

16 “(b) RATES AND PROCEDURES.—If the Secretary of
17 Defense furnishes electric vehicle charging stations pursu-
18 ant to subsection (a)—

19 “(1) the Secretary shall establish rates and pro-
20 cedures that the Secretary determines appropriate
21 for the purchase of electric power from the charging
22 stations; and

23 “(2) such charging stations may be installed
24 and operated by a contractor on a for-profit basis.

1 “(c) INTEROPERABILITY.—Any vehicle charging sta-
2 tion provided under this section shall use a charging con-
3 nector type (or other means to transmit electricity to the
4 vehicle) that—

5 “(1) meets applicable industry accepted stand-
6 ards for interoperability and safety; and

7 “(2) is compatible with—

8 “(A) electric vehicles commonly available
9 for purchase by a member of the general public;
10 and

11 “(B) covered nontactical vehicles.

12 “(b) COVERED NONTACTICAL VEHICLE DEFINED.—
13 In this section, the term ‘covered nontactical vehicle’
14 means any vehicle—

15 “(1) that is not a tactical vehicle designed for
16 use in combat; and

17 “(2) that is purchased or leased by the Depart-
18 ment of Defense, or by another department or agen-
19 cy of the Federal Government for the use of the De-
20 partment of Defense, pursuant to a contract entered
21 into, renewed, modified, or amended on or after Oc-
22 tober 1, 2022.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 at the beginning of such subchapter is amended by adding
25 at the end the following new item:

“2486. Electric vehicle charging stations at commissary stores and military exchanges.”.

1 **SEC. 142. INCREASE AIR FORCE AND NAVY USE OF USED**
2 **COMMERCIAL DUAL-USE PARTS IN CERTAIN**
3 **AIRCRAFT AND ENGINES.**

4 (a) IN GENERAL.—Not later than 90 days after the
5 date of the enactment of this Act, the Secretary of the
6 Air Force, with respect to the Air Force, and the Sec-
7 retary of the Navy, with respect to the Navy, shall develop
8 and implement processes and procedures for—

9 (1) the acquisition of used, overhauled, recondi-
10 tioned, and remanufactured commercial dual-use
11 parts; and

12 (2) the use of such commercial-dual use parts
13 in all—

14 (A) commercial derivative aircraft and en-
15 gines; and

16 (B) aircraft used by the Air Force or Navy
17 that are based on the design of commercial
18 products.

19 (b) PROCUREMENT OF PARTS.—The processes and
20 procedures implemented under subsection (a) shall provide
21 that commercial dual-use parts shall be acquired—

22 (1) pursuant to competitive procedures (as de-
23 fined in section 3012 of title 10, United States
24 Code); and

1 (2) only from suppliers that provide parts that
2 possess an Authorized Release Certificate Federal
3 Aviation Administration Form 8130-3 Airworthy
4 Approval Tag from a certified repair station pursu-
5 ant to part 145 of title 14, Code of Federal Regula-
6 tions.

7 (c) DEFINITIONS.—In this section:

8 (1) COMMERCIAL DERIVATIVE.—The term
9 “commercial derivative” means an item procured by
10 the Department of Defense that is or was produced
11 using the same or similar production facilities, a
12 common supply chain, and the same or similar pro-
13 duction processes that are used for the production of
14 the item as predominantly used by the general public
15 or by nongovernmental entities for purposes other
16 than governmental purposes.

17 (2) COMMERCIAL DUAL-USE PARTS.—The term
18 “commercial dual-use parts” means a product that
19 is—

- 20 (A) a commercial product;
21 (B) dual-use;
22 (C) described in subsection (b)(2); and
23 (D) not a life limited part.

1 (3) **COMMERCIAL PRODUCT.**—The term “com-
2 mercial product” has the meaning given such term
3 in section 103 of title 41, United States Code.

4 (4) **DUAL-USE.**—The term “dual-use” has the
5 meaning given such term in section 4801 of title 10,
6 United States Code.

7 **SEC. 143. ASSESSMENT AND REPORT ON MILITARY ROTARY**
8 **WING AIRCRAFT INDUSTRIAL BASE.**

9 (a) **ASSESSMENT REQUIRED.**—The Under Secretary
10 of Defense for Acquisition and Sustainment, in coordina-
11 tion with the Secretaries of the Army, Navy, and Air
12 Force, shall conduct an assessment of the military rotary
13 wing aircraft industrial base.

14 (b) **ELEMENTS.**—The assessment under subsection
15 (a) shall include the following:

16 (1)(A) Identification of each rotary wing air-
17 craft program of the Department of Defense that is
18 in the research and development or procurement
19 phase.

20 (B) A description of any platform-specific or ca-
21 pability-specific facility or workforce technical skill
22 requirements necessary for each program identified
23 under subparagraph (A).

24 (2) Identification of—

1 (A) the rotary wing aircraft capabilities of
2 each Armed Force anticipated for programming
3 beyond the period covered by the most recent
4 future-years defense program submitted to Con-
5 gress under section 221 of title 10, United
6 States Code (as of the date of the assessment);
7 and

8 (B) the technologies, facilities, and work-
9 force skills necessary for the development of
10 such capabilities.

11 (3) An assessment of the military industrial
12 base capacity and skills that are available (as of the
13 date of the assessment) to design and manufacture
14 the platforms and capabilities identified under para-
15 graphs (1) and (2) and a list of any gaps in such
16 capacity and skills.

17 (4)(A) Identification of each component, sub-
18 component, or equipment supplier in the military ro-
19 tary wing aircraft industrial base that is the sole
20 source within such industrial base from which that
21 component, subcomponent, or equipment may be ob-
22 tained.

23 (B) An assessment of any risk resulting from
24 the lack of other suppliers for such components, sub-
25 components, or equipment.

1 (5) Analysis of the likelihood of future consoli-
2 dation, contraction, or expansion, within the rotary
3 wing aircraft industrial base, including—

4 (A) identification of the most probable sce-
5 narios with respect to such consolidation, con-
6 traction, or expansion; and

7 (B) an assessment of how each such sce-
8 nario may affect the ability of the Armed
9 Forces to acquire military rotary wing aircraft
10 in the future, including any effects on the cost
11 and schedule of such acquisitions.

12 (6) Such other matters the Under Secretary of
13 Defense for Acquisition and Sustainment determines
14 appropriate.

15 (c) REPORT.—

16 (1) IN GENERAL.—Concurrently with the sub-
17 mission of the next annual report required to be sub-
18 mitted under section 4814 of title 10, United States
19 Code, after the date of the enactment of this Act,
20 the Under Secretary of Defense for Acquisition and
21 Sustainment shall submit to the congressional de-
22 fense committees a report that includes—

23 (A) the results of the assessment con-
24 ducted under subsection (a); and

1 (B) based on such results, recommenda-
2 tions for reducing any risks identified with re-
3 spect to the military rotary wing aircraft indus-
4 trial base.

5 (2) FORM.—The report required under para-
6 graph (1) may be submitted as an appendix to the
7 annual report required to be submitted under section
8 4814 of title 10, United States Code.

9 (d) ROTARY WING AIRCRAFT DEFINED.—In this sec-
10 tion, the term “rotary wing aircraft” includes rotary wing
11 and tiltrotor aircraft.

12 **TITLE II—RESEARCH, DEVELOP-**
13 **MENT, TEST, AND EVALUA-**
14 **TION**

15 **Subtitle A—Authorization of**
16 **Appropriations**

17 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

18 Funds are hereby authorized to be appropriated for
19 fiscal year 2023 for the use of the Department of Defense
20 for research, development, test, and evaluation, as speci-
21 fied in the funding table in section 4201.

1 **Subtitle B—Program Requirements, Restrictions, and Limitations**
2
3

4 **SEC. 211. CLARIFICATION OF ROLE OF SENIOR OFFICIAL**
5 **WITH PRINCIPAL RESPONSIBILITY FOR ARTI-**
6 **FICIAL INTELLIGENCE AND MACHINE LEARN-**
7 **ING.**

8 (a) JOINT ARTIFICIAL INTELLIGENCE RESEARCH
9 AND DEVELOPMENT ACTIVITIES.—Section 238 of the
10 John S. McCain National Defense Authorization Act for
11 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. note
12 prec. 4061) is amended—

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

15 “(c) ORGANIZATION AND ROLES.—

16 “(1) IN GENERAL.—In addition to designating
17 an official under subsection (b), the Secretary of De-
18 fense shall assign to appropriate officials within the
19 Department of Defense roles and responsibilities re-
20 lating to the research, development, prototyping,
21 testing, procurement of, requirements for, and oper-
22 ational use of artificial intelligence technologies.

23 “(2) APPROPRIATE OFFICIALS.—The officials
24 assigned roles and responsibilities under paragraph
25 (1) shall include—

1 “(A) the Under Secretary of Defense for
2 Research and Engineering;

3 “(B) the Under Secretary of Defense for
4 Acquisition and Sustainment;

5 “(C) one or more officials in each military
6 department;

7 “(D) officials of appropriate Defense Agen-
8 cies; and

9 “(E) such other officials as the Secretary
10 of Defense determines appropriate.”;

11 (2) in subsection (e) in the second sentence, by
12 striking “Director of the Joint Artificial Intelligence
13 Center” and inserting “the official designated under
14 subsection (b)”;

15 (3) by striking subsection (h).

16 (b) PERSONNEL MANAGEMENT AUTHORITY TO AT-
17 TRACT EXPERTS IN SCIENCE AND ENGINEERING.—Sec-
18 tion 4092 of title 10, United States Code, is amended—

19 (1) by amending paragraph (6) of subsection
20 (a) to read as follows:

21 “(6) JOINT ARTIFICIAL INTELLIGENCE RE-
22 SEARCH, DEVELOPMENT, AND TRANSITION ACTIVI-
23 TIES.—The official designated under subsection (b)
24 of section 238 of the John S. McCain National De-
25 fense Authorization Act for Fiscal Year 2019 (Pub-

1 lic Law 115–232) shall carry out a program of per-
2 sonnel management authority provided in subsection
3 (b) of this section in order to facilitate recruitment
4 of eminent experts in science or engineering to sup-
5 port the activities of such official under such section
6 238.”.

7 (2) in subsection (b)(1)(F)—

8 (A) by striking “Joint Artificial Intel-
9 ligence Center” and inserting “official des-
10 ignated under subsection (b) of section 238 of
11 the John S. McCain National Defense Author-
12 ization Act for Fiscal Year 2019 (Public Law
13 115–232)”; and

14 (B) by striking “in the Center” and insert-
15 ing “in support of the activities of such official
16 under such section”; and

17 (3) in subsection (c)(2), by striking “the Joint
18 Artificial Intelligence Center” and inserting “the ac-
19 tivities under section 238 of the John S. McCain
20 National Defense Authorization Act for Fiscal Year
21 2019 (Public Law 115–232)”.

22 (c) REVIEW OF ARTIFICIAL INTELLIGENCE APPLICA-
23 TIONS AND ESTABLISHMENT OF PERFORMANCE
24 METRICS.—Section 226(b) of the National Defense Au-

1 thORIZATION Act for Fiscal Year 2022 (Public Law 117–
2 81; 10 U.S.C. 4001 note) is amended—

3 (1) in paragraph (3), by inserting “or the offi-
4 cial designated under subsection (b) of section 238
5 of the John S. McCain National Defense Authoriza-
6 tion Act for Fiscal Year 2019 (Public Law 115–232;
7 10 U.S.C. note prec. 4061)” after “Director of the
8 Joint Artificial Intelligence Center”;

9 (2) in paragraph (4), by inserting “or the offi-
10 cial designated under subsection (b) of section 238
11 of the John S. McCain National Defense Authoriza-
12 tion Act for Fiscal Year 2019 (Public Law 115–232;
13 10 U.S.C. note prec. 4061)” after “Director of the
14 Joint Artificial Intelligence Center”; and

15 (3) in paragraph (5), by inserting “or the offi-
16 cial designated under subsection (b) of section 238
17 of the John S. McCain National Defense Authoriza-
18 tion Act for Fiscal Year 2019 (Public Law 115–232;
19 10 U.S.C. note prec. 4061)” after “Director of the
20 Joint Artificial Intelligence Center”.

21 (d) MODIFICATION OF THE JOINT COMMON FOUNDA-
22 TION PROGRAM.—Section 227(a) of the National Defense
23 Authorization Act for Fiscal Year 2022 (Public Law 117–
24 81; 10 U.S.C. 4001 note) is amended by striking “Joint
25 Artificial Intelligence Center” and inserting “the office of

1 the official designated under subsection (b) of section 238
2 of the John S. McCain National Defense Authorization
3 Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
4 note prec. 4061)”.

5 (e) PILOT PROGRAM ON DATA REPOSITORIES TO FA-
6 CILITATE THE DEVELOPMENT OF ARTIFICIAL INTEL-
7 LIGENCE CAPABILITIES FOR THE DEPARTMENT OF DE-
8 FENSE.—Section 232 of the National Defense Authoriza-
9 tion Act for Fiscal Year 2022 (Public Law 117–81; 10
10 U.S.C. 4001 note) is amended—

11 (1) in the section heading, by striking “**PILOT**
12 **PROGRAM ON DATA REPOSITORIES**” and insert-
13 ing “**DATA REPOSITORIES**”;

14 (2) by amending subsection (a) to read as fol-
15 lows:

16 “(a) ESTABLISHMENT OF DATA REPOSITORIES.—
17 The Secretary of Defense, acting through the official des-
18 ignated under subsection (b) of section 238 of the John
19 S. McCain National Defense Authorization Act for Fiscal
20 Year 2019 (Public Law 115–232; 10 U.S.C. note prec.
21 4061) (and such other officials as the Secretary deter-
22 mines appropriate), shall—

23 “(1) establish data repositories containing De-
24 partment of Defense data sets relevant to the devel-

1 opment of artificial intelligence software and tech-
2 nology; and

3 “(2) allow appropriate public and private sector
4 organizations to access such data repositories for the
5 purpose of developing improved artificial intelligence
6 and machine learning software capabilities that may,
7 as determined appropriate by the Secretary, be pro-
8 cured by the Department to satisfy Department re-
9 quirements and technology development goals.”;

10 (3) in subsection (b), by striking “If the Sec-
11 retary of Defense carries out the pilot program
12 under subsection (a), the data repositories estab-
13 lished under the program” and inserting “The data
14 repositories established under subsection (a)”;

15 (4) by amending subsection (c) to read as fol-
16 lows:

17 “(c) BRIEFING.—Not later than July 1, 2023, the
18 Secretary of Defense shall provide to the congressional de-
19 fense committees a briefing on—

20 “(1) the types of information the Secretary de-
21 termines are feasible and advisable to include in the
22 data repositories established under subsection (a);
23 and

24 “(2) the progress of the Secretary in estab-
25 lishing such data repositories.”.

1 (f) DIGITAL DEVELOPMENT INFRASTRUCTURE PLAN
2 AND WORKING GROUP.—Section 1531(d)(2)(C) of the
3 National Defense Authorization Act for Fiscal Year 2022
4 (Public Law 117–81; 135 Stat. 2051) is amended by strik-
5 ing “The Joint Artificial Intelligence Center (JAIC)” and
6 inserting “The office of the official designated under sub-
7 section (b) of section 238 of the John S. McCain National
8 Defense Authorization Act for Fiscal Year 2019 (Public
9 Law 115–232; 10 U.S.C. note prec. 4061)”.

10 (g) APPLICATION OF ARTIFICIAL INTELLIGENCE TO
11 THE DEFENSE REFORM PILLAR OF THE NATIONAL DE-
12 FENSE STRATEGY.—Section 234(b) of the William M.
13 (Mac) Thornberry National Defense Authorization Act for
14 Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113)
15 is amended by striking “Director of the Joint Artificial
16 Intelligence Center” and inserting “official designated
17 under subsection (b) of section 238 of the John S. McCain
18 National Defense Authorization Act for Fiscal Year 2019
19 (Public Law 115–232; 10 U.S.C. note prec. 4061)”.

20 (h) PILOT PROGRAM ON THE USE OF ELECTRONIC
21 PORTFOLIOS TO EVALUATE CERTAIN APPLICANTS FOR
22 TECHNICAL POSITIONS.—Section 247(c) of the William
23 M. (Mac) Thornberry National Defense Authorization Act
24 for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C.
25 note prec. 1580) is amended—

1 (1) in paragraph (1), by striking “the Joint Ar-
2 tificial Intelligence Center” and inserting “the office
3 of the official designated under subsection (b) of sec-
4 tion 238 of the John S. McCain National Defense
5 Authorization Act for Fiscal Year 2019 (Public Law
6 115–232; 10 U.S.C. note prec. 4061)”;

7 (2) by striking paragraph (2); and

8 (3) by redesignating paragraphs (3) and (4) as
9 paragraphs (2) and (3), respectively.

10 (i) ACQUISITION AUTHORITY OF THE DIRECTOR OF
11 THE JOINT ARTIFICIAL INTELLIGENCE CENTER.—Sec-
12 tion 808 the William M. (Mac) Thornberry National De-
13 fense Authorization Act for Fiscal Year 2021 (Public Law
14 116–283; 10 U.S.C. 4001 note) is amended—

15 (1) in the section heading, by striking “**THE**
16 **DIRECTOR OF THE JOINT ARTIFICIAL INTEL-**
17 **LIGENCE CENTER**” and inserting “**THE SENIOR**
18 **OFFICIAL WITH PRINCIPAL RESPONSIBILITY**
19 **FOR ARTIFICIAL INTELLIGENCE AND MACHINE**
20 **LEARNING**”;

21 (2) in subsection (a)—

22 (A) by striking “the Director of the Joint
23 Artificial Intelligence Center” and inserting
24 “the official designated under subsection (b) of
25 section 238 of the John S. McCain National

1 Defense Authorization Act for Fiscal Year 2019
2 (Public Law 115–232; 10 U.S.C. note prec.
3 4061) (referred to in this section as the ‘Offi-
4 cial’); and

5 (B) by striking “the Center” and inserting
6 “the office of such official (referred to in this
7 section as the ‘Office’)”;

8 (3) in subsection (b)—

9 (A) in the subsection heading, by striking
10 “JAIC”;

11 (B) in paragraph (1)—

12 (i) in the matter preceding subpara-
13 graph (A),

14 (I) by striking “staff of the Di-
15 rector” and inserting “staff of the Of-
16 ficial”; and

17 (II) by striking “the Director of
18 the Center” and inserting “such Offi-
19 cial”;

20 (ii) in subparagraph (A), by striking
21 “the Center” and inserting “the Office”;

22 (iii) in subparagraph (B), by striking
23 “the Center” and inserting “the Office”;

1 (iv) in subparagraph (C), by striking
2 “the Center” each place it appears and in-
3 serting “the Office”; and

4 (v) in subparagraph (D), by striking
5 “the Center” each place it appears and in-
6 serting “the Office”;

7 (C) in paragraph (2)—

8 (i) by striking “the Center” and in-
9 serting “the Office”; and

10 (ii) by striking “the Director” and in-
11 serting “the Official”;

12 (4) in subsection (c)(1)—

13 (A) by striking “the Center” and inserting
14 “the Office”; and

15 (B) by striking “the Director” and insert-
16 ing “the Official”;

17 (5) in subsection (d), by striking “the Director”
18 and inserting “the Official”;

19 (6) in subsection (e)—

20 (A) in paragraph (2)—

21 (i) in subparagraph (B), by striking
22 “Center missions” and inserting “the mis-
23 sions of the Office”; and

1 (ii) in subparagraph (D), by striking
2 “the Center” and inserting “the Office”;
3 and

4 (B) in paragraph (3), by striking “the
5 Center” and inserting “the Office”;

6 (7) in subsection (f), by striking “the Director”
7 and inserting “the Official”; and

8 (8) in subsection (g)—

9 (A) by striking paragraphs (1) and (3);
10 and

11 (B) by redesignating paragraphs (4) and
12 (5) as paragraphs (1) and (2), respectively.

13 (j) BIENNIAL REPORT.—Section 260 of the National
14 Defense Authorization Act for Fiscal Year 2020 (Public
15 Law 116–92; 133 Stat. 1293) is amended—

16 (1) in the section heading, by striking “**JOINT**
17 **ARTIFICIAL INTELLIGENCE CENTER**” and insert-
18 ing “**OFFICE OF THE SENIOR OFFICIAL WITH**
19 **PRINCIPAL RESPONSIBILITY FOR ARTIFICIAL**
20 **INTELLIGENCE AND MACHINE LEARNING**”;

21 (2) in subsection (a)—

22 (A) by striking “2023” and inserting
23 “2026”; and

24 (B) by striking “the Joint Artificial Intel-
25 ligence Center (referred to in this section as the

1 ‘Center’))” and inserting “the office of the offi-
2 cial designated under subsection (b) of section
3 238 of the John S. McCain National Defense
4 Authorization Act for Fiscal Year 2019 (Public
5 Law 115–232; 10 U.S.C. note prec. 4061) (re-
6 ferred to in this section as the ‘Office’));

7 (3) in subsection (b)—

8 (A) by striking “Center” each place it ap-
9 pears and inserting “Office”;

10 (B) in paragraph (2), by striking “the Na-
11 tional Mission Initiatives, Component Mission
12 Initiatives, and any other initiatives” and in-
13 serting “any initiatives”; and

14 (C) in paragraph (7), by striking “the
15 Center’s investments in the National Mission
16 Initiatives and Component Mission Initiatives”
17 and inserting “the Office’s investments in its
18 initiatives and other activities”; and

19 (4) by striking subsection (c).

20 (k) REPORTING RESPONSIBILITY.—Section 903(b) of
21 the National Defense Authorization Act for Fiscal Year
22 2020 (Public Law 116–92; 10 U.S.C. 2223 note) is
23 amended—

24 (1) by striking paragraph (3); and

1 (2) by redesignating paragraph (4) as para-
2 graph (3).

3 (1) REFERENCES IN EXISTING LAW.—Any reference
4 in any law, regulation, guidance, instruction, or other doc-
5 ument of the Federal Government to the Director of the
6 Joint Artificial Intelligence Center of the Department of
7 Defense or to the Joint Artificial Intelligence Center shall
8 be deemed to refer to the official designated under section
9 238(b) of the John S. McCain National Defense Author-
10 ization Act for Fiscal Year 2019 (Public Law 115–232;
11 10 U.S.C. note prec. 4061) or the office of such official,
12 as the case may be.

13 **SEC. 212. ROLE OF THE CHIEF DIGITAL AND ARTIFICIAL IN-**
14 **TELLIGENCE OFFICER IN FOSTERING INTER-**
15 **OPERABILITY AMONG JOINT FORCE SYS-**
16 **TEMS.**

17 (a) IN GENERAL.—The Secretary of Defense, in con-
18 sultation with the Director of National Intelligence, shall
19 direct the Chief Digital and Artificial Intelligence Officer
20 of the Department of Defense to carry out the activities
21 described in subsection (b) in support of the Joint All Do-
22 main Command and Control strategy and the Joint
23 Warfighting Concept of the Department.

24 (b) ACTIVITIES DESCRIBED.—The activities de-
25 scribed in this subsection are the following:

1 (1) To solicit feedback from the combatant
2 commands and the Joint Staff to identify oper-
3 ational challenges that—

4 (A) are attributable to a lack of interoper-
5 ability between the warfighting systems and
6 other technology, including software and data,
7 of such commands and the Joint Staff; and

8 (B) could potentially be resolved using mis-
9 sion integration software, including software de-
10 signed to integrate heterogeneous systems
11 across domains without upgrading hardware or
12 changing existing system software.

13 (2) From amounts made available to carry out
14 this section, to allocate funds to entities in the com-
15 batant commands and the Joint Staff to address
16 such operational challenges through—

17 (A) the development, procurement, or field-
18 ing of mission integration software; and

19 (B) the development and implementation
20 of related tactics, techniques, and procedures to
21 integrate systems to increase interoperability.

22 (3) To identify, acquire, and field existing mis-
23 sion integration capabilities and enhance ongoing re-
24 search and development.

1 (4) To support exercises, experimentation, and
2 demonstrations to highlight and refine mission inte-
3 gration software and address associated interoper-
4 ability challenges.

5 (5) To assist in fielding mission integration
6 software by the military departments to encourage
7 the development and employment of such software
8 on a larger scale.

9 (c) BRIEFING.—Not later than 180 days after the
10 date of the enactment of this Act, the Secretary of Defense
11 shall provide to the Committee on Armed Services of the
12 House of Representatives a briefing on the progress of the
13 Chief Digital and Artificial Intelligence Officer in carrying
14 out the activities described in subsection (b)).

15 (d) REPORTS.—On a biannual basis during the pe-
16 riod of three years following the date of the briefing under
17 subsection (c), the Secretary of Defense shall submit to
18 the congressional defense committees a report that in-
19 cludes, with respect to the period of six months preceding
20 the date of the report, the following:

21 (1) A description of any operational challenges
22 that were identified under subsection (b)(1).

23 (2) Of those operational challenges—

24 (A) identification of the challenges the
25 Chief Digital and Artificial Intelligence Officer

1 addressed through the allocation of funds under
2 subsection (b)(2); and

3 (B) an explanation of whether and to what
4 extent activities carried out with such funds re-
5 duced interoperability challenges.

6 (3) Identification of any mission integration
7 software procured, developed, or fielded by the
8 Armed Forces or the combatant commands.

9 (4) A description of any exercises, experimen-
10 tation, and demonstrations performed.

11 (e) DEFINITIONS.—In this section:

12 (1) The term “Chief Digital and Artificial Intel-
13 ligence Officer” means the official designated under
14 subsection (b) of section 238 of the John S. McCain
15 National Defense Authorization Act for Fiscal Year
16 2019 (Public Law 115–232; 10 U.S.C. note prec.
17 4061).

18 (2) The term “mission integration software”
19 means software that supports military operations by
20 creating interoperability between systems, tools, and
21 applications, including weapons, platforms, intel-
22 ligence, surveillance, and reconnaissance systems, in-
23 telligence fusion systems, tasking systems, tactical
24 data links, cyberspace and electronic warfare sys-
25 tems, communications systems, command and con-

1 trol systems, common operating pictures, and com-
2 manders' decision aids.

3 **SEC. 213. MODIFICATION OF DEFENSE LABORATORY MOD-**
4 **ERNIZATION PILOT PROGRAM.**

5 Section 2803 of the National Defense Authorization
6 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.
7 note prec. 4121) is amended—

8 (1) in subsection (e), by striking
9 “\$150,000,000” and inserting “\$300,000,000”;

10 (2) in subsection (f)(2), by striking
11 “\$1,000,000” and inserting “\$4,000,000”; and

12 (3) in subsection (g), by striking “October 1,
13 2025” and inserting “October 1, 2030”.

14 **SEC. 214. SUPPORT FOR RESEARCH AND DEVELOPMENT OF**
15 **BIOINDUSTRIAL MANUFACTURING PROC-**
16 **ESSES.**

17 (a) AUTHORIZATION.—Subject to the availability of
18 appropriations, the Secretary of Defense shall provide sup-
19 port to manufacturing innovation institutes for the re-
20 search and development of innovative bioindustrial manu-
21 facturing processes and the development of a network of
22 bioindustrial manufacturing facilities to improve the abil-
23 ity of the industrial base to use such processes for the
24 production of chemicals, materials, and other products

1 necessary to support national security or secure fragile
2 supply chains.

3 (b) FORM OF SUPPORT.—The support provided
4 under subsection (a) may consist of—

5 (1) the establishment of one or more manufac-
6 turing innovation institutes specializing in the re-
7 search and development of bioindustrial manufac-
8 turing processes;

9 (2) providing funding to one or more existing
10 manufacturing innovation institutes—

11 (A) to support the research and develop-
12 ment of bioindustrial manufacturing processes;

13 or

14 (B) to otherwise expand the bioindustrial
15 manufacturing capabilities of such institutes;

16 (3) the establishment of dedicated facilities
17 within one or more manufacturing innovation insti-
18 tutes to serve as regional hubs for the research, de-
19 velopment, and the scaling of bioindustrial manufac-
20 turing processes and products to higher levels of
21 production; or

22 (4) designating a manufacturing innovation in-
23 stitute to serve as the lead entity responsible for in-
24 tegrating a network of pilot and intermediate scale
25 bioindustrial manufacturing facilities.

1 (c) ACTIVITIES.—A manufacturing innovation insti-
2 tute that receives support under subsection (a) shall carry
3 out activities relating to the research, development, test,
4 and evaluation of innovative bioindustrial manufacturing
5 processes and the scaling of bioindustrial manufacturing
6 products to higher levels of production, which may in-
7 clude—

8 (1) research on the use of bioindustrial manu-
9 facturing to create materials such as polymers, coat-
10 ings, resins, commodity chemicals, and other mate-
11 rials with fragile supply chains;

12 (2) demonstration projects to evaluate bioindus-
13 trial manufacturing processes and technologies;

14 (3) activities to scale bioindustrial manufac-
15 turing processes and products to higher levels of
16 production;

17 (4) strategic planning for infrastructure and
18 equipment investments for bioindustrial manufac-
19 turing of defense-related materials;

20 (5) analyses of bioindustrial manufactured
21 products and validation of the application of biologi-
22 cal material used as input to new and existing proc-
23 esses to aid in future investment strategies and the
24 security of critical supply chains;

1 (6) the selection, construction, and operation of
2 pilot and intermediate scale bioindustrial manufac-
3 turing facilities;

4 (7) development and management of a network
5 of facilities to scale production of bioindustrial prod-
6 ucts;

7 (8) activities to address workforce needs in bio-
8 industrial manufacturing;

9 (9) establishing an interoperable, secure, digital
10 infrastructure for collaborative data exchange across
11 entities in the bioindustrial manufacturing commu-
12 nity, including government agencies, industry, and
13 academia;

14 (10) developing and implementing digital tools,
15 process security and assurance capabilities, cyberse-
16 curity protocols, and best practices for data storage,
17 sharing and analysis; and

18 (11) such other activities as the Secretary of
19 Defense determines appropriate.

20 (d) CONSIDERATIONS.—In determining the number,
21 type, and location of manufacturing innovation institutes
22 or facilities to support under subsection (a), the Secretary
23 of Defense shall consider—

1 (1) how the institutes or facilities may com-
2 plement each other by functioning as a together as
3 a network;

4 (2) how to geographically distribute support to
5 such institutes or facilities—

6 (A) to maximize access to biological mate-
7 rial needed as an input to bioindustrial manu-
8 facturing processes;

9 (B) to leverage available industrial and
10 academic expertise;

11 (C) to leverage relevant domestic infra-
12 structure required to secure supply chains for
13 chemicals and other materials; and

14 (D) to complement the capabilities of other
15 manufacturing innovation institutes and similar
16 facilities; and

17 (3) how the activities supported under this sec-
18 tion can be coordinated with relevant activities of
19 other departments and agencies of the Federal Gov-
20 ernment.

21 (e) PLAN REQUIRED.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Sec-
24 retary of Defense shall submit to the appropriate
25 congressional committees and the National Security

1 Commission on Emerging Biotechnology a plan for
2 the implementation of this section that includes—

3 (A) a description of types, relative sizes,
4 and locations of the manufacturing innovation
5 institutes or facilities the Secretary intends to
6 establish or support under this section;

7 (B) a general description of the focus of
8 each institute or facility, including the types of
9 bioindustrial manufacturing equipment, if any,
10 that are expected to be procured for each such
11 institute or facility;

12 (C) a general description of how the insti-
13 tutes and facilities will work as a network to
14 maximize the diversity of bioindustrial products
15 available to be produced by the network;

16 (D) an explanation of how the network will
17 support the establishment and maintenance of
18 the bioindustrial manufacturing industrial base;
19 and

20 (E) an explanation of how the Secretary
21 intends to ensure that bioindustrial manufac-
22 turing activities conducted under this section
23 are modernized digitally, including through—

1 (i) the use of a data automation to
2 represent processes and products as models
3 and simulations; and

4 (ii) the implementation of measures to
5 address cybersecurity and process assur-
6 ance concerns.

7 (2) BRIEFINGS.—Not later than 180 days after
8 the date of the submittal of the plan under para-
9 graph (1), and biannually thereafter for five years,
10 the Secretary of Defense shall provide to the appro-
11 priate congressional committees a briefing on the
12 progress toward the implementation of the plan.

13 (f) DEFINITIONS.—In this section:

14 (1) The term “appropriate congressional com-
15 mittees” means—

16 (A) the congressional defense committees;

17 (B) the Committee on Agriculture, Nutri-
18 tion, and Forestry and the Committee on Com-
19 merce, Science, and Transportation of the Sen-
20 ate; and

21 (C) the Committee on Agriculture and the
22 Committee on Science, Space, and Technology
23 of the House of Representatives.

24 (2) The term “bioindustrial manufacturing”
25 means the use of living organisms, cells, tissues, en-

1 zymes, or cell-free systems to produce materials and
2 products for non-pharmaceutical applications.

3 (3) The term “manufacturing innovation insti-
4 tute” means a Manufacturing USA institute (as de-
5 scribed in section 34(d) of the National Institute of
6 Standards and Technology Act (15 U.S.C. 278s(d)))
7 that is funded by the Department of Defense.

8 **SEC. 215. ACTIVITIES TO SUPPORT THE USE OF METAL AD-**
9 **DITIVE MANUFACTURING FOR THE SUB-**
10 **SURFACE FLEET OF THE NAVY.**

11 (a) IN GENERAL.—The Secretary of the Navy shall
12 carry out activities to support—

13 (1) the development of additive manufacturing
14 processes for the production of metal components
15 and other metal-based materials for the subsurface
16 fleet of the Navy;

17 (2) the testing, evaluation, and qualification of
18 such processes, components, and materials; and

19 (3) the use of such processes, components, and
20 materials to meet requirements and milestones appli-
21 cable to the subsurface fleet of the Navy.

22 (b) FUNDING.—From amounts authorized to be ap-
23 propriated by this Act for shipbuilding concept advance
24 design (PE 0603563N), as reflected in division D of this
25 Act, the Secretary of the Navy is authorized to use up

1 to \$5,000,000 to carry out the activities required under
2 subsection (a).

3 **SEC. 216. DIGITAL MISSION OPERATIONS PLATFORM FOR**
4 **THE SPACE FORCE.**

5 The Secretary of the Air Force is authorized to enter
6 into one or more contracts for the procurement of a digital
7 mission operations platform for the Space Force that—

8 (1) is capable of providing systems operators
9 with the ability to analyze system performance in a
10 simulated mission environment; and

11 (2) enables collaboration among such operators
12 in a integrated, physics-based environment.

13 **SEC. 217. AIR-BREATHING TEST CAPACITY UPGRADE TO**
14 **SUPPORT CRITICAL HYPERSONIC WEAPONS**
15 **DEVELOPMENT.**

16 The Secretary of the Air Force shall carry out activi-
17 ties to upgrade the air breathing test facilities of the De-
18 partment of the Air Force to support critical hypersonic
19 weapons development. The Secretary shall seek to com-
20 plete any upgrade made under this section, subject to
21 availability of funds for such upgrade, not later than 24
22 months after the upgrade is commenced.

1 **SEC. 218. INFORMATION ON USE OF COMMERCIAL SOFT-**
2 **WARE FOR THE WARFIGHTER MACHINE**
3 **INTERFACE OF THE ARMY.**

4 (a) CERTIFICATION REQUIRED.—Not later than 60
5 days after the date of the enactment of this Act, the Sec-
6 retary of the Army shall certify to the congressional de-
7 fense committees that the procurement process for incre-
8 ments of the warfighter machine interface procured after
9 the date of the enactment of this Act will be carried out
10 in accordance with section 3453 of title 10, United States
11 Code.

12 (b) MARKET RESEARCH AND REPORT.—

13 (1) MARKET RESEARCH.—The Secretary of the
14 Army shall conduct market research to identify com-
15 mercially available software to determine whether
16 such software has the potential to fulfill the applica-
17 ble requirements of the warfighter machine interface
18 program of the Army.

19 (2) REPORT.—Not later than 30 days after the
20 conclusion of the market research required under
21 paragraph (1), the Secretary of the Army shall sub-
22 mit to the congressional defense committees a report
23 on the on the results of the research, including a list
24 of any commercial software identified as part of the
25 research.

1 **SEC. 219. MEASURES TO INCREASE THE CAPACITY OF HIS-**
2 **TORICALLY BLACK COLLEGES AND UNIVER-**
3 **SITIES AND OTHER MINORITY-SERVING IN-**
4 **STITUTIONS TO ACHIEVE VERY HIGH RE-**
5 **SEARCH ACTIVITY STATUS.**

6 (a) PURPOSE.—The purpose of the program estab-
7 lished under this section is to provide additional pathways
8 needed for further increasing capacity at historically Black
9 colleges and universities and other minority-serving insti-
10 tutions to achieve and maintain very high research activity
11 status.

12 (b) PROGRAM TO INCREASE CAPACITY TOWARD
13 ACHIEVING VERY HIGH RESEARCH ACTIVITY STATUS.—

14 (1) PROGRAM.—

15 (A) IN GENERAL.—The Secretary shall es-
16 tablish and carry out, using funds made avail-
17 able for research activities, a pilot program to
18 increase capacity at high research activity sta-
19 tus historically Black colleges and universities
20 and other minority-serving institutions toward
21 achieving very high research activity status dur-
22 ing the grant period.

23 (B) RECOMMENDATIONS.—In establishing
24 such program, the Secretary may consider the
25 recommendations pursuant to section 262 of
26 the National Defense Authorization Act for Fis-

1 cal Year 2020 (Public Law 116–92; 10 U.S.C.
2 4144 note) and section 220 of the National De-
3 fense Authorization Act for Fiscal Year 2022
4 (Public Law 117–81; 135 Stat. 1597).

5 (2) GRANTS AUTHORIZED.—The Secretary shall
6 award, on a competitive basis, grants to eligible in-
7 stitutions to carry out the activities under paragraph
8 (4)(A).

9 (3) APPLICATION.—An eligible institution seek-
10 ing a grant under this section shall submit an appli-
11 cation to the Secretary at such time, in such man-
12 ner, and containing such information and assurances
13 as the Secretary may require, including a description
14 of—

15 (A) nascent research capabilities with re-
16 spect to research areas of interest to the De-
17 partment of Defense;

18 (B) a plan for increasing the level of re-
19 search activity toward achieving very high re-
20 search activity status classification during the
21 grant period, including measurable milestones
22 such as growth in very high research activity
23 status indicators and other relevant factors;

1 (C) how such institution will sustain the
2 increased level of research activity after the
3 conclusion of the grant period; and

4 (D) how the institution will evaluate and
5 assess progress with respect to the implementa-
6 tion of the plan under subparagraph (B).

7 (4) PROGRAM COMPONENTS.—

8 (A) USE OF FUNDS.—An eligible institu-
9 tion that receives a grant under this section
10 shall use the grant funds to support research
11 activities with respect to research areas for
12 STEM and critical technologies, as determined
13 by the Secretary under subparagraph (B), in-
14 cluding—

15 (i) faculty professional development;

16 (ii) stipends for undergraduate and
17 graduate students and post-doctoral schol-
18 ars;

19 (iii) laboratory equipment and instru-
20 mentation;

21 (iv) recruitment and retention of fac-
22 ulty and graduate students;

23 (v) communication and dissemination
24 of products produced during the grant pe-
25 riod;

1 (vi) construction, modernization, reha-
2 bilitation, or retrofitting of facilities for re-
3 search purposes; and

4 (vii) other activities necessary to build
5 capacity in achieving very high research
6 activity status indicators.

7 (B) STRATEGIC AREAS OF SCIENTIFIC RE-
8 SEARCH.—The Secretary, in consultation with
9 the Defense Science Board, shall establish and
10 update, on an annual basis, a list of research
11 areas for STEM and critical technologies.

12 (C) RESEARCH PROGRESS REPORTING.—

13 (i) IN GENERAL.—Not later than 3
14 years after receiving a grant under this
15 section, and every 3 years thereafter, an el-
16 igible institution shall submit to the Sec-
17 retary—

18 (I) a report that includes an as-
19 sessment by the institution, using the
20 criteria established in clause (ii), of
21 the progress made by such institution
22 with respect to achieving very high re-
23 search activity indicators; and

24 (II) an updated plan described in
25 paragraph (3)(B).

1 (ii) RESEARCH ASSESSMENT.—The
2 Secretary, in partnership with the eligible
3 institution, shall establish criteria for the
4 report required under clause (i)(I).

5 (D) GRANT PERIOD.—A grant awarded
6 under this section shall be for a period of not
7 more than 10 years, to be determined by the
8 Secretary.

9 (E) EXPANSION OF ELIGIBILITY.—The
10 Secretary may award grants under this section
11 to historically Black colleges and universities
12 and other minority-serving institutions that are
13 not eligible institutions if the Secretary deter-
14 mines that the program can support such col-
15 leges, universities, and institutions while achiev-
16 ing the purpose of the program described in
17 subsection (a).

18 (5) EVALUATION.—Not later than 5 years after
19 the date of the enactment of this Act, the Secretary
20 shall prepare and submit a report to the Committees
21 on Armed Services of the Senate and the House of
22 Representatives providing an update on the pilot
23 program, including—

24 (A) activities carried out under the pilot
25 program;

1 (B) an analysis of the growth in very high
2 research activity status indicators of eligible in-
3 stitutions that received a grant under this sec-
4 tion; and

5 (C) emerging research areas of interest to
6 the Department of Defense conducted by eligi-
7 ble institutions that received a grant under this
8 section.

9 (6) TERMINATION.—The authority of the Sec-
10 retary to award grants under the pilot program es-
11 tablished by this section shall terminate 10 years
12 after the date on which the Secretary establishes
13 such program.

14 (7) REPORT TO CONGRESS.—Not later than
15 180 days after the termination of the pilot program
16 under paragraph (6), the Secretary shall prepare
17 and submit a report to the Committees on Armed
18 Services of the Senate and the House of Representa-
19 tives on the pilot program that includes the fol-
20 lowing:

21 (A) An analysis of the growth in very high
22 research activity status indicators of eligible in-
23 stitutions that received a grant under this sec-
24 tion.

1 (B) An evaluation on the effectiveness of
2 the program in increasing the research capacity
3 of eligible institutions that received a grant
4 under this section.

5 (C) An description of how institutions that
6 have achieved very high research activity status
7 plan to sustain that status beyond the duration
8 of the program.

9 (D) An evaluation of the maintenance of
10 very high research status by eligible institutions
11 that received a grant under this section.

12 (E) An evaluation of the effectiveness of
13 the program in increasing the diversity of stu-
14 dents conducting high quality research in
15 unique areas.

16 (F) Recommendations with respect to fur-
17 ther activities and investments necessary to ele-
18 vate the research status of historically Black
19 colleges and universities and other minority-
20 serving institutions.

21 (G) Recommendations on whether the pro-
22 gram established under this section should be
23 renewed or expanded.

24 (c) DEFINITIONS.—In this section:

1 (1) The term “eligible institution” means a his-
2 torically Black college or university or other minor-
3 ity-serving institution that is classified as a high re-
4 search activity status institution at the time of appli-
5 cation for a grant under subsection (b).

6 (2) The term “high research activity status”
7 means R2 status, as classified by the Carnegie Clas-
8 sification of Institutions of Higher Education.

9 (3) The term “historically Black college or uni-
10 versity” has the meaning given the term “part B in-
11 stitution” under section 322 of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1061).

13 (4) The term “other minority-serving institu-
14 tion” means an institution of higher education speci-
15 fied in paragraphs (2) through (7) of section 371(a)
16 of the Higher Education Act of 1965 (20 U.S.C.
17 1067q(a)).

18 (5) The term “Secretary” means the Secretary
19 of Defense.

20 (6) The term “very high research activity sta-
21 tus” means R1 status, as classified by the Carnegie
22 Classification of Institutions of Higher Education.

23 (7) The term “very high research activity status
24 indicators” means the categories used by the Car-
25 negie Classification of Institutions of Higher Edu-

1 cation to delineate which institutions have very high
2 activity status, including—

3 (A) annual expenditures in science and en-
4 gineering;

5 (B) per-capita (faculty member) expendi-
6 tures in science and engineering;

7 (C) annual expenditures in non-science and
8 engineering fields;

9 (D) per-capita (faculty member) expendi-
10 tures in non-science and engineering fields;

11 (E) doctorates awarded in science, tech-
12 nology, engineering, and mathematics fields;

13 (F) doctorates awarded in social science
14 fields;

15 (G) doctorates awarded in the humanities;

16 (H) doctorates awarded in other fields with
17 a research emphasis;

18 (I) total number of research staff including
19 postdoctoral researchers;

20 (J) other doctorate-holding non-faculty re-
21 searchers in science and engineering and per-
22 capita (faculty) number of doctorate-level re-
23 search staff including post-doctoral researchers;
24 and

1 (K) other categories utilized to determine
2 classification.

3 **SEC. 220. PILOT PROGRAM TO SUPPORT THE DEVELOP-**
4 **MENT OF PATENTABLE INVENTIONS IN THE**
5 **DEPARTMENT OF THE NAVY.**

6 (a) IN GENERAL.—Beginning not later than 120
7 days after the date of the enactment of this Act, the Sec-
8 retary of the Navy shall carry out a pilot program to ex-
9 pand the support available to covered personnel who seek
10 to engage in the development of patentable inventions
11 that—

12 (1) have applicability to the job-related functions
13 of such personnel; and

14 (2) may have applicability in the civilian sector.

15 (b) ACTIVITIES.—As part of the pilot program under
16 subsection (a), the Secretary of the Navy shall—

17 (1) expand outreach to covered personnel re-
18 garding the availability of patent-related training,
19 legal assistance, and other support for personnel in-
20 terested in developing patentable inventions;

21 (2) expand the availability of patent-related
22 training to covered personnel, including by making
23 such training available online;

24 (3) clarify and issue guidance detailing how
25 covered personnel, including personnel outside of the

1 laboratories and other research organizations of the
2 Department of the Navy, may—

3 (A) seek and receive support for the devel-
4 opment of patentable inventions; and

5 (B) receive a portion of any royalty or
6 other payment as an inventor or coinventor
7 such as may be due under section
8 14(a)(1)(A)(i) of the Stevenson-Wylder Tech-
9 nology Innovation Act of 1980 (15 U.S.C.
10 3710c(a)(1)(A)(i)); and

11 (4) carry out other such activities as the Sec-
12 retary determines appropriate in accordance with the
13 purposes of the pilot program.

14 (c) TERMINATION.—The authority to carry out the
15 pilot program under subsection (a) shall terminate three
16 years after the date of the enactment of this Act.

17 (d) DEFINITIONS.—In this section:

18 (1) The term “covered personnel” means mem-
19 bers of the Navy and Marine Corps and civilian em-
20 ployees of the Department of the Navy, including
21 members and employees whose primary duties do
22 not involve research and development.

23 (2) The term “patentable invention” means an
24 invention that is patentable under title 35, United
25 States Code.

1 **SEC. 221. PILOT PROGRAM TO FACILITATE THE RESEARCH,**
2 **DEVELOPMENT, AND PRODUCTION OF AD-**
3 **VANCED BATTERY TECHNOLOGIES FOR**
4 **WARFIGHTERS.**

5 (a) ESTABLISHMENT.—The Secretary of Defense
6 shall carry out a pilot program to be known as the “Amer-
7 ican Sustainable Battery Production Technologies Pro-
8 gram” (referred to in this section as the “Program”).
9 Under the Program, the Secretary shall seek to award as-
10 sistance to eligible entities to facilitate the research, devel-
11 opment, and production of electric battery technologies
12 that may be useful for defense-related purposes.

13 (b) COORDINATION WITH RELATED PROGRAMS.—
14 The Secretary of Defense shall ensure that activities under
15 the Program are coordinated with—

16 (1) the Strategic Environmental Research and
17 Development Program under section 2901 of title
18 10, United States Code; and

19 (2) the Department of Energy.

20 (c) PROGRAM ACTIVITIES.—Under the Program, the
21 Secretary of Defense shall seek to award assistance to eli-
22 gible entities—

23 (1) to conduct research and development into
24 electric battery technologies and any associated man-
25 ufacturing and production needs;

1 (2) to expand the battery recycling capabilities
2 of the Department of Defense;

3 (3) to reduce the reliance of the Department of
4 Defense on foreign competitors for critical materials
5 and technologies, including rare earth materials; and

6 (4) to transition battery technologies, including
7 technologies developed from other pilot programs,
8 prototype projects, or other research and develop-
9 ment programs, from the prototyping phase to pro-
10 duction.

11 (d) FORM OF ASSISTANCE.—Assistance awarded to
12 an eligible entity under the Program may consist of a
13 grant, a contract, a cooperative agreement, other trans-
14 action, or such other form of assistance as the Secretary
15 of Defense considers appropriate.

16 (e) PRIORITY CONSIDERATION.—In awarding assist-
17 ance to eligible entities under the Program, the Secretary
18 of Defense shall give priority to entities that—

19 (1) are located in and operate in the United
20 States, including any manufacturing operations;

21 (2) are owned by a United States entity; and

22 (3) deploy North American-owned intellectual
23 property and content.

1 (f) DATA COLLECTION.—The Secretary of Defense
2 shall collect and analyze data on the Program for the pur-
3 poses of—

4 (1) developing and sharing best practices for
5 achieving the objectives of the Program;

6 (2) providing information to the Secretary on
7 the implementation of the Program, and related pol-
8 icy issues; and

9 (3) reporting to the congressional defense com-
10 mittees in accordance with subsection (h).

11 (g) TERMINATION.—The Program shall terminate on
12 the date that is six years after the date of the enactment
13 of this Act.

14 (h) REPORTS.—

15 (1) ANNUAL REPORTS.—Not later than one
16 year after the date of the enactment of this Act and
17 annually thereafter until the date on which the Pro-
18 gram terminates under subsection (g), the Secretary
19 of Defense shall submit to the appropriate congress-
20 sional committees a report on the use of funds under
21 the Program. Each report shall include the fol-
22 lowing:

23 (A) An explanation of whether and to what
24 extent the assistance awarded to eligible entities
25 under the Program met mission requirements

1 during the period covered by the report, includ-
2 ing—

3 (i) the value of the assistance award-
4 ed, including the value of each grant, con-
5 tract, cooperative agreement, other trans-
6 action, or other form of assistance; and

7 (ii) a description of the research, tech-
8 nology, or capabilities funded with such as-
9 sistance.

10 (B) A description of any research, tech-
11 nology, or capabilities being tested under the
12 Program as of the date of the report together
13 with an explanation of how the Secretary has
14 applied, or expects to apply, such research,
15 technology, or capabilities within the Depart-
16 ment of Defense.

17 (2) FINAL REPORT.—Not later than one year
18 after the date on which the Program terminates
19 under subsection (g), the Secretary of Defense shall
20 submit to the appropriate congressional committees
21 a final report on the results of the Program. Such
22 report shall include—

23 (A) a summary of the objectives achieved
24 by the Program; and

1 (B) recommendations regarding the steps
2 that may be taken to promote battery tech-
3 nologies that are not dependent on foreign com-
4 petitors to meet the needs of the Armed Forces.

5 (i) DEFINITIONS.—In this section:

6 (1) The term “appropriate congressional com-
7 mittees” means—

8 (A) the congressional defense committees;

9 (B) the Committee on Energy and Com-
10 merce and the Committee on Science, Space,
11 and Technology of the House of Representa-
12 tives; and

13 (C) the Committee on Energy and Natural
14 Resources and the Committee on Commerce,
15 Science, and Transportation of the Senate.

16 (2) The term “eligible entity” means a battery
17 producer or other entity involved in the battery pro-
18 duction supply chain.

19 **SEC. 222. PILOT PROGRAM ON RESEARCH AND DEVELOP-**
20 **MENT OF PLANT-BASED PROTEIN FOR THE**
21 **NAVY.**

22 (a) ESTABLISHMENT.—Not later than March 1,
23 2023, the Secretary of the Navy shall establish and carry
24 out a pilot program to offer plant-based protein options

1 at forward operating bases for consumption by members
2 of the Navy.

3 (b) LOCATIONS.—Not later than March 1, 2023, the
4 Secretary shall identify not fewer than two naval facilities
5 to participate in the pilot program and shall prioritize fa-
6 cilities (such as Joint Region Marianas, Guam, Navy Sup-
7 port Facility, Diego Garcia, and U.S. Fleet Activities
8 Sasebo, Japan) where livestock-based protein options may
9 be costly to obtain or store.

10 (c) AUTHORITIES.—In establishing and carrying out
11 the pilot program under subsection (a), the Secretary of
12 the Navy may use the following authorities:

13 (1) The authority to carry out research and de-
14 velopment projects under section 4001 of title 10,
15 United States Code.

16 (2) The authority to enter into transactions
17 other than contracts and grants under section 4021
18 of such title.

19 (3) The authority to enter into cooperative re-
20 search and development agreements under section
21 4026 of such title.

22 (d) RULE OF CONSTRUCTION.—Nothing in this Act
23 shall be construed to prevent offering livestock-based pro-
24 tein options alongside plant-based protein options at naval
25 facilities identified under subsection (b).

1 (e) TERMINATION.—The requirement to carry out the
2 pilot program established under this section shall termi-
3 nate three years after the date on which the Secretary es-
4 tablishes the pilot program required under this section.

5 (f) REPORT.—Not later than one year after the ter-
6 mination of the pilot program, the Secretary shall submit
7 to the appropriate congressional committees a report on
8 the pilot program that includes the following:

9 (1) The consumption rate of plant-based pro-
10 tein options by members of the Navy under the pilot
11 program.

12 (2) Effective criteria to increase plant-based
13 protein options at naval facilities not identified
14 under subsection (b).

15 (3) An analysis of the costs of obtaining and
16 storing plant-based protein options compared to the
17 costs of obtaining and storing livestock-based protein
18 options at selected naval facilities.

19 (g) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Armed Services of
24 the House of Representatives; and

1 (B) the Committee on Armed Forces of the
2 Senate.

3 (2) PLANT-BASED PROTEIN OPTIONS.—The
4 term “plant-based protein options” means edible
5 vegan or vegetarian meat alternative products made
6 using plant and other non-livestock-based proteins.

7 **Subtitle C—Plans, Reports, and** 8 **Other Matters**

9 **SEC. 231. MODIFICATION OF NATIONAL SECURITY STRAT-** 10 **EGY FOR NATIONAL TECHNOLOGY AND IN-** 11 **DUSTRIAL BASE.**

12 Section 4811(a) of title 10, United States Code, is
13 amended by adding at the end the following new para-
14 graph:

15 “(12) Providing for the research and develop-
16 ment of sustainable and secure food sources, includ-
17 ing food innovation and alternative protein develop-
18 ment, in consultation with the Secretary of Agri-
19 culture.”.

20 **SEC. 232. DEFENSE ADVANCED RESEARCH PROJECTS** 21 **AGENCY INNOVATION FELLOWSHIP PRO-** 22 **GRAM.**

23 (a) IN GENERAL.—The Director of the Defense Ad-
24 vanced Research Projects Agency shall develop a plan for
25 the establishment of a fellowship program (to be known

1 as the “Innovation Fellowship Program”) to expand op-
2 portunities for early career scientists to participate in the
3 programs, projects, and other activities of the Agency.

4 (b) ELEMENTS.—In developing the plan under sub-
5 section (a), the Director of the Defense Advanced Re-
6 search Projects Agency shall—

7 (1) review the programs, projects, and other ac-
8 tivities of the Agency that are open to participation
9 from early career scientists to identify opportunities
10 for the expansion of such participation;

11 (2) conduct an assessment of the potential costs
12 of the fellowship program described in subsection
13 (a);

14 (3) establish detailed plans for the implementa-
15 tion of the fellowship program;

16 (4) define eligibility requirements for partici-
17 pants in the fellowship program;

18 (5) identify criteria for evaluating applicants to
19 the fellowship program; and

20 (6) address such other matters as the Director
21 determines appropriate.

22 (c) SUBMITTAL TO CONGRESS.—Not later than 180
23 days after the date of the enactment of this Act, the Direc-
24 tor of the Defense Advanced Research Projects Agency

1 shall submit to the congressional defense committee a re-
2 port that includes—

3 (1) the plan developed under subsection (a);

4 and

5 (2) recommendations for expanding opportuni-
6 ties for early career scientists to participate in the
7 programs, projects, and other activities of the Agen-
8 cy.

9 **SEC. 233. REPORT ON EFFORTS TO INCREASE THE PARTICI-
10 PATION OF HISTORICALLY BLACK COLLEGES
11 AND UNIVERSITIES AND OTHER MINORITY-
12 SERVING INSTITUTIONS IN THE RESEARCH
13 AND DEVELOPMENT ACTIVITIES OF THE DE-
14 PARTMENT OF DEFENSE.**

15 (a) **REPORT REQUIRED.**—Not later than 180 days
16 after the date of the enactment of this Act, the Under
17 Secretary of Defense for Research and Engineering shall
18 submit to the congressional defense committees a report
19 on measures that may be implemented to increase the par-
20 ticipation of historically Black colleges and universities
21 and other minority-serving institutions in the research, de-
22 velopment, test, and evaluation activities of the Depart-
23 ment of Defense.

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

1 (1) A strategy for the provision of long-term in-
2 stitutional support to historically Black colleges and
3 universities and other minority-serving institutions,
4 including support for—

5 (A) the development and enhancement of
6 the physical research infrastructure of such in-
7 stitutions; and

8 (B) the research activities of such institu-
9 tions.

10 (2) An evaluation of the feasibility of expanding
11 the support provided by the Department of Defense
12 to historically Black colleges and universities and
13 other minority-serving institutions to include support
14 for the development or enhancement of grant and
15 contract administration capabilities at such institu-
16 tions.

17 (3) An evaluation of options to strengthen sup-
18 port for historically Black colleges and universities
19 and other minority-serving institutions within the
20 military departments and other organizations and
21 elements of the Department, including an evaluation
22 of the need for and feasibility of establishing dedi-
23 cated organizations within the Army, Navy, Marine
24 Corps, Air Force, and Space Force to increase en-
25 gagement with such institutions.

1 (4) A review of the adequacy of the level of
2 staffing within the Department that is dedicated to
3 engagement with historically Black colleges and uni-
4 versities and other minority-serving institutions.

5 (5) A plan to improve data collection and eval-
6 uation with respect to historically Black colleges and
7 universities and other minority-serving institutions,
8 including—

9 (A) harmonization of standards with re-
10 spect to the type, detail, and organization of
11 data on such institutions;

12 (B) improving the completeness of data
13 submissions regarding such institutions;

14 (C) improving the retention of data on
15 such institutions across the Department;

16 (D) additional data collection specific to
17 such institutions, including data on—

18 (i) the rates at which such institutions
19 submit proposals for grants and contracts
20 from the Department, the success rates of
21 such proposals, and feedback regarding
22 such proposals;

23 (ii) the total number of grants and
24 contracts for which such institutions are
25 eligible to apply and the number of appli-

1 cations received from such institutions for
2 such grants and contracts; and

3 (iii) formal feedback mechanisms for
4 rejected proposals from first-time appli-
5 cants from such institutions; and

6 (E) as necessary, promulgation of addi-
7 tional or modified regulations, instructions, or
8 guidance regarding the collection, evaluation,
9 and retention of data on such institutions.

10 (6) Identification of the types of research facili-
11 ties, personnel, capabilities, and subject areas that
12 are in-demand within the Department so that his-
13 torically Black colleges and universities and other
14 minority-serving institutions may prioritize invest-
15 ment in those types of facilities, personnel, capabili-
16 ties, and subject areas as appropriate.

17 (7) Identification of metrics that may be used
18 to evaluate, track, and improve the competitiveness
19 of historically Black colleges and universities and
20 other minority-serving institutions for grants and
21 contracts with the Department.

22 (8) An evaluation of options to implement cri-
23 teria for the award of grants and contracts that as-
24 sign value to the inclusion of historically Black col-
25 leges and universities and other minority-serving in-

1 stitutions as research partners, including such mech-
2 anisms as weighted grant solicitation evaluation cri-
3 teria and longer periods of performance to allow for
4 capacity-building within such institutions.

5 (9) An evaluation of options to incentivize the
6 defense industry to support capacity building within
7 historically Black colleges and universities and other
8 minority-serving institutions, including through the
9 incentivization of independent research and develop-
10 ment or other activities.

11 (10) A plan to compile and maintain data re-
12 garding institutions of higher education, including
13 historically Black colleges and universities and other
14 minority-serving institutions, that receive funding
15 from departments and agencies of the Federal Gov-
16 ernment outside the Department of Defense.

17 (11) A review of the programs and practices of
18 departments and agencies of the Federal Govern-
19 ment outside the Department of Defense relevant to
20 increasing research capacity at historically Black col-
21 leges and universities and other minority-serving in-
22 stitutions for purposes of—

23 (A) the potential adoption of best practices
24 within the Department;

1 (B) the identification of opportunities to
2 leverage the research capacity of such institu-
3 tions; and

4 (C) increasing the level of collaboration be-
5 tween the Department and such institutions.

6 (12) Recommendations for the modification or
7 expansion of the workforce development programs of
8 the Department to increase the proportion of the
9 workforce hired from historically Black colleges and
10 universities and other minority-serving institutions.

11 (13) Such other recommendations as the Under
12 Secretary of Defense for Research and Engineering
13 determines appropriate.

14 (14) A plan for the implementation of the rec-
15 ommendations included in the report, as appro-
16 priate, including an explanation of any additional
17 funding, authorities, or organizational changes need-
18 ed for the implementation of such recommendations.

19 (c) DEFINITIONS.—In this section:

20 (1) The term “historically Black college or uni-
21 versity” means a part B institution (as defined in
22 section 322 of the Higher Education Act of 1965
23 (20 U.S.C. 1061)).

24 (2) The term “institution of higher education”
25 has the meaning given that term in section 101 of

1 the Higher Education Act of 1932 (20 U.S.C.
2 1001).

3 (3) The term “other minority-serving institu-
4 tion” means an institution of higher education speci-
5 fied in paragraphs (2) through (7) of section 371(a)
6 of the Higher Education Act of 1965 (20 U.S.C.
7 1067q(a)).

8 (d) REPORT ON IMPLEMENTATION.—Not later than
9 180 days after the date of the submission of the report
10 under subsection (a), the Under Secretary of Defense for
11 Research and Engineering shall submit to the congres-
12 sional defense committees a report on the progress of the
13 Under Secretary in implementing measures to increase the
14 participation of historically Black colleges and universities
15 and other minority-serving institutions in the research, de-
16 velopment, test, and evaluation activities of the Depart-
17 ment of Defense, as identified in the report under sub-
18 section (a).

19 **SEC. 234. ASSESSMENT OF TEST INFRASTRUCTURE AND**
20 **PRIORITIES RELATED TO HYPERSONIC CAPA-**
21 **BILITIES AND RELATED TECHNOLOGIES AND**
22 **HYPERSONIC TEST STRATEGY.**

23 (a) ASSESSMENT.—The Secretary of Defense shall
24 assess the capacity of the Department of Defense to test,

1 evaluate, and qualify the hypersonic capabilities and re-
2 lated technologies of the Department.

3 (b) ELEMENTS.—The assessment under subsection
4 (a) shall include the following:

5 (1) An identification of facilities of other de-
6 partments and agencies of the Federal Government
7 and academia and industry testing facilities relevant
8 to the capacity described in subsection (a).

9 (2) An analysis of the capability of each test fa-
10 cility to simulate various individual and coupled
11 hypersonic conditions to accurately simulate a real-
12 istic flight-like environment with all relevant aero-
13 thermochemical conditions.

14 (3) An identification of the coordination, sched-
15 uling, reimbursement processes, and requirements
16 needed for the potential use of test facilities of other
17 departments and agencies of the Federal Govern-
18 ment, as available.

19 (4) An analysis of the test frequency, sched-
20 uling lead time, test cost, and capacity of each test
21 facility relating to testing technologies of the De-
22 partment for hypersonic flight.

23 (5) A review of academia, contractor-owned,
24 commercial ground and flight testbeds that could en-
25 hance efforts to test flight vehicles of the Depart-

1 ment in all phases of hypersonic flight, and other
2 technologies, including sensors, communications,
3 thermal protective shields and materials, optical win-
4 dows, navigation, and environmental sensors.

5 (6) An assessment of any cost- and time-sav-
6 ings that could result from using technologies identi-
7 fied in the strategy under subsection (c).

8 (c) STRATEGY.—

9 (1) REQUIREMENT.—Not later than 180 days
10 after the date of the enactment of this Act, the Sec-
11 retary of Defense shall submit to the appropriate
12 congressional committees a strategy to coordinate
13 the potential use of test facilities and ranges of
14 other departments and agencies of the Federal Gov-
15 ernment, as available, and academia, contractor-
16 owned, commercial flight and reentry test capabili-
17 ties to evaluate hypersonic technologies.

18 (2) ELEMENTS.—The strategy under paragraph

19 (1) shall—

20 (A) be based on the assessment under sub-
21 section (a);

22 (B) address how the Secretary will coordi-
23 nate with other departments and agencies of
24 the Federal Government, including the National
25 Aeronautics and Space Administration, to plan

1 for and schedule the potential use of other Fed-
2 eral Government-owned test facilities and
3 ranges, as available, to evaluate the hypersonic
4 technologies of the Department of Defense;

5 (C) to the extent practicable, address in
6 what cases the Secretary can use academia,
7 contractor-owned, commercial flight and reentry
8 test capabilities to fill any existing testing re-
9 quirement gaps to enhance and accelerate flight
10 qualification of critical hypersonic technologies
11 of the Department;

12 (D) identify—

13 (i) the resources needed to improve
14 the frequency and capacity for testing
15 hypersonic technologies of the Department
16 at ground-based test facilities and flight
17 test ranges;

18 (ii) the resources needed to reimburse
19 other departments and agencies of the
20 Federal Government for the use of the test
21 facilities and ranges of those departments
22 or agencies to test the hypersonics tech-
23 nologies of the Department;

24 (iii) the requirements, approval proc-
25 esses, and resources needed to enhance, as

1 appropriate, the testing capabilities and ca-
2 pacity of other Federal Government-owned
3 test facilities and flight ranges, in coordi-
4 nation with the heads of the relevant de-
5 partments and agencies;

6 (iv) investments that the Secretary
7 can make to incorporate academia, con-
8 tractor-owned, commercial ground and
9 flight testbeds into the overall hypersonic
10 test infrastructure of the Department of
11 Defense; and

12 (v) the environmental conditions, test-
13 ing sizes, and duration required for flight
14 qualification of both hypersonic cruise and
15 hypersonic boost-glide technologies of the
16 Department; and

17 (E) address all advanced or emerging tech-
18 nologies that could shorten timelines and reduce
19 costs for hypersonic missile testing, including
20 with respect to—

21 (i) 3D printing of hypersonic test mis-
22 sile components including the frame, war-
23 head, and propulsion systems;

1 (ii) reusable hypersonic test beds, in-
2 cluding air-sea-and ground launched op-
3 tions;

4 (iii) additive manufacturing solutions;

5 (iv) qualified airborne B-52 alter-
6 native platforms to provide improved flight
7 schedules; and

8 (v) other relevant technologies.

9 (3) COORDINATION.—The Secretary shall de-
10 velop the strategy under paragraph (1) in coordina-
11 tion with the Joint Hypersonic Transition Office, the
12 Administrator of the National Aeronautics and
13 Space Administration, the research labs of the mili-
14 tary departments, and the Defense Test Resource
15 Management Center.

16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—The term “appropriate congressional commit-
18 tees” means the following:

19 (1) The congressional defense committees.

20 (2) The Committee on Science, Space, and
21 Technology of the House of Representatives and the
22 Committee on Commerce, Science, and Transpor-
23 tation of the Senate.

1 **SEC. 235. INDEPENDENT REVIEW AND ASSESSMENT OF**
2 **TEST AND EVALUATION RESOURCE PLAN-**
3 **NING.**

4 (a) REVIEW AND ASSESSMENT.—Not later than 60
5 days after the date of the enactment of this Act, the Sec-
6 retary of Defense shall seek to enter into an agreement
7 with a federally funded research and development center
8 to conduct an independent review and assessment of the
9 Strategic Plan for Test Resources, as prepared by the De-
10 partment of Defense Test Resource Management Center.

11 (b) ELEMENTS.—The review and assessment under
12 subsection (a) shall include the following:

13 (1) An assessment of the adequacy of the 30-
14 year planning horizon that serves as the basis for
15 the Strategic Plan for Test Resources.

16 (2) An assessment of whether and to what ex-
17 tent prior forecasts of the test and evaluation needs
18 of the Department of Defense align with investments
19 made by the Department in test and evaluation re-
20 sources.

21 (3) An identification and assessment of—

22 (A) any shortcomings in the infrastructure,
23 personnel, and equipment of the test and eval-
24 uation enterprise of the Department; and

25 (B) any risks that the status of such enter-
26 prise may pose with respect to the ability of the

1 Department to meet its current and future test
2 and evaluation needs.

3 (4) An assessment of whether and to what ex-
4 tent the test and evaluation efforts of the Depart-
5 ment sufficiently address software-intensive, multi-
6 domain, and continuously developed capabilities.

7 (5) Such other matters as the Secretary of De-
8 fense determines appropriate.

9 (c) REPORT REQUIRED.—Not later than 180 days
10 after the date on which the Secretary of Defense enters
11 into an agreement with a federally funded research and
12 development center under subsection (a), the center shall
13 submit to the Secretary and the congressional defense
14 committees a report on the results of the study conducted
15 under such subsection.

16 **SEC. 236. STUDY ON COSTS ASSOCIATED WITH UNDERPER-**
17 **FORMING SOFTWARE AND INFORMATION**
18 **TECHNOLOGY.**

19 (a) STUDY REQUIRED.—The Secretary of Defense
20 shall seek to enter into a contract with a federally funded
21 research and development center to conduct an inde-
22 pendent study on the impacts, and challenges associated
23 with the use of software and information technology, in-
24 cluding potential solutions to such challenges.

1 (b) ELEMENTS.—The independent study conducted
2 under subsection (a) shall include the following:

3 (1) A survey of members of the Armed Forces
4 under the jurisdiction of a Secretary of a military
5 department to identify the most important software
6 and information technology challenges that result in
7 lost working hours, including an estimate of the
8 number and cost of lost working hours for each mili-
9 tary department, the impact of each challenge on re-
10 tention, and the negative impact to any mission.

11 (2) A summary of the policy or technical chal-
12 lenges that limit the ability of each Secretary of a
13 military department to implement needed software
14 and information technology reforms, based on inter-
15 views conducted with individuals who serve as chief
16 information officer (or an equivalent position) in a
17 military department.

18 (3) Recommendations to address the challenges
19 described in paragraph (1) and improve the proc-
20 esses through which the Secretary provides software
21 and information technology Departmentwide.

22 (c) REPORT REQUIRED.—Not later than one year
23 after the date of the enactment of this Act, a federally
24 funded research and development center described in sub-
25 section (a) shall submit to the Secretary of Defense and

1 the congressional defense committees a report on any
2 independent study conducted under this section.

3 (d) SOFTWARE AND INFORMATION TECHNOLOGY DE-
4 FINED.—In this section, the term “software and informa-
5 tion technology” does not include embedded software and
6 information technology used for weapon systems.

7 **SEC. 237. STUDY AND REPORT ON SUFFICIENCY OF TEST**
8 **AND EVALUATION RESOURCES FOR CERTAIN**
9 **MAJOR DEFENSE ACQUISITION PROGRAMS.**

10 (a) STUDY.—The Director of Operational Test and
11 Evaluation of the Department of Defense shall conduct
12 a study of at least one major defense acquisition program
13 within each covered Armed Force to determine the suffi-
14 ciency of the test and evaluation resources supporting such
15 program.

16 (b) ELEMENTS.—The study under subsection (a)
17 shall include, with respect to each major defense acquisi-
18 tion program evaluated as part of the study, the following:

19 (1) Identification of the test and evaluation re-
20 sources supporting the program as of the date of the
21 study.

22 (2) An evaluation of whether and to what ex-
23 tent such resources are sufficient to meet the needs
24 of the program assuming that test and evaluation

1 resources allocated for other purposes will not be re-
2 allocated to support the program in the future.

3 (3) If the test and evaluation resources identi-
4 fied under paragraph (1) are insufficient to meet the
5 needs of the program, an evaluation of the amount
6 of additional funding required to ensure the suffi-
7 ciency of such resources.

8 (4) The amount of Government-funded, con-
9 tractor-provided test and evaluation resources that
10 are currently provided or are planned to be provided
11 as part of the program of record.

12 (5) The future availability of any resources
13 identified under paragraph (4) for programs,
14 projects, and activities other than the major defense
15 acquisition program evaluated as part of the study.

16 (c) REPORT.—Not later than one year after the date
17 of the enactment of this Act, the Director of Operational
18 Test and Evaluation shall submit to the congressional de-
19 fense committees a report on the results of the study con-
20 ducted under subsection (a).

21 (d) DEFINITIONS.—In this section:

22 (1) The term “covered Armed Force” means
23 the Army, the Navy, the Marine Corps, and the Air
24 Force.

1 (2) The term “major defense acquisition pro-
2 gram” has the meaning given that term in section
3 4201 of title 10, United States Code.

4 **SEC. 238. PERIODIC REPORTS ON RISK DISTRIBUTION**
5 **WITHIN RESEARCH, DEVELOPMENT, TEST,**
6 **AND EVALUATION ACTIVITIES.**

7 (a) **REPORTS REQUIRED.**—In accordance with sub-
8 section (d), the Secretary of Defense, acting through the
9 Under Secretary of Defense for Research and Engineering
10 and in consultation with the Secretaries of the military
11 departments, shall submit to the congressional defense
12 committees periodic reports on the distribution of risk
13 across the covered research activities of the Department
14 of Defense.

15 (b) **ELEMENTS.**—Each report under subsection (a)
16 shall include, with respect to the year covered by the re-
17 port, the following:

18 (1) A list of all covered research activities of
19 the Department of Defense with each such research
20 activity designated as either—

21 (A) research activity that is lower risk,
22 such as efforts aimed at the incremental im-
23 provement of an existing product; or

24 (B) research activity that is higher risk,
25 such as efforts aimed at the development of new

1 technology that could disrupt an entire field
2 (commonly referred to as “disruptive tech-
3 nology”).

4 (2) An assessment of whether the distribution
5 of covered research activities among the risk cat-
6 egories described in subparagraphs (A) and (B) of
7 paragraph (1) is optimal for serving the needs of the
8 Department of Defense.

9 (3) Such other information as the Secretary of
10 Defense determines appropriate.

11 (c) COVERED RESEARCH ACTIVITY DEFINED.—In
12 this section, the term “covered research activity” means
13 a program, project, or other activity of the Department
14 of Defense designated as budget activity 1 (basic re-
15 search), budget activity 2 (applied research), or budget ac-
16 tivity 3 (advanced technology development), as such budg-
17 et activity classifications are set forth in volume 2B, chap-
18 ter 5 of the Department of Defense Financial Manage-
19 ment Regulation (DOD 7000.14–R).

20 (d) SUBMITTAL OF REPORTS.—

21 (1) IN GENERAL.—The reports required under
22 subsection (a) shall be submitted as follows:

23 (A) The first such report shall be sub-
24 mitted by not later than February 1, 2023.

1 (B) A report shall be submitted at the
2 same time as each of the first three reports re-
3 quired under section 118c(e) of title 10, United
4 States Code, after the date of the enactment of
5 this Act.

6 (2) TERMINATION OF REQUIREMENT.—No re-
7 port shall be required to be submitted under this
8 section after the date of the submittal of the third
9 report under paragraph (1)(B).

10 **TITLE III—OPERATION AND**
11 **MAINTENANCE**

12 **Subtitle A—Authorization of**
13 **Appropriations**

14 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

15 Funds are hereby authorized to be appropriated for
16 fiscal year 2023 for the use of the Armed Forces and other
17 activities and agencies of the Department of Defense for
18 expenses, not otherwise provided for, for operation and
19 maintenance, as specified in the funding table in section
20 4301.

1 **Subtitle B—Energy and**
2 **Environment**

3 **SEC. 311. EQUIVALENT AUTHORITY FOR ENVIRONMENTAL**
4 **RESTORATION PROJECTS AT NATIONAL**
5 **GUARD TRAINING SITES.**

6 (a) CLARIFICATION OF NATIONAL GUARD TRAINING
7 SITES.—Section 2700 of title 10, United States Code, is
8 amended by adding at the end the following new para-
9 graph:

10 “(4) The term ‘National Guard training site’
11 means a facility or site when used for the training
12 of the National Guard pursuant to chapter 5 of title
13 32 with funds provided by the Secretary of Defense
14 or the Secretary of a military department, without
15 regard to—

16 “(A) the owner or operator of the facility
17 or site; or

18 “(B) whether the facility or site is under
19 the jurisdiction of the Department of Defense
20 or a military department.”.

21 (b) INCLUSION UNDER DEFENSE ENVIRONMENTAL
22 RESTORATION PROGRAM.—Section 2701(a)(1) of such
23 title is amended by inserting “and at National Guard
24 training sites” after “at facilities under the jurisdiction
25 of the Secretary”.

1 (c) RESPONSE ACTIONS AT NATIONAL GUARD
2 TRAINING SITES.—Section 2701(c)(1) of such title is
3 amended by adding at the end the following new subpara-
4 graph:

5 “(D) Each facility or site which was a Na-
6 tional Guard training site at the time of actions
7 leading to contamination by hazardous sub-
8 stances or pollutants or contaminants.”.

9 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

10 (1) REPEAL OF PROVISION.—Section 2707 of
11 such title is amended by striking subsection (e).

12 (2) REFERENCE UPDATE.—Section 345(f)(1) of
13 the National Defense Authorization Act for Fiscal
14 Year 2022 (Public Law 117–81; 135 Stat. 1646; 10
15 U.S.C. 2715 note) is amended by striking “facility
16 where military activities are conducted by the Na-
17 tional Guard of a State pursuant to section 2707(e)
18 of title 10, United States Code” and inserting “Na-
19 tional Guard training site, as such term is defined
20 in section 2700 of title 10, United States Code”.

1 **SEC. 312. AMENDMENT TO BUDGETING OF DEPARTMENT**
2 **OF DEFENSE RELATING TO EXTREME WEATH-**
3 **ER.**

4 Section 328(a) of the National Defense Authorization
5 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
6 221 note) is amended—

7 (1) in paragraph (1), by striking “; and” and
8 inserting a semicolon;

9 (2) in paragraph (2), by striking the period at
10 the end and inserting “; and”; and

11 (3) by inserting after paragraph (2) the fol-
12 lowing:

13 “(3) a calculation of the annual costs to the
14 Department for assistance provided to—

15 “(A) the Federal Emergency Management
16 Agency or Federal land management agencies—

17 “(i) pursuant to requests for such as-
18 sistance; and

19 “(ii) approved under the National
20 Interagency Fire Center; and

21 “(B) any State, Territory, or possession
22 under title 10 or title 32, United States Code,
23 regarding extreme weather.”.

1 **SEC. 313. PROTOTYPE AND DEMONSTRATION PROJECTS**
2 **FOR ENERGY RESILIENCE AT CERTAIN MILI-**
3 **TARY INSTALLATIONS.**

4 (a) IN GENERAL.—Each Secretary of a military de-
5 partment shall ensure that covered prototype and dem-
6 onstration projects are conducted at each military installa-
7 tion designated by that Secretary as an “Energy Resil-
8 ience Testbed” pursuant to subsection (b).

9 (b) SELECTION OF MILITARY INSTALLATIONS.—

10 (1) SELECTION.—Not later than 180 days after
11 the date of the enactment of this Act, each Secretary
12 of a military department, in consultation with the
13 Secretary of the Defense, shall—

14 (A) select at least two military installations
15 under the jurisdiction of that Secretary for des-
16 ignation pursuant to paragraph (3); and

17 (B) incorporate the conduct of covered pro-
18 totype and demonstration projects into the mis-
19 sion of each installation so selected.

20 (2) CONSIDERATIONS.—In selecting military in-
21 stallations under paragraph (1), each Secretary of a
22 military department shall, to the extent practicable,
23 take into consideration the following:

24 (A) The mission of the installation.

1 (B) The geographic terrain of the installa-
2 tion and of the community surrounding the in-
3 stallation.

4 (C) The energy resources available to sup-
5 port the installation.

6 (D) Any State or local regulations that
7 apply with respect to public or private utilities
8 serving the installation.

9 (E) An assessment of any climate or ex-
10 treme weather risks or vulnerabilities at the in-
11 stallation and the community surrounding the
12 installation.

13 (3) DESIGNATION AS ENERGY RESILIENCE
14 TESTBED.—Each installation selected under para-
15 graph (1) shall be known as an “Energy Resilience
16 Testbed”.

17 (c) COVERED TECHNOLOGIES.—Covered prototype
18 and demonstration projects conducted at military installa-
19 tions designated pursuant to subsection (b) shall include
20 the prototype and demonstration of technologies in the fol-
21 lowing areas:

22 (1) Energy storage technologies, including long-
23 duration energy storage systems.

1 (2) Technologies that support electric vehicles
2 or the transition to use of electric vehicles, including
3 with respect to tactical vehicles.

4 (3) Technologies to improve building energy ef-
5 ficiency in a cyber-secure manner, such as advanced
6 lighting controls, high-performance cooling systems,
7 and technologies for waste heat recovery.

8 (4) Technologies to improve building energy
9 management and control in a cyber-secure manner.

10 (5) Tools and processes for design, assessment,
11 and decision-making on the installation with respect
12 to climate resilience and hazard analysis, energy use,
13 management, and the construction of climate resil-
14 ient buildings and infrastructure.

15 (6) Carbon sequestration technologies.

16 (7) Technologies relating to on-site resilient en-
17 ergy generation, including advanced geothermal and
18 advanced nuclear technologies.

19 (8) Port electrification and surrounding defense
20 critical infrastructure and related non-Federal infra-
21 structure, including surrounding defense community
22 infrastructure.

23 (d) BRIEFING.—Not later than 180 days after the
24 enactment of this Act, the Secretary of Defense, in con-
25 sultation with the Secretaries of the military departments,

1 shall provide to the appropriate congressional committees
2 a briefing on the conduct of covered prototype and dem-
3 onstration projects at each military installation designated
4 pursuant to subsection (b). Such briefing shall include the
5 following:

6 (1) An identification of each military installa-
7 tion so designated.

8 (2) A justification as to why each military in-
9 stallation so designated was selected for such des-
10 ignation.

11 (3) A strategy for commencing the conduct of
12 such projects at each military installation so des-
13 igned by not later than one year after the date of
14 the enactment of this Act.

15 (e) DEADLINE FOR COMMENCEMENT OF
16 PROJECTS.—The Secretary of Defense shall ensure that,
17 beginning not later than one year after the date of the
18 enactment of this Act, covered prototype and demonstra-
19 tion projects are conducted at, and such conduct is incor-
20 porated into the mission of, each military installation des-
21 igned pursuant to subsection (b).

22 (f) CONSORTIUMS.—

23 (1) IN GENERAL.—Each Secretary of a military
24 department may enter into a partnership with, or
25 seek to establish, a consortium of industry, aca-

1 demia, and other entities described in paragraph (2)
2 to conduct covered prototype and demonstration
3 projects at a military installation designated by that
4 Secretary pursuant to subsection (b).

5 (2) CONSORTIUM ENTITIES.—The entities de-
6 scribed in this paragraph are as follows:

7 (A) National laboratories.

8 (B) Industry entities the primary work of
9 which relates to energy and climate security
10 technologies and business models.

11 (g) AUTHORITIES.—

12 (1) IN GENERAL.—Covered prototype and dem-
13 onstration projects required under this section may
14 be conducted as part of the program for operational
15 energy prototyping established under section 324(c)
16 of the William M. (Mac) Thornberry National De-
17 fense Authorization Act for Fiscal Year 2021 (Pub-
18 lic Law 116–283; 134 Stat. 3523; 10 U.S.C. 2911
19 note) (including by using funds available under the
20 Operational Energy Prototyping Fund established
21 pursuant to such section), using the other trans-
22 actions authority under section 4021 or 4022 of title
23 10, United States Code, or using any other available
24 authority or funding source the Secretary of Defense
25 determines appropriate.

1 (2) FOLLOW-ON PRODUCTION CONTRACTS OR
2 TRANSACTIONS.—Each Secretary of a military de-
3 partment shall ensure that, to the extent practicable,
4 any transaction entered into under the other trans-
5 actions authority under section 4022 of title 10,
6 United States Code, for the conduct of a covered
7 prototype and demonstration project under this sec-
8 tion shall provide for the award of a follow-on pro-
9 duction contract or transaction pursuant to sub-
10 section (f) of such section 4022.

11 (h) INTERAGENCY COLLABORATION.—In carrying
12 out this section, to the extent practicable, the Secretary
13 of Defense shall collaborate with the Secretary of Energy
14 and the heads of such other Federal departments and
15 agencies as the Secretary of Defense may determine ap-
16 propriate, including by entering into relevant memoranda
17 of understanding.

18 (i) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services and
22 the Committee on Energy and Commerce of the
23 House of Representatives; and

1 (B) the Committee on Armed Services and
2 the Committee on Energy and Natural Re-
3 sources of the Senate.

4 (2) The term “community infrastructure” has
5 the meaning given that term in section 2391(e) of
6 title 10, United States Code.

7 (3) The term “covered prototype and dem-
8 onstration project” means a project to prototype and
9 demonstrate advanced technologies to enhance en-
10 ergy resilience and climate security at a military in-
11 stallation.

12 (4) The term “military installation” has the
13 meaning given that term in section 2867 of title 10,
14 United States Code.

15 **SEC. 314. PILOT PROGRAM FOR TRANSITION OF CERTAIN**
16 **NONTACTICAL VEHICLE FLEETS OF DEPART-**
17 **MENT OF DEFENSE TO ELECTRIC VEHICLES.**

18 (a) IN GENERAL.—The Secretary of Defense, in co-
19 ordination with the Secretaries of the military depart-
20 ments, and in consultation with the Secretary of Energy,
21 shall carry out a pilot program to facilitate the transition
22 of nontactical vehicle fleets of the Department of Defense
23 at certain military installations to nontactical vehicle fleets
24 comprised solely of electric vehicles, including through the
25 maintenance on the installations of charging stations,

1 microgrids, and other covered infrastructure sufficient to
2 cover the energy demand of such fleets.

3 (b) SELECTION OF MILITARY INSTALLATIONS.—

4 (1) SELECTION.—Not later than 180 days after
5 the date of the enactment of this Act, each Secretary
6 of a military department shall—

7 (A) select at least one military installation
8 of each Armed Force under the jurisdiction of
9 that Secretary at which to carry out the pilot
10 program under subsection (a); and

11 (B) submit to the Committees on Armed
12 Services of the House of Representatives and
13 the Senate a notification containing an identi-
14 fication of each such selected installation.

15 (2) PRIORITY.—In selecting military installa-
16 tions under paragraph (1), each Secretary of a mili-
17 tary department shall give priority to the following:

18 (A) Military installations with existing
19 third-party financed, installed, operated, and
20 maintained charging stations on the installa-
21 tion.

22 (B) Military installations with other exist-
23 ing covered infrastructure, including charging
24 stations under ownership methods other than

1 those specified in subparagraph (A), on the in-
2 stallation.

3 (C) Military installations located in a geo-
4 graphic region with existing covered infrastruc-
5 ture, including charging stations, proximate to
6 the installation.

7 (D) Military installations with respect to
8 which the Secretary determines the future in-
9 clusion on the installation of charging stations
10 and other covered infrastructure is feasible and
11 cost effective given the anticipated need for
12 charging stations to service electric vehicles in
13 the nontactical vehicle fleet at the installation
14 (including those with respect to which the Sec-
15 retary determines there may be an opportunity
16 to enter into a contract for the third-party
17 charging stations specified in subparagraph
18 (A)).

19 (E) Military installations at which a
20 project authorized under section 2914 of title
21 10, United States Code, (known as the Energy
22 Resilience and Conservation Investment Pro-
23 gram) and determined by the Secretary to be
24 relevant to the pilot program has been con-
25 ducted or is planned to be conducted pursuant

1 to the future-years defense program submitted
2 under section 221 of such title.

3 (3) CONSIDERATIONS.—In determining whether
4 a military installation should receive priority pursu-
5 ant to paragraph (2)(D), each Secretary of a mili-
6 tary department shall take into account the fol-
7 lowing:

8 (A) A calculation of existing loads at the
9 installation and the existing capacity of the in-
10 stallation for the charging of electric vehicles,
11 including (as applicable) light duty trucks.

12 (B) The availability of adequate space for
13 vehicles awaiting charging during peak usage
14 times, as determined by the Secretary.

15 (C) Any required upgrades to covered in-
16 frastructure on the installation, including elec-
17 trical wiring, anticipated by the Secretary.

18 (c) TRANSITION PLANS.—

19 (1) IN GENERAL.—Not later than one year
20 after the date on which a Secretary of a military de-
21 partment submits a notification identifying a mili-
22 tary installation under subsection (b)(1), that Sec-
23 retary shall submit to the Committees on Armed
24 Services of the House of Representatives and the
25 Senate a plan for—

1 (A) the replacement of all vehicles in the
2 nontactical vehicle fleet at the military installa-
3 tion with electric vehicles by January 1, 2025;
4 and

5 (B) the maintenance on the military instal-
6 lation of charging stations and other covered in-
7 frastructure, including a microgrid, that will be
8 sufficient—

9 (i) to cover the anticipated electricity
10 demand of such electric vehicles; and

11 (ii) to improve installation energy re-
12 silience.

13 (2) ELEMENTS.—Each plan under paragraph
14 (1) shall include, with respect to the military instal-
15 lation covered by the plan, the following:

16 (A) A determination of the type and num-
17 ber of charging stations to include on the in-
18 stallation, taking into account the interoper-
19 ability of chargers and the potential future
20 needs or applications for chargers, such as vehi-
21 cle-to-grid or vehicle-to-building applications.

22 (B) A determination of the optimal owner-
23 ship method to provide charging stations on the
24 installation, taking into account the following:

1 (i) Use of Government-owned (pur-
2 chased, installed, and maintained) charg-
3 ing stations.

4 (ii) Use of third-party financed, in-
5 stalled, operated, and maintained charging
6 stations.

7 (iii) Use of financing models in which
8 energy and charging infrastructure oper-
9 ations and maintenance are treated as a
10 service.

11 (iv) Cyber and physical security con-
12 siderations and best practices associated
13 with different ownership, network, and
14 control models.

15 (C) A determination of the optimal power
16 source to provide charging stations at the in-
17 stallation, taking into account the following:

18 (i) Transformer and substation re-
19 quirements.

20 (ii) Microgrids and distributed energy
21 to support both charging requirements and
22 energy storage.

23 (3) SOURCE OF SERVICES.—Each Secretary of
24 a military department may use expertise within the
25 military department or enter into a contract with a

1 non-Department of Defense entity to make the de-
2 terminations specified in paragraph (2).

3 (d) FINAL DEADLINE FOR REPLACEMENT.—Begin-
4 ning not later than January 1, 2025, all vehicles in the
5 nontactical vehicle fleet at each military installation se-
6 lected under subsection (b) shall be electric vehicles.

7 (e) DEFINITIONS.—In this section:

8 (1) The terms “Armed Forces” and “military
9 departments” have the meanings given those terms
10 in section 101 of title 10, United States Code.

11 (2) The term “charging station” means a col-
12 lection of one or more electric vehicle supply equip-
13 ment units.

14 (3) The term “covered infrastructure”—

15 (A) means infrastructure that the Sec-
16 retary of Defense determines may be used to—

17 (i) charge electric vehicles, including
18 by transmitting electricity to such vehicles
19 directly; or

20 (ii) support the charging of electric
21 vehicles, including by supporting the resil-
22 ience of grids or other systems for deliv-
23 ering energy to such vehicles (such as
24 through the mitigation of grid stress); and

25 (B) includes—

- 1 (i) charging stations;
- 2 (ii) batteries;
- 3 (iii) battery-swapping systems;
- 4 (iv) microgrids;
- 5 (v) off-grid charging systems; and
- 6 (vi) other apparatuses installed for
- 7 the specific purpose of delivering energy to
- 8 an electric vehicle or to a battery intended
- 9 to be used in an electric vehicle.

10 (4) The term “electric vehicle” includes—

11 (A) a plug-in hybrid electric vehicle that

12 uses a combination of electric and gas powered

13 engine that can use either gasoline or electricity

14 as a fuel source; and

15 (B) a plug-in electric vehicle that runs

16 solely on electricity and does not contain an in-

17 ternal combustion engine or gas tank.

18 (5) The term “electric vehicle supply equipment

19 unit” means the port that supplies electricity to one

20 vehicle at a time.

21 (6) The term “microgrid” means a group of

22 interconnected loads and distributed energy re-

23 sources within clearly defined electrical boundaries

24 that acts as a single controllable entity with respect

25 to the grid.

1 (7) The term “military installation” has the
2 meaning given that term in section 2801 of title 10,
3 United States Code.

4 (8) The term “nontactical vehicle” means a ve-
5 hicle other than a tactical vehicle.

6 (9) The term “tactical vehicle” means a motor
7 vehicle designed to military specification, or a com-
8 mercial design motor vehicle modified to military
9 specification, to provide direct transportation sup-
10 port of combat or tactical operations, or for the
11 training of personnel for such operations.

12 **SEC. 315. PILOT PROGRAM ON USE OF SUSTAINABLE AVIA-**
13 **TION FUEL.**

14 (a) IN GENERAL.—The Secretary of Defense shall
15 conduct a pilot program at two or more geographically di-
16 verse Department of Defense facilities for the use of sus-
17 tainable aviation fuel. Such program shall be designed
18 to—

19 (1) identify any logistical challenges with re-
20 spect to the use of sustainable aviation fuel by the
21 Department of Defense; and

22 (2) explore opportunities for collaboration with
23 nearby commercial airports and sustainable aviation
24 fuel refinery facilities to facilitate such use.

25 (b) SELECTION OF FACILITIES.—

1 (1) SELECTION.—Not later than one year after
2 the date of the enactment of this Act, the Secretary
3 of Defense shall select at least two geographically di-
4 verse Department facilities at which to carry out the
5 pilot program. At least one such facility shall be a
6 facility with an onsite refinery that is located in
7 proximity to at least one major commercial airport
8 that is also actively seeking to increase the use of
9 sustainable aviation fuel.

10 (2) NOTICE TO CONGRESS.—Upon the selection
11 of each facility under paragraph (1), the Secretary
12 shall submit to the Committee on Armed Services
13 and the Committee on Transportation and Infra-
14 structure of the House of Representatives notice of
15 the selection, including an identification of the facil-
16 ity selected.

17 (c) CERTIFICATION AND USE OF BLENDED SUSTAIN-
18 ABLE AVIATION FUEL.—

19 (1) PLANS.—For each facility selected under
20 subsection (b), not later than one year after the se-
21 lection of the facility, the Secretary shall—

22 (A) develop a plan on how to implement,
23 by September 30, 2028, a certification program
24 under which aviation fuel must be certified as
25 blended to contain at least 10 percent sustain-

1 able aviation fuel as a requirement for use of
2 the aviation fuel at the facility (in addition to
3 any other fuel certification requirement of the
4 Department of Defense or the Armed Forces);

5 (B) submit the plan to the Committee on
6 Armed Services and the Committee on Trans-
7 portation and Infrastructure of the House of
8 Representatives; and

9 (C) provide to such Committees a briefing
10 on the plan that includes, at a minimum—

11 (i) a description of any operational,
12 infrastructure, or logistical requirements
13 and recommendations for the blending,
14 certification, and use of sustainable avia-
15 tion fuel; and

16 (ii) a description of any stakeholder
17 engagement in the development of the
18 plan, including any consultations with
19 nearby commercial airport owners or oper-
20 ators.

21 (2) IMPLEMENTATION OF PLANS.—For each fa-
22 cility selected under subsection (b), during the pe-
23 riod beginning on a date that is not later than Sep-
24 tember 30, 2028, and for five years thereafter, the
25 Secretary shall require, in accordance with the re-

1 spective plan developed under paragraph (1), the ex-
2 clusive use at the facility of aviation fuel that has
3 been certified as blended to contain at least 10 per-
4 cent sustainable aviation fuel.

5 (d) CRITERIA FOR SUSTAINABLE AVIATION FUEL.—
6 Sustainable aviation fuel used under the pilot program
7 shall meet the following criteria:

8 (1) Such fuel shall be produced in the United
9 States from non-food domestic feedstock sources.

10 (2) Such fuel shall constitute drop-in fuel that
11 meets all specifications and performance require-
12 ments of the Department of Defense and the Armed
13 Forces.

14 (e) WAIVER.—The Secretary may waive the require-
15 ment for the exclusive use at the facility of aviation fuel
16 that has been certified as blended to contain at least 10
17 percent sustainable aviation fuel under the pilot program
18 if the Secretary—

19 (1) determines such use is not feasible due to
20 a lack of domestic availability of sustainable aviation
21 fuel or a national security contingency; and

22 (2) submits to the congressional defense com-
23 mittees notice of such waiver and the reasons for
24 such waiver.

1 (f) FINAL REPORT.—At the conclusion of the pilot
2 program, the Assistant Secretary of Defense for Energy,
3 Installations, and Environment shall submit to the Com-
4 mittee on Armed Services and the Committee on Trans-
5 portation and Infrastructure of the House of Representa-
6 tives a final report on the pilot program. Such report shall
7 include each of the following:

8 (1) An assessment of the effect of using sus-
9 tainable aviation fuel on the overall fuel costs of
10 blended fuel.

11 (2) A description of any operational, infrastruc-
12 ture, or logistical requirements and recommenda-
13 tions for the blending, certification, and use of sus-
14 tainable aviation fuel, with a focus on scaling up
15 military-wide adoption of such fuel.

16 (3) Recommendations with respect to how mili-
17 tary installations can leverage proximity to commer-
18 cial airports and other jet fuel consumers to increase
19 the rate of use of sustainable aviation fuel, for both
20 military and non-military use, including potential
21 collaboration on innovative financing or purchasing
22 and shared supply chain infrastructure.

23 (4) A description of the effects on performance
24 and operation aircraft using sustainable aviation fuel
25 including—

1 (A) if used, considerations of various
2 blending ratios and their associated benefits;

3 (B) efficiency and distance improvements
4 of flights fuels using sustainable aviation fuel;

5 (C) weight savings on large transportation
6 aircraft and other types of aircraft with using
7 blended fuel with higher concentrations of sus-
8 tainable aviation fuel;

9 (D) maintenance benefits of using sustain-
10 able aviation fuel, including engine longevity;

11 (E) the effect of the use of sustainable
12 aviation fuel on emissions and air quality;

13 (F) the effect of the use of sustainable
14 aviation fuel on the environment and on sur-
15 rounding communities, including environmental
16 justice factors that are created by the demand
17 for and use of sustainable aviation fuel by the
18 Department of Defense; and

19 (G) benefits with respect to job creation in
20 the sustainable aviation fuel production and
21 supply chain.

22 (g) SUSTAINABLE AVIATION FUEL DEFINED.—In
23 this section, the term “sustainable aviation fuel” means
24 liquid fuel that—

25 (1) consists of synthesized hydrocarbon;

1 (2) meets the requirements of—

2 (A) ASTM International Standard D7566

3 (or such successor standard); or

4 (B) the co-processing provisions of ASTM
5 International Standard D1655, Annex A1 (or
6 such successor standard);

7 (3) is derived from biomass (as such term is de-
8 fined in section 45K(c)(3) of the Internal Revenue
9 Code of 1986), waste streams, renewable energy
10 sources, or gaseous carbon oxides;

11 (4) is not derived from palm fatty acid dis-
12 tillates; and

13 (5) conforms to the standards, recommended
14 practices, requirements and criteria, supporting doc-
15 uments, implementation elements, and any other
16 technical guidance, for sustainable aviation fuels
17 that are adopted by the International Civil Aviation
18 Organization with the agreement of the United
19 States.

20 **SEC. 316. POLICY TO INCREASE DISPOSITION OF SPENT AD-**
21 **VANCED BATTERIES THROUGH RECYCLING.**

22 (a) **POLICY REQUIRED.**—Not later than one year
23 after the date of the enactment of this Act, the Assistant
24 Secretary of Defense for Energy, Installations, and Envi-
25 ronment, in coordination with the Director of the Defense

1 Logistics Agency, shall establish a policy to increase the
2 disposition of spent advanced batteries of the Department
3 of Defense through recycling (including by updating the
4 Department of Defense Manual 4160.21, titled “Defense
5 Material Disposition: Disposal Guidance and Procedures”,
6 or such successor document, accordingly), for the purpose
7 of supporting the reclamation and return of precious met-
8 als, rare earth metals, and elements of strategic impor-
9 tance (such as cobalt and lithium) into the supply chain
10 or strategic reserves of the United States.

11 (b) CONSIDERATIONS.—In developing the policy
12 under subsection (a), the Assistant Secretary shall con-
13 sider, at a minimum, the following recycling methods:

14 (1) Pyroprocessing.

15 (2) Hydroprocessing.

16 (3) Direct cathode recycling, relithiation, and
17 upcycling.

18 **SEC. 317. GUIDANCE AND TARGET DEADLINE RELATING TO**
19 **FORMERLY USED DEFENSE SITES PRO-**
20 **GRAMS.**

21 (a) GUIDANCE RELATING TO SITE
22 PRIORITIZATION.—The Assistant Secretary of Defense for
23 Energy, Installations, and Environment shall issue guid-
24 ance setting forth how, in prioritizing sites for activities
25 funded under the “Environmental Restoration Account,

1 Formerly Used Defense Sites” account established under
2 section 2703(a)(5) of title 10, United States Code, the As-
3 sistant Secretary shall weigh the relative risk or other fac-
4 tors between Installation Restoration Program sites and
5 Military Munitions Response Program sites.

6 (b) **TARGET DEADLINE FOR MILITARY MUNITIONS**
7 **RESPONSE PROGRAM.**—The Assistant Secretary of De-
8 fense for Energy, Installations, and Environment shall es-
9 tablish a target deadline for the completion of the cleanup
10 of all Military Munitions Response Program sites.

11 **SEC. 318. BUDGET INFORMATION FOR ALTERNATIVES TO**
12 **BURN PITS.**

13 The Secretary of Defense shall include in the budget
14 materials submitted to Congress in support of the Depart-
15 ment of Defense budget for fiscal year 2024 (as submitted
16 with the budget of the President for such fiscal year under
17 section 1105(a) of title 31, United States Code) a dedi-
18 cated budget line item for incinerators and waste-to-en-
19 ergy waste disposal alternatives to burn pits.

20 **Subtitle C—Red Hill Bulk Fuel**
21 **Facility**

22 **SEC. 331. DEFUELING OF RED HILL BULK FUEL STORAGE**
23 **FACILITY.**

24 (a) **DEADLINE FOR COMPLETION OF DEFUELING.**—

1 (1) IN GENERAL.—Subject to the certification
2 requirement under subsection (e), the Secretary of
3 the Navy, in cooperation with the Director of the
4 Defense Logistics Agency, shall complete the
5 defueling of the Red Hill Bulk Fuel Storage Facility
6 by not later than December 31, 2023.

7 (2) REPORT.—Not later than December 31,
8 2022, the Secretary of the Navy shall submit to the
9 congressional defense committees, and make publicly
10 available on an appropriate website of the Depart-
11 ment of Defense, a report on the status of the
12 defueling of the Red Hill Bulk Fuel Storage Facil-
13 ity.

14 (b) COMPLIANCE WITH APPLICABLE LAWS.—The
15 Secretary of the Navy, in coordination with the Adminis-
16 trator of the Environmental Protection Agency and the
17 State of Hawaii, shall plan for and implement the
18 defueling of the Red Hill Bulk Fuel Facility in a manner
19 that complies with all applicable laws.

20 (c) MITIGATION PLAN.—

21 (1) IN GENERAL.—Not later than one year
22 after the date of the enactment of this Act, the Sec-
23 retary of the Navy shall make publicly available an
24 unclassified report containing the plan of the Sec-
25 retary for actions to be taken to mitigate the im-

1 pacts caused by releases at the Red Hill Bulk Fuel
2 Storage Facility, together with cost estimates for
3 such actions.

4 (2) BRIEFING.—Not later than one year after
5 the date of the enactment of this Act, the Secretary
6 of the Navy shall provide to the congressional de-
7 fense committees a briefing on the actions and cost
8 estimates included in the plan required under para-
9 graph (1).

10 (d) OVERSIGHT REQUIREMENTS.—

11 (1) REVIEW.—Not later than 30 days after the
12 date of the enactment of this Act, the Secretary of
13 Defense shall seek to enter into an agreement with
14 an appropriate independent entity under which the
15 entity agrees to conduct a review of the defueling
16 process for the Red Hill Bulk Fuel Storage Facility.

17 (2) REPORTING REQUIREMENTS.—An agree-
18 ment entered into under paragraph (1) shall provide
19 that the non-Department of Defense entity shall
20 produce and make publicly available, by not later
21 than 30 days after the completion of the defueling
22 of the Red Hill Bulk Fuel Storage Facility, an un-
23 classified report on the defueling process.

24 (e) CERTIFICATION REQUIREMENT.—The Secretary
25 of the Navy may not begin the process of defueling the

1 Red Hill Bulk Storage Facility before the date on which
2 the Secretary of Defense submits to the congressional de-
3 fense committees certification that such defueling would
4 not adversely affect the ability of the Department of De-
5 fense to provide fuel to support military operations in the
6 area of responsibility of the United States Indo-Pacific
7 Command.

8 (f) WAIVER.—

9 (1) IN GENERAL.—The Secretary of Defense
10 may waive the deadline under subsection (a)(1) for
11 a period of not more than 180 days if the Secretary
12 submits to the congressional defense committees cer-
13 tification in writing that—

14 (A) the Red Hill Bulk Fuel Storage Facil-
15 ity cannot be defueled safely and in an environ-
16 mentally sound manner before the deadline; or

17 (B) the State of Hawaii Department of
18 Health objects to the defueling of the Facility.

19 (2) EXTENSIONS.—The Secretary may extend a
20 waiver issued under paragraph (1) if the Secretary
21 submits to the congressional defense committees an
22 additional certification described in paragraph (1)
23 and a justification for the extension of the waiver.

1 **SEC. 332. ACTIVITIES PRIOR TO DECOMMISSIONING OF**
2 **RED HILL BULK STORAGE FACILITY.**

3 (a) LIMITATION.—None of the funds authorized to
4 be appropriated by this Act or otherwise made available
5 for the Department of Defense for fiscal year 2023 may
6 be obligated or expended to permanently close the Red Hill
7 Bulk Fuel Storage Facility until the date that is one year
8 after the date on which the Secretary of Defense, in con-
9 sultation with the Commander of United States Indo-Pa-
10 cific Command, submits to the congressional defense com-
11 mittees—

12 (1) the report required under subsection (b);

13 and

14 (2) certification that—

15 (A) a fuel capacity that is equivalent to the
16 capacity provided by the Red Hill Bulk Fuel
17 Storage Facility has been added to the fuel ca-
18 pacity of United States Indo-Pacific Command;
19 and

20 (B) the bulk fuel requirements of United
21 States Indo-Pacific Command have been fully
22 programmed for funding in the five fiscal years
23 following the year in which the certification is
24 submitted.

25 (b) REPORT REQUIRED.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act, the Sec-
3 retary of the Defense shall submit to the congres-
4 sional defense committees a report on the costs asso-
5 ciated with replacing the Red Hill Bulk Fuel Stor-
6 age Facility.

7 (2) ELEMENTS.—The report required by para-
8 graph (1) shall include each of the following:

9 (A) Detailed plans for how the Department
10 of Defense will replicate the aggregate bulk fuel
11 storage capacity of the Red Hill Bulk Fuel
12 Storage Facility throughout the Indo-Pacific re-
13 gion, including on United States territories and
14 possessions, as appropriate, in both steady state
15 and in a major conflict lasting not less than
16 180 days, including through the use of—

17 (i) fleet oilers;
18 (ii) fuel bladders;
19 (iii) above ground storage facilities;
20 and
21 (iv) hardened storage facilities.

22 (B) An identification of—

23 (i) any additional costs to the Depart-
24 ment of acquiring or building the assets
25 planned to replicate such fuel storage ca-

1 capacity and of obtaining any required envi-
2 ronmental approvals to operate such as-
3 sets; and

4 (ii) the timelines associated with ac-
5 quiring or building such assets and obtain-
6 ing such approvals.

7 (C) An analysis of the relative surviv-
8 ability, reliability, risks, and any advantages as-
9 sociated with the assets planned to replicate
10 such fuel storage capacity, including any
11 changes necessary for the operational plans of
12 the Department compared to such operational
13 plans as in effect when the Red Hill Bulk Fuel
14 Storage Facility was operational.

15 (D) An identification of the cost to the De-
16 partment of maintaining the Red Hill Bulk
17 Fuel Storage Facility in an empty but rapidly
18 reconstitutable state.

19 (E) Any other matters the Secretary of the
20 Defense considers relevant.

21 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to affect the authority of the Sec-
23 retary of Defense or the Secretary of the Navy to conduct
24 any of the following at Red Hill Bulk Fuel Storage Facil-
25 ity:

- 1 (1) Defueling activities.
- 2 (2) Remedial investigations.
- 3 (3) Site or safety inspections.
- 4 (4) Feasibility studies.
- 5 (5) Safety related repairs.
- 6 (6) Monitoring.
- 7 (7) Transferring of fuel.
- 8 (8) Maintenance and sustainment activities.

9 **SEC. 333. LIMITATION ON USE OF FUNDS PENDING AWARD**
10 **OF CERTAIN PROJECTS AND IMPLEMENTA-**
11 **TION OF CERTAIN RECOMMENDATIONS.**

12 Of the funds authorized to be appropriated by this
13 Act or otherwise made available for fiscal year 2023 for
14 operations and maintenance, Navy, Administration line
15 item, Line 440, not more than 25 percent may be obli-
16 gated or expended until the date on which the Secretary
17 of the Navy certifies to the congressional defense commit-
18 tees that the Navy has awarded the projects listed within
19 Chapter 8.1.1, Table 8-1, and implemented the rec-
20 ommendation listed as D1 within Appendix A.1 and Ap-
21 pendix A.2, of the document prepared by Simpson
22 Gumpertz & Heger Inc, entitled “Final Assessment Re-
23 port: Assessment of Red Hill Underground Fuel Storage
24 Facility Pearl Harbor, Hawaii” and dated April 29, 2022.

1 **SEC. 334. PLACEMENT OF SENTINEL OR MONITORING**
2 **WELLS IN PROXIMITY TO RED HILL BULK**
3 **FUEL FACILITY.**

4 (a) IN GENERAL.—Not later than April 1, 2023, the
5 Secretary of Defense, in coordination with the Director of
6 the United States Geological Survey and the Adminis-
7 trator of the Environmental Protection Agency, shall sub-
8 mit to the congressional defense committees a report on
9 the placement of sentinel or monitoring wells in proximity
10 to the Red Hill Bulk Fuel Facility for the purpose of mon-
11 itoring and tracking the movement of fuel that has es-
12 caped the Facility. Such report shall include—

13 (1) the number and location of new wells that
14 have been established during the 12-month period
15 preceding the date of the submission of the report;

16 (2) an identification of the wells proposed to be
17 established by the aquifer recovery working group;

18 (3) an analysis of the need for any wells not
19 recommended by the aquifer recovery working group;

20 (4) the proposed number and location of any
21 such additional wells; and

22 (5) the priority level of each proposed well
23 based on—

24 (A) the optimal locations for new wells;

25 and

1 (B) the capability of a proposed well to as-
2 sist in monitoring and tracking the movement
3 of fuel toward the Halawa shaft, the Halawa
4 Well, and the Aiea Well.

5 (b) QUARTERLY BRIEFINGS.—Not later than 30 days
6 after the submission of the report under subsection (a),
7 and every 90 days thereafter for 12 months, the Secretary
8 of Defense shall provide to the congressional defense com-
9 mittees a briefing on the progress of the Department to-
10 ward installing the wells described in paragraphs (2) and
11 (3) of subsection (a).

12 **SEC. 335. REPORT ON DEPARTMENT OF DEFENSE EFFORTS**
13 **TO TRACK HEALTH IMPLICATIONS OF FUEL**
14 **LEAKS AT RED HILL BULK FUEL FACILITY.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of the enactment of this Act, the Secretary of De-
17 fense, in consultation with the Director of the Centers for
18 Disease Control and Prevention and the Administrator of
19 the Environmental Protection Agency, shall submit to the
20 appropriate congressional committees a report on the ef-
21 forts of the Secretary to appropriately track the health
22 implications of fuel leaks from the Red Hill Bulk Fuel Fa-
23 cility for members of the Armed Forces and their depend-
24 ents, including members and dependents from each Armed

1 Force, including the Coast Guard. The report shall include
2 each of the following:

3 (1) A plan to coordinate with the Centers for
4 Disease Control and Prevention to align with the en-
5 vironmental health assessment and monitoring ef-
6 forts of the Centers.

7 (2) A description of any potential benefits of co-
8 ordinating and sharing data with the State of Ha-
9 waii Department of Health.

10 (3) An analysis of the extent to which data
11 from the State of Hawaii Department of Health and
12 data from other non-Department of Defense sources
13 can and should be used in any long-term health
14 study relating to fuel leaks from the Red Hill Bulk
15 Fuel Facility.

16 (4) A description of the potential health impli-
17 cations of contaminants, including fuel, found in the
18 drinking water distribution system at the Red Hill
19 Bulk Fuel Facility during testing after the fuel leaks
20 that occurred in May and November 2021.

21 (5) A description of any contaminants, includ-
22 ing fuel, detected in the water during the 12-month
23 period preceding the fuel leak that occurred in No-
24 vember 2021.

1 (6) A description of any potential benefits of
2 broadening the tracing window to include indications
3 of contaminants, including fuel, in the drinking
4 water supply at the Red Hill Bulk Fuel Facility be-
5 fore May 2021.

6 (b) APPROPRIATE CONGRESSIONAL COMMITTEES.—

7 In this section, the term “appropriate congressional com-
8 mittees” means—

9 (1) the congressional defense committees;

10 (2) the Committee on Energy and Commerce of
11 the House of Representatives; and

12 (3) the Committee on Energy and Natural Re-
13 sources of the Senate.

14 **SEC. 336. STUDIES RELATING TO WATER NEEDS OF THE**
15 **ARMED FORCES ON OAHU.**

16 (a) STUDY ON FUTURE WATER NEEDS OF OAHU.—

17 (1) IN GENERAL.—Not later than July 31,
18 2023, the Secretary of the Defense, in coordination
19 with the Honolulu Board of Water Supply, shall con-
20 duct a study on how the Department of Defense can
21 best address the future water needs on the island of
22 Oahu for the Armed Forces. Such study shall in-
23 clude consideration of—

24 (A) the construction of a new water treat-
25 ment plant or plants;

1 (B) the construction of a new well for use
2 by members of the Armed Forces and the civil-
3 ian population;

4 (C) the construction of a new well for the
5 exclusive use of members of the Armed Forces;

6 (D) transferring ownership and operation
7 of existing Department of Defense utilities to a
8 municipality or existing publicly owned utility;

9 (E) conveying the Navy utilities to the
10 Honolulu Board of Water Supply, with consid-
11 eration; and

12 (F) any other water solutions the Sec-
13 retary determines appropriate.

14 (2) COORDINATION.—In carrying out the study
15 under paragraph (1), the Secretary shall coordinate
16 with the State of Hawaii, the Honolulu Board of
17 Water Supply, the Secretary of the Department in
18 which the Coast Guard is operating, the Adminis-
19 trator of the Environmental Protection Agency, and
20 any other individual or entity the Secretary deter-
21 mines appropriate.

22 (b) HYDROLOGICAL STUDY.—

23 (1) IN GENERAL.—Not later than July 31,
24 2023, the Secretary of Defense shall enter into an
25 agreement with the Administrator of the Environ-

1 mental Protection Agency and the Director of the
2 United States Geological Survey, in consultation
3 with the State of Hawaii, to perform a study to
4 model the groundwater flow in the area surrounding
5 the Red Hill Bulk Fuel Storage Facility. The model
6 shall be designed to—

7 (A) seek to improve the understanding of
8 the direction and rate of groundwater flow and
9 dissolved constituent migration within the
10 aquifers around the facility;

11 (B) reflect site specific data, including
12 available data of the heterogeneous subsurface
13 geologic system; and

14 (C) address any previously identified defi-
15 ciencies in existing groundwater flow models.

16 (2) DEADLINE FOR COMPLETION.—The study
17 under paragraph (1) shall be completed by not later
18 than one year after the date of the enactment of this
19 Act.

20 (c) REPORT; BRIEFING.—

21 (1) IN GENERAL.—Upon completion of the
22 studies under subsections (a) and (b), the Secretary
23 shall—

1 (A) submit to the appropriate congres-
2 sional committees a report on the findings of
3 the studies; and

4 (B) provide to such committees a briefing
5 on such findings.

6 (2) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—In this subsection, the term “appropriate
8 congressional committees” means—

9 (A) the congressional defense committees;

10 (B) the Committee on Transportation and
11 Infrastructure and the Committee on Energy
12 and Commerce of the House of Representatives;
13 and

14 (C) the Committee on Commerce, Science,
15 and Transportation and the Committee on En-
16 vironment and Public Works of the Senate.

17 **SEC. 337. STUDY ON ALTERNATIVE USES FOR RED HILL**
18 **BULK FUEL FACILITY.**

19 (a) STUDY REQUIRED.—

20 (1) IN GENERAL.—Not later than 30 days after
21 the date of the enactment of this Act, the Secretary
22 of Defense shall seek to enter into an agreement
23 with a federally funded research and development
24 center that meets the criteria specified in paragraph

25 (2) under which such center will conduct a study to

1 determine the range of feasible alternative Depart-
2 ment of Defense uses for the Red Hill Bulk Fuel
3 Facility and provide to the Secretary a report on the
4 findings of the study. The conduct of such study
5 shall include—

6 (A) engagement with stakeholders;

7 (B) a review of historical alternative uses
8 of facilities with similar characteristics; and

9 (C) such other modalities as determined
10 necessary to appropriately identify alternative
11 use options, including data and information col-
12 lected from various stakeholders and through
13 site visits to physically inspect the facility.

14 (2) CRITERIA FOR FFRDC.—The federally fund-
15 ed research and development center with which the
16 Secretary seeks to enter into an agreement under
17 paragraph (1) shall meet the following criteria:

18 (A) A primary focus on studies and anal-
19 ysis.

20 (B) A record of conducting research and
21 analysis using a multidisciplinary approach.

22 (C) Demonstrated specific competencies
23 in—

24 (i) life cycle cost-benefit analysis;

1 (ii) military facilities and how such fa-
2 cilities support missions; and

3 (iii) the measurement of environ-
4 mental impacts.

5 (D) A strong reputation for publishing
6 publicly releasable analysis to inform public de-
7 bate.

8 (b) COST-BENEFIT ANALYSIS.—An agreement en-
9 tered into pursuant to subsection (a) shall specify that the
10 study conducted under the agreement will include a cost-
11 benefit analysis of the feasible Department of Defense al-
12 ternative uses considered under the study. Such cost-ben-
13 efit analysis shall cover each of the following for each such
14 alternative use:

15 (1) The design and construction costs.

16 (2) Life-cycle costs, including the operation and
17 maintenance costs of operating the facility, such as
18 annual operating costs, predicted maintenance costs,
19 and any disposal costs at the end of the useful life
20 of the facility.

21 (3) Any potential military benefits.

22 (4) Any potential benefits for the local econ-
23 omy, including any potential employment opportuni-
24 ties for members of the community.

1 (5) A determination of environmental impact
2 analysis requirements.

3 (6) The effects of the use on future mitigation
4 efforts.

5 (7) Any additional factors determined to be rel-
6 evant by the federally funded research and develop-
7 ment center in consultation with the Secretary.

8 (c) DEADLINE FOR COMPLETION.—An agreement en-
9 tered into pursuant to subsection (a) shall specify that the
10 study conducted under the agreement shall be completed
11 by not later than February 1, 2024.

12 (d) BRIEFING.—Upon completion of a study con-
13 ducted under an agreement entered into pursuant to sub-
14 section (a), the Secretary shall provide to the Committees
15 on Armed Services of the Senate and House of Represent-
16 atives a briefing on the findings of the study.

17 (e) PUBLIC AVAILABILITY.—

18 (1) FFRDC.—An agreement entered into pur-
19 suant to subsection (a) shall specify that the feder-
20 ally funded research and development center shall
21 make an unclassified version of the report provided
22 to the Secretary publicly available on an appropriate
23 website of the center.

24 (2) DEPARTMENT OF DEFENSE.—Upon receipt
25 of such report, the Secretary shall make an unclassi-

1 fied version of the report publicly available on an ap-
2 propriate website of the Department of Defense.

3 **Subtitle D—Treatment of**
4 **Perfluoroalkyl Substances and**
5 **Polyfluoroalkyl Substances**

6 **SEC. 341. PRIZES FOR DEVELOPMENT OF NON-PFAS-CON-**
7 **TAINING TURNOUT GEAR.**

8 Section 330 of the National Defense Authorization
9 Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat.
10 3528; 10 U.S.C. 2661 note prec.) is amended—

11 (1) in subsection (a)—

12 (A) by striking “of a non-PFAS-con-
13 taining” and inserting “of the following:”

14 “(1) A non-PFAS-containing”; and

15 (B) by adding at the end the following new
16 paragraph:

17 “(2) Covered personal protective firefighting
18 equipment that does not contain an intentionally
19 added perfluoroalkyl substance or polyfluoroalkyl
20 substance.”; and

21 (2) by amending subsection (f) to read as fol-
22 lows:

23 “(f) DEFINITIONS.—In this section:

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

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

8 “(3) The term ‘covered personal protective fire-
9 fighting equipment’ means the following:

10 “(A) Turnout gear jacket or coat.

11 “(B) Turnout gear pants.

12 “(C) Turnout coveralls.

13 “(D) Any other personal protective fire-
14 fighting equipment, as determined by the Sec-
15 retary of Defense, in consultation with the Ad-
16 ministrator of the United States Fire Adminis-
17 tration.”.

18 **SEC. 342. MODIFICATION TO RESTRICTION ON DEPART-**
19 **MENT OF DEFENSE PROCUREMENT OF CER-**
20 **TAIN ITEMS CONTAINING**
21 **PERFLUOROCTANE SULFONATE OR**
22 **PERFLUOROCTANOIC ACID.**

23 (a) MODIFICATION.—Section 333 of the William M.
24 (Mac) Thornberry National Defense Authorization Act for

1 Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3531,
2 10 U.S.C. 3063 note) is amended—

3 (1) in the section heading, by striking
4 **“PERFLUOROCTANE SULFONATE OR**
5 **PERFLUOROCTANOIC ACID”** and inserting
6 **“PERFLUOROALKYL SUBSTANCES OR**
7 **POLYFLUOROALKYL SUBSTANCES”**;

8 (2) in subsection (a), by striking
9 “perfluorooctane sulfonate (PFOS) or
10 perfluorooctanoic acid (PFOA)” and inserting “any
11 perfluoroalkyl substance or polyfluoroalkyl sub-
12 stance”; and

13 (3) by amending subsection (b) to read as fol-
14 lows:

15 **“(b) DEFINITIONS.—**In this section:

16 **“(1) The term ‘covered item’ means the fol-**
17 **lowing:**

18 **“(A) Nonstick cookware or food service**
19 **ware for use in galleys or dining facilities.**

20 **“(B) Food packaging materials.**

21 **“(C) Cleaning products, including floor**
22 **waxes.**

23 **“(D) Carpeting.**

24 **“(E) Rugs, curtains, and upholstered fur-**
25 **niture.**

1 “(F) Sunscreen.

2 “(G) Shoes and clothing for which treat-
3 ment with a perfluoroalkyl substance or
4 polyfluoroalkyl substance is not necessary for
5 an essential function.

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

9 “(3) The term ‘polyfluoroalkyl substance’
10 means a man-made chemical containing at least one
11 fully fluorinated carbon atom and at least one
12 nonfluorinated carbon atom.”.

13 (b) REPORTS ON PROCUREMENT OF CERTAIN ITEMS
14 WITHOUT INTENTIONALLY ADDED PERFLUOROALKYL
15 SUBSTANCES OR POLYFLUOROALKYL SUBSTANCES.—Not
16 later than 270 days after the date of the enactment of
17 this Act, and annually thereafter, the Secretary of Defense
18 shall submit to the Committees on Armed Services of the
19 House of Representatives and the Senate a report con-
20 taining a detailed description of the following:

21 (1) Steps taken to identify covered items with
22 any intentionally added perfluoroalkyl substance or
23 polyfluoroalkyl substance procured by the Depart-
24 ment of Defense.

1 (2) Steps taken to identify covered items with-
2 out any intentionally added perfluoroalkyl substance
3 or polyfluoroalkyl substance, and the vendors of such
4 covered items, for procurement by the Department.

5 (3) Steps taken to limit the procurement by the
6 Department of covered items with any intentionally
7 added perfluoroalkyl substance or polyfluoroalkyl
8 substance.

9 (4) Planned steps of the Department to limit
10 the procurement of items with any intentionally
11 added perfluoroalkyl substance or polyfluoroalkyl
12 substance.

13 (c) DEFINITIONS.—In this section:

14 (1) The term “covered item” includes the fol-
15 lowing:

16 (A) Nonstick cookware or food service
17 ware for use in galleys or dining facilities.

18 (B) Food packaging materials.

19 (C) Cleaning products, including floor
20 waxes.

21 (D) Carpeting.

22 (E) Rugs, curtains, and upholstered fur-
23 niture.

24 (F) Sunscreen.

1 (G) Shoes and clothing for which treat-
2 ment with a perfluoroalkyl substance or
3 polyfluoroalkyl substance is not necessary for
4 an essential function.

5 (H) Such other items as may be deter-
6 mined by the Secretary of Defense.

7 (2) The terms “perfluoroalkyl substance” and
8 “polyfluoroalkyl substance” have the meaning given
9 such terms in section 333 of the William M. (Mac)
10 Thornberry National Defense Authorization Act for
11 Fiscal Year 2021 (Public Law 116–283; 134 Stat.
12 3531, 10 U.S.C. 3063 note), as amended by sub-
13 section (a).

14 **SEC. 343. PROHIBITION ON PURCHASE BY DEPARTMENT OF**
15 **DEFENSE OF FIREFIGHTING EQUIPMENT**
16 **CONTAINING PER- AND POLYFLUOROALKYL**
17 **SUBSTANCES.**

18 (a) PROHIBITION ON PROCUREMENT.—Except as
19 provided in subsection (d), beginning October 1, 2025, the
20 Secretary of Defense may not enter into any contract for
21 the purchase of personal protective firefighting equipment
22 for use by firefighters of the Department of Defense if
23 such equipment contains a per- or polyfluoroalkyl sub-
24 stance.

1 (b) IMPLEMENTATION.—The Secretary of Defense
2 shall include the prohibition under subsection (a) in any
3 contract for the purchase of personal protective fire-
4 fighting equipment for use by firefighters of the Depart-
5 ment of Defense.

6 (c) SAVINGS CLAUSE.—Nothing in this section shall
7 be construed—

8 (1) to require the Secretary of Defense to test
9 any piece of covered personal protective firefighting
10 equipment to confirm the absence of per- and
11 polyfluoroalkyl substances; or

12 (2) to affect existing inventories of personal
13 protective firefighting equipment.

14 (d) LACK OF AVAILABILITY.—

15 (1) IN GENERAL.—If the Secretary of Defense
16 determines that equipment described in paragraph
17 (2) is not available for purchase by the Department
18 of Defense, the requirement under subsection (a)
19 shall not apply until such date as the Secretary de-
20 termines that such equipment is available for pur-
21 chase.

22 (2) EQUIPMENT DESCRIBED.—The equipment
23 described in this paragraph is personal protective
24 firefighting equipment that—

1 (A) does not contain a per- or
2 polyfluoroalkyl substance;

3 (B) meets every applicable standard for
4 personal protective firefighting equipment
5 (other than a standard specifically relating to
6 per- or polyfluoroalkyl substances); and

7 (C) is at least as protective as current per-
8 sonal protective firefighting equipment con-
9 taining a per- or polyfluoroalkyl substance.

10 **SEC. 344. STANDARDS FOR RESPONSE ACTIONS WITH RE-**
11 **SPECT TO PFAS CONTAMINATION.**

12 (a) IN GENERAL.—In conducting a response action
13 to address perfluoroalkyl or polyfluoroalkyl substance con-
14 tamination from Department of Defense or National
15 Guard activities, the Secretary of Defense shall conduct
16 such actions to achieve a level of such substances in the
17 environmental media that meets or exceeds the most strin-
18 gent of the following standards for each applicable covered
19 PFAS substance in any environmental media:

20 (1) A State standard, as described in section
21 121(d)(2)(A)(ii) of the Comprehensive Environ-
22 mental Response, Compensation, and Liability Act
23 of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)), that is in ef-
24 fect in the State in which the response action is
25 being conducted, regardless of whether any agency

1 has made a determination under section 300.400(g)
2 of title 40, Code of Federal Regulations, with re-
3 spect to such standard for purposes of the response
4 action.

5 (2) A Federal standard, as described in section
6 121(d)(2)(A)(i) of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980
8 (42 U.S.C. 9621(d)(2)(A)(i)).

9 (3) A health advisory under section
10 1412(b)(1)(F) of the Safe Drinking Water Act (42
11 U.S.C. 300g-1(b)(1)(F)).

12 (b) DEFINITIONS.—In this section:

13 (1) The term “covered PFAS substance” means
14 any of the following:

15 (A) Perfluorononanoic acid (PFNA).

16 (B) Perfluorooctanoic acid (PFOA).

17 (C) Perfluorohexanoic acid (PFHxA).

18 (D) Perfluorooctane sulfonic acid (PFOS).

19 (E) Perfluorohexane sulfonate (PFHxS).

20 (F) Perfluorobutane sulfonic acid (PFBS).

21 (G) Perfluoroheptanoic acid (PFHpA).

22 (H) Perfluorodecanoic acid (PFDA).

23 (I) Fluorotelomer sulfonamide betaine.

24 (2) The term “response action” means an ac-
25 tion taken pursuant to section 104 of the Com-

1 prehensive Environmental Response, Compensation,
2 and Liability Act of 1980 (42 U.S.C. 9604).

3 (c) SAVINGS CLAUSE.—Except with respect to the
4 specific level required to be met under subsection (a),
5 nothing in this section affects the application of the Com-
6 prehensive Environmental Response, Compensation, and
7 Liability Act of 1980 (42 U.S.C. 9601 et seq.).

8 **SEC. 345. LIST OF CERTAIN PFAS USES DEEMED ESSEN-**
9 **TIAL; BRIEFINGS ON DEPARTMENT OF DE-**
10 **FENSE PROCUREMENT OF CERTAIN ITEMS**
11 **CONTAINING PFOS OR PFOA.**

12 (a) LIST OF PFAS USES DEEMED ESSENTIAL.—Not
13 later than June 1, 2023, the Secretary of Defense shall
14 submit to the Committees on Armed Services of the House
15 of Representatives and the Senate a list of each known
16 use of per- or polyfluoroalkyl substances that the Sec-
17 retary has deemed an essential use for which use of a re-
18 placement substance is impossible or impracticable. For
19 each use so listed, the Secretary shall—

20 (1) identify why the use is essential; and

21 (2) provide a brief explanation as to why such
22 replacement is impossible or impracticable, as the
23 case may be.

24 (b) ANNUAL BRIEFINGS.—Not later than 270 days
25 after the date of the enactment of this Act, and annually

1 thereafter, the Secretary of Defense shall provide to the
2 Committees on Armed Services of the House of Represent-
3 atives and the Senate a briefing that includes a description
4 of each of the following:

5 (1) Steps taken to identify covered items pro-
6 cured by the Department of Defense that contain
7 perfluorooctane sulfonate (PFOS) or
8 perfluorooctanoic acid (PFOA).

9 (2) Steps taken to identify products and ven-
10 dors of covered items that do not contain PFOS or
11 PFOA.

12 (3) Steps taken to limit the procurement by the
13 Department of covered items that contain PFOS or
14 PFOA.

15 (4) Steps the Secretary intends to take to limit
16 the procurement of covered items that contain
17 PFOS or PFOA.

18 (c) COVERED ITEM DEFINED.—In this section, the
19 term “covered item” means—

20 (1) nonstick cookware or cooking utensils for
21 use in galleys or dining facilities; and

22 (2) upholstered furniture, carpets, and rugs
23 that have been treated with stain-resistant coatings.

1 **Subtitle E—Logistics and**
2 **Sustainment**

3 **SEC. 351. RESOURCES REQUIRED FOR ACHIEVING MATE-**
4 **RIEL READINESS METRICS AND OBJECTIVES**
5 **FOR MAJOR DEFENSE ACQUISITION PRO-**
6 **GRAMS.**

7 (a) IN GENERAL.—Section 118 of title 10, United
8 States Code, is amended:

9 (1) in subsection (d)(2), by striking “objec-
10 tives” and inserting “objectives, such as infrastruc-
11 ture, workforce, or supply chain considerations”;

12 (2) redesignating subsection (e) as subsection
13 (f); and

14 (3) inserting after subsection (d) the following
15 new subsection (e):

16 “(e) FUNDING ESTIMATES.—Not later than five days
17 after the date on which the Secretary of Defense submits
18 to Congress the materials in support of the budget of the
19 President for a fiscal year, the Director of Cost Assess-
20 ment and Performance Evaluation shall submit to the con-
21 gressional defense committees a comprehensive estimate
22 of the funds necessary to meet the materiel readiness ob-
23 jectives required by subsection (c) through the period cov-
24 ered by the most recent future-years defense program. At
25 a minimum, the Director shall provide, for each major

1 weapon system, by designated mission design series, vari-
2 ant, or class, a comprehensive estimate of the funds nec-
3 essary to meet such objectives that—

4 “(1) have been obligated by subactivity group
5 within the operation and maintenance accounts for
6 the second fiscal year preceding the budget year;

7 “(2) the Director estimates will have been obli-
8 gated by subactivity group within the operation and
9 maintenance accounts by the end of the fiscal year
10 preceding the budget year; and

11 “(3) have been budgeted and programmed
12 across the future years defense program within the
13 operation and maintenance accounts by subactivity
14 group.”.

15 (b) PHASED IMPLEMENTATION.—The Director of
16 Cost Assessment and Performance Evaluation, may meet
17 the requirements of subsection (e) of section 118 of title
18 10, United States Code, as added by subsection (a),
19 through a phased submission of the funding estimates re-
20 quired under such subsection. In conducting a phased im-
21 plementation, the Director shall ensure that—

22 (1) for the budget request for fiscal year 2024,
23 funding estimates are provided for a representative
24 sample by military department of at least one-third
25 of the major weapon systems;

1 (2) for the budget request for fiscal year 2025,
2 funding estimates are provided for an additional
3 one-third of the major weapon systems; and

4 (3) full implementation for all major weapons
5 systems is completed not later than five days after
6 the date on which the Secretary of Defense submits
7 to Congress the materials in support of the budget
8 of the President for fiscal year 2026.

9 **SEC. 352. ANNUAL PLAN FOR MAINTENANCE AND MOD-**
10 **ERNIZATION OF NAVAL VESSELS.**

11 (a) ANNUAL PLAN.—Section 231 of title 10, United
12 States Code, is amended—

13 (1) in the heading, by inserting “, **mainte-**
14 **nance, and modernization**” after “**con-**
15 **struction**”;

16 (2) by redesignating subsections (d) through (f)
17 as subsections (e) through (g), respectively;

18 (3) by inserting after subsection (c) the fol-
19 lowing new subsection:

20 “(d) ANNUAL PLAN FOR MAINTENANCE AND MOD-
21 ERNIZATION OF NAVAL VESSELS.—In addition to the plan
22 included under subsection (a)(1), the Secretary of Defense
23 shall include with the defense budget materials for a fiscal
24 year each of the following:

1 “(1) A plan for the maintenance and mod-
2 ernization of naval vessels that includes the fol-
3 lowing:

4 “(A) A forecast of the maintenance and
5 modernization requirements for both the naval
6 vessels in the inventory of the Navy and the
7 vessels required to be delivered under the naval
8 vessel construction plan under subsection
9 (a)(1).

10 “(B) A description of the initiatives of the
11 Secretary of the Navy to ensure that activities
12 key to facilitating the maintenance and mod-
13 ernization of naval vessels (including with re-
14 spect to increasing workforce and industrial
15 base capability and capacity, shipyard level-
16 loading, and facility improvements) receive suf-
17 ficient resourcing, and are including in appro-
18 priate planning, to facilitate the requirements
19 specified in subparagraph (A).

20 “(2) A certification by the Secretary that both
21 the budget for that fiscal year and the future-years
22 defense program submitted to Congress in relation
23 to such budget under section 221 of this title pro-
24 vide for funding for the maintenance and moderniza-
25 tion of naval vessels at a level that is sufficient for

1 such maintenance and modernization in accordance
2 with the plan under paragraph (1).”; and

3 (4) in subsection (f), as redesignated by para-
4 graph (2), by inserting “ and the plan and certifi-
5 cation under subsection (d)” after “subsection (a)”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of chapter 9 of title 10, United States
8 Code, is amended by striking the item relating to section
9 231 and inserting the following new item:

“231. Budgeting for construction, maintenance, and modernization of naval ves-
sels: annual plan and certification.”.

10 **SEC. 353. INDEPENDENT STUDY RELATING TO FUEL DIS-**
11 **TRIBUTION LOGISTICS ACROSS UNITED**
12 **STATES INDO-PACIFIC COMMAND.**

13 (a) STUDY.—Not later than the 30 days after the
14 date of the enactment of this Act, the Secretary of Defense
15 shall seek to enter into a contract with a federally funded
16 research and development center to conduct a study on
17 fuel distribution logistics in the area of responsibility of
18 the United States Indo-Pacific Command.

19 (b) CRITERIA FOR FFRDC.—The federally funded
20 research and development center with which the Secretary
21 seeks to enter into an contract under subsection (a) shall
22 meet the following criteria, as determined by the Sec-
23 retary:

1 (1) A primary focus on the conduct of studies
2 and analysis.

3 (2) A demonstrated record of conducting re-
4 search and analysis using a multidisciplinary ap-
5 proach.

6 (3) A strong reputation for publishing publicly
7 releasable analysis to inform public debate.

8 (c) ELEMENTS.—The study conducted pursuant to
9 subsection (a) shall include, with respect to the area of
10 responsibility of the United States Indo-Pacific Command,
11 the following:

12 (1) An evaluation of the vulnerabilities associ-
13 ated with the production, refinement, and distribu-
14 tion of fuel by the Armed Forces during periods of
15 conflict and in contested logistics environments with-
16 in the area, including with respect to the capability
17 of the Armed Forces to sustain operational flights
18 by aircraft and joint force distributed operations.

19 (2) An assessment of potential adversary capa-
20 bilities to disrupt such fuel distribution in the area
21 through a variety of means, including financial
22 means, cyber means, and conventional kinetic at-
23 tacks.

24 (3) An assessment of any gaps in the capability
25 or capacity of inter- or intra-theater fuel distribu-

1 tion, including any gaps relating to storage, transfer
2 platforms, manning for platforms, command and
3 control, or fuel handling.

4 (4) An evaluation of the positioning of defense
5 fuel support points in the area, including with re-
6 spect to operational suitability and vulnerability to a
7 variety of kinetic threats.

8 (5) An assessment of the readiness of allies and
9 partners of the United States to support the supply,
10 storage, and distribution of fuel by the Armed
11 Forces in the area, including a review of any rel-
12 evant security cooperation agreements entered into
13 between the United States and such allies and part-
14 ners.

15 (6) An assessment of potential actions to miti-
16 gate any vulnerabilities identified pursuant to the
17 study.

18 (d) REPORT.—

19 (1) SUBMISSION TO SECRETARY OF DE-
20 FENSE.—

21 (A) IN GENERAL.—The Secretary of De-
22 fense shall require, as a term of any contract
23 entered into with a federally funded research
24 and development center to conduct a study pur-
25 suant to subsection (a), that not later than one

1 year after the date of entering into such con-
2 tract, the federally funded research and devel-
3 opment center shall submit to the Secretary a
4 report containing the findings of the study.

5 (B) FORM.—The report under subpara-
6 graph (A) shall be submitted in an unclassified
7 and publicly releasable form, but may contain a
8 classified annex.

9 (2) SUBMISSION TO CONGRESS.—Not later than
10 30 days after the date on which the Secretary of De-
11 fense receives the report under paragraph (1), the
12 Secretary shall submit to the appropriate congres-
13 sional committees a copy of such report, submitted
14 without change.

15 (e) DEFINITIONS.—In this section:

16 (1) The term “appropriate congressional com-
17 mittees” means—

18 (A) the congressional defense committees;

19 (B) the Committee on Transportation and
20 Infrastructure of the House of Representatives;
21 and

22 (C) the Committee on Commerce, Science,
23 and Transportation of the Senate.

1 (2) The term “contested logistics environment”
2 has the meaning given that term in section 2926 of
3 title 10, United States Code.

4 **Subtitle F—Matters Relating to De-**
5 **pots and Ammunition Produc-**
6 **tion Facilities**

7 **SEC. 361. BUDGETING FOR DEPOT AND AMMUNITION PRO-**
8 **DUCTION FACILITY MAINTENANCE AND RE-**
9 **PAIR: ANNUAL REPORT.**

10 Chapter 9 of title 10, United States Code, is amended
11 by adding at the end the following new section (and con-
12 forming the table of sections at the beginning of such
13 chapter accordingly):

14 **“§ 239d. Budgeting for depot and ammunition pro-**
15 **duction facility maintenance and repair:**
16 **annual report**

17 “(a) ANNUAL REPORT.—The Secretary of Defense,
18 in coordination with the Secretaries of the military depart-
19 ments, shall include with the defense budget materials for
20 each fiscal year a report regarding the maintenance and
21 repair of covered facilities.

22 “(b) ELEMENTS.—Each report required under sub-
23 section (a) shall include, at a minimum, the following
24 (disaggregated by military department):

1 “(1) With respect to each of the three fiscal
2 years preceding the fiscal year covered by the de-
3 fense budget materials with which the report is in-
4 cluded, revenue data for that fiscal year for the
5 maintenance, repair, and overhaul workload funded
6 at all the depots of the military department.

7 “(2) With respect to the fiscal year covered by
8 the defense budget materials with which the report
9 is included and each of the two fiscal years prior, an
10 identification of the following:

11 “(A) The amount of appropriations budg-
12 eted for that fiscal year for depots, further
13 disaggregated by the type of appropriation.

14 “(B) The amount budgeted for that fiscal
15 year for working-capital fund investments by
16 the Secretary of the military department for the
17 capital budgets of the covered depots of the
18 military department, shown in total and further
19 disaggregated by whether the investment relates
20 to the efficiency of depot facilities, work envi-
21 ronment, equipment, equipment (non-capital in-
22 vestment program), or processes.

23 “(C) The total amount required to be in-
24 vested by the Secretary of the military depart-
25 ment for that fiscal year for the capital budgets

1 of covered depots pursuant to section 2476(a)
2 of this title.

3 “(D) A comparison of the budgeted
4 amount identified under subparagraph (B) with
5 the total required amount identified under sub-
6 paragraph (C).

7 “(E) For each covered depot of the mili-
8 tary department, of the total required amount
9 identified under subparagraph (C), the percent-
10 age of such amount allocated, or projected to be
11 allocated, to the covered depot for that fiscal
12 year.

13 “(3) For each covered facility of the military
14 department, the following:

15 “(A) Information on the average facility
16 condition, average critical facility condition, res-
17 toration and maintenance project backlog, and
18 average equipment age, including a description
19 of any changes in such metrics from previous
20 years.

21 “(B) Information on the status of the im-
22 plementation at the covered facility of the plans
23 and strategies of the Department of Defense re-
24 lating to covered facility improvement, includ-
25 ing, as applicable, the implementation of the

1 strategy required under section 359 of the Na-
2 tional Defense Authorization Act for Fiscal
3 Year 2020 (Public Law 116–92; 133 Stat.
4 1323; 10 U.S.C. 2460 note).

5 “(c) DEFINITIONS.—In this section:

6 “(1) The term ‘ammunition production facility’
7 means an ammunition organic industrial base pro-
8 duction facility.

9 “(2) The terms ‘budget’ and ‘defense budget
10 materials’ have the meaning given those terms in
11 section 234 of this title.

12 “(3) The term ‘covered depot’ has the meaning
13 given that term in section 2476 of this title.

14 “(4) The term ‘covered facility’ means a cov-
15 ered depot or an ammunition production facility.”.

16 **SEC. 362. EXTENSION OF AUTHORIZATION OF DEPOT**
17 **WORKING CAPITAL FUNDS FOR UNSPECIFIED**
18 **MINOR MILITARY CONSTRUCTION.**

19 Section 2208(u)(4) of title 10, United States Code,
20 is amended by striking “2023” and inserting “2025”.

21 **SEC. 363. MODIFICATION TO MINIMUM CAPITAL INVEST-**
22 **MENT FOR CERTAIN DEPOTS.**

23 (a) MODIFICATION.—Section 2476 of title 10, United
24 States Code, is amended—

25 (1) in subsection (a)—

1 (A) by striking “six” and inserting
2 “eight”; and

3 (B) by adding at the end the following new
4 sentence: “Of such total amount required to be
5 invested, an amount equal to not less than two
6 percent of such average total for the preceding
7 three fiscal years shall be invested from funds
8 authorized for Facilities Sustainment, Restora-
9 tion, and Modernization activities of the mili-
10 tary department.”; and

11 (2) in subsection (b), by inserting “ including
12 through the rebuilding of property following the end
13 of the economic useful life of the property and the
14 restoration of property or equipment to like-new con-
15 dition,” after “operations,”;

16 (3) by redesignating subsections (c) through (e)
17 as subsections (d) through (f); and

18 (4) by inserting after subsection (b) the fol-
19 lowing new subsection:

20 “(c) COMPLIANCE WITH CERTAIN REQUIRE-
21 MENTS.—In identifying amounts to invest pursuant to the
22 requirement under subsection (a), the Secretary of a mili-
23 tary department shall comply with all applicable require-
24 ments of sections 129 and 129a of this title.”.

1 (b) CONFORMING AMENDMENT.—Section 2861(b) of
2 such title is amended by striking “subsection (e) of section
3 2476” and inserting “subsection (f) of section 2476”.

4 (c) APPLICABILITY.—The amendments made by sub-
5 section (a) shall apply with respect to fiscal years begin-
6 ning on or after October 1, 2023.

7 **SEC. 364. CONTINUATION OF REQUIREMENT FOR BIENNIAL**
8 **REPORT ON CORE DEPOT-LEVEL MAINTENANCE AND REPAIR.**
9

10 (a) IN GENERAL.—Section 1080(a) of the National
11 Defense Authorization Act for Fiscal Year 2016 (Public
12 Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does
13 not apply to the report required to be submitted to Con-
14 gress under section 2464(d) of title 10, United States
15 Code.

16 (b) CONFORMING REPEAL.—Section 1061(c) of the
17 National Defense Authorization Act for Fiscal Year 2017
18 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111
19 note) is amended by striking paragraph (45).

20 **SEC. 365. CONTINUATION OF REQUIREMENT FOR ANNUAL**
21 **REPORT ON FUNDS EXPENDED FOR PER-**
22 **FORMANCE OF DEPOT-LEVEL MAINTENANCE**
23 **AND REPAIR WORKLOADS.**

24 (a) IN GENERAL.—Section 1080(a) of the National
25 Defense Authorization Act for Fiscal Year 2016 (Public

1 Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does
2 not apply to the report required to be submitted to Con-
3 gress under section 2466(d) of title 10, United States
4 Code.

5 (b) CONFORMING REPEAL.—Section 1061(c) of the
6 National Defense Authorization Act for Fiscal Year 2017
7 (Public Law 114–328; 130 Stat. 2401; 10 U.S.C. 111
8 note) is amended by striking paragraph (46).

9 **SEC. 366. FIVE-YEAR PLANS FOR IMPROVEMENTS TO**
10 **DEPOT AND AMMUNITION PRODUCTION FA-**
11 **CILITY INFRASTRUCTURE.**

12 (a) FIVE-YEAR PLANS REQUIRED.—Concurrent with
13 the submission to Congress of the budget of the President
14 for each of fiscal years 2024, 2025, 2026, 2027, and 2028
15 pursuant to section 1105(a) of title 31, United States
16 Code, each Secretary of a military department shall sub-
17 mit to the congressional defense committees a report con-
18 taining a description of the plan of that Secretary to im-
19 prove depot and ammunition production facility infra-
20 structure during the five fiscal years following the fiscal
21 year for which such budget is submitted, with the objective
22 of ensuring that all covered facilities have the capacity and
23 capability to support the readiness and material avail-
24 ability goals of current and future weapon systems of the
25 Department of Defense.

1 (b) ELEMENTS.—Each plan required pursuant to
2 subsection (a) shall include, with respect to the depots and
3 ammunition production facilities of the military depart-
4 ment for which the plan is submitted, the following:

5 (1) A comprehensive review of the conditions
6 and performance of each covered facility, including
7 the following:

8 (A) An assessment of the current status of
9 the following elements:

10 (i) Cost and schedule performance of
11 the covered facility.

12 (ii) Material availability of weapon
13 systems supported at the covered facility
14 and the impact of the performance of the
15 covered facility on that availability.

16 (iii) Work in progress and non-oper-
17 ational items awaiting covered facility
18 maintenance.

19 (iv) The condition of the covered facil-
20 ity.

21 (v) The backlog of restoration and
22 modernization projects at the covered facil-
23 ity.

24 (vi) The condition of equipment at the
25 covered facility.

1 (vii) The vulnerability of the covered
2 facility to adverse environmental conditions
3 and, if necessary, the investment required
4 to withstand those conditions.

5 (B) With respect to the five-year period
6 covered by the plan, an identification of the
7 major lines of effort, milestones, and specific
8 goals over such period to address the elements
9 specified in subparagraph (A) and a description
10 of how such goals serve the long-term strategies
11 of the Department of Defense relating to cov-
12 ered facility improvement, including, as applica-
13 ble, the strategy required under section 359 of
14 the National Defense Authorization Act for Fis-
15 cal Year 2020 (Public Law 116–92; 133 Stat.
16 1323; 10 U.S.C. 2460 note).

17 (2) The estimated costs of necessary depot and
18 ammunition production facility improvements and a
19 description of how such costs would be addressed by
20 the Department of Defense budget request sub-
21 mitted during the same year as the plan and the ap-
22 plicable future-years defense program.

23 (3) Information regarding the plan of the Sec-
24 retary of the military department to initiate such en-
25 vironmental and engineering studies as may be nec-

1 essary to carry out planned depot and ammunition
2 production facility improvements.

3 (4) Detailed information regarding how depot
4 improvement projects and ammunition production
5 facility improvement projects will be paced and
6 sequenced to ensure continuous operations.

7 (c) INCORPORATION OF RESULTS-ORIENTED MAN-
8 AGEMENT PRACTICES.—Each plan required pursuant to
9 subsection (a) shall incorporate the leading results-ori-
10 ented management practices identified in the report of the
11 Comptroller General of the United States titled “Actions
12 Needed to Improve Poor Conditions of Facilities and
13 Equipment that Affect Maintenance Timeliness and Effi-
14 ciency” (GAO–19–242), or any successor report, includ-
15 ing—

16 (1) analytically based goals;
17 (2) results-oriented metrics;
18 (3) the identification of required resources,
19 risks, and stakeholders; and
20 (4) regular reporting on progress to decision-
21 makers.

22 (d) DEFINITIONS.—In this section:

23 (1) The term “ammunition production facility”
24 means an ammunition organic industrial base pro-
25 duction facility.

1 (2) The term “covered depot” has the meaning
2 given that term in section 2476 of title 10, United
3 States Code.

4 (3) The term “covered facility” means a cov-
5 ered depot or an ammunition production facility.

6 **SEC. 367. CLARIFICATION OF CALCULATION FOR CERTAIN**
7 **WORKLOAD CARRYOVER OF DEPARTMENT**
8 **OF ARMY.**

9 For purposes of calculating the amount of workload
10 carryover with respect to the depots and arsenals of the
11 Department of the Army, the Secretary of Defense shall
12 authorize the Secretary of the Army to use a calculation
13 for such carryover that applies a material end of period
14 exclusion.

15 **Subtitle G—Reports**

16 **SEC. 371. ANNUAL REPORTS BY DEPUTY SECRETARY OF**
17 **DEFENSE ON ACTIVITIES OF JOINT SAFETY**
18 **COUNCIL.**

19 Section 184(k) of title 10, United States Code is
20 amended—

21 (1) by striking “REPORT.—The Chair” and in-
22 serting “REPORTS.—(1) The Chair”; and

23 (2) by adding at the end the following new
24 paragraph:

1 “(2) Not later than December 31, 2022, and on an
2 annual basis thereafter, the Deputy Secretary of Defense
3 shall submit to the congressional defense committees a re-
4 port containing—

5 “(A) a summary of the goals and priorities of
6 the Deputy Secretary for the year following the date
7 of the submission of the report with respect to the
8 activities of the Council; and

9 “(B) an assessment by the Deputy Secretary of
10 the activities of the Council carried out during the
11 year preceding the date of such submission.”.

12 **SEC. 372. QUARTERLY REPORTS ON EXPENDITURES FOR**
13 **ESTABLISHMENT OF FUEL DISTRIBUTION**
14 **POINTS IN INDOPACOM AREA OF RESPONSI-**
15 **BILITY.**

16 (a) **QUARTERLY REPORTS REQUIRED.**—The Com-
17 mander of United States Indo-Pacific Command shall sub-
18 mit to the congressional defense committees quarterly re-
19 ports on the use of the funds described in subsection (c)
20 until the date on which all such funds are expended.

21 (b) **CONTENTS OF REPORT.**—Each report required
22 under subsection (a) shall include an expenditure plan for
23 the establishment of fuel distribution points in the area
24 of responsibility of United States Indo-Pacific Command

1 relating to the defueling and closure of the Red Hill Bulk
2 Fuel Storage Facility.

3 (c) FUNDS DESCRIBED.—The funds described in this
4 subsection are the amounts authorized to be appropriated
5 or otherwise made available for fiscal year 2023 for Mili-
6 tary Construction, Defense-wide for Planning and Design
7 for United States Indo-Pacific Command.

8 **Subtitle H—Other Matters**

9 **SEC. 381. ACCOUNTABILITY FOR MILITARY WORKING DOGS.**

10 (a) IN GENERAL.—Chapter 50 of title 10, United
11 States Code, is amended by adding at the end the fol-
12 lowing new section (and conforming the table of sections
13 at the beginning of such chapter accordingly):

14 **“§ 995. Accountability for military working dogs**

15 “(a) ANNUAL REPORTING REQUIREMENT FOR CON-
16 TRACTORS.—

17 “(1) REQUIREMENT.—The Secretary of De-
18 fense shall require that each covered contractor sub-
19 mit to the Under Secretary of Defense (Comp-
20 troller), on an annual basis for the contract period,
21 a report containing an identification of—

22 “(A) the number of military working dogs
23 that are in the possession of the covered con-
24 tractor and located outside of the continental

1 United States in support of a military oper-
2 ation, if any; and

3 “(B) the primary location of any such mili-
4 tary working dogs.

5 “(2) GUIDANCE.—The Under Secretary of De-
6 fense (Comptroller) shall issue guidance on the an-
7 nual reporting requirement under paragraph (1) for
8 purposes of carrying out this section.

9 “(b) ANNUAL REPORT TO CONGRESS.—Not later
10 than March 1, 2023, and on an annual basis thereafter,
11 the Secretary of Defense shall submit to the congressional
12 defense a committees a report on the implementation of
13 this section.

14 “(c) COVERED CONTRACTOR DEFINED.—The term
15 ‘covered contractor’ means a contractor of the Department
16 of Defense the contract of which the Secretary determines
17 involves military working dogs.”.

18 (b) APPLICABILITY.—The amendments made by sub-
19 section (a) shall apply with respect to contracts entered
20 into on or after the date of the enactment of this Act.

21 (c) DEADLINE FOR GUIDANCE.—Not later than 180
22 days after the date of the enactment of this Act, the Under
23 Secretary of Defense (Comptroller) shall issue the guid-
24 ance specified in section 995(a)(2) of title 10, United
25 States Code, as added by subsection (a).

1 (d) REGULATIONS TO PROHIBIT ABANDONMENT.—
2 Not later than 2 years after the date of the enactment
3 of this Act, the Secretary of Defense shall issue regula-
4 tions to prohibit the abandonment of military working
5 dogs used in support of a military operation outside of
6 the continental United States.

7 **SEC. 382. MEMBERSHIP OF COAST GUARD ON JOINT SAFE-**
8 **TY COUNCIL.**

9 Section 184(b)(1) of title 10, United States Code, is
10 amended—

11 (1) by redesignating subparagraph (D) as sub-
12 paragraph (E); and

13 (2) by inserting after subparagraph (C) the fol-
14 lowing new subparagraph:

15 “(D) During periods in which the Coast Guard
16 is not operating as a service in the Department of
17 the Navy, an officer of the Coast Guard, appointed
18 by the Secretary of Homeland Security.”.

19 **SEC. 383. REQUIREMENT OF SECRETARY OF DEFENSE TO**
20 **REIMBURSE STATE COSTS OF FIGHTING CER-**
21 **TAIN WILDLAND FIRES.**

22 (a) REQUIREMENT.—Section 2691(d) of title 10,
23 United States Code, is amended by striking “may” and
24 inserting “shall”.

1 (b) APPLICABILITY.—The amendment made by sub-
2 section (a) shall apply with respect to any lease, permit,
3 license, or other grant of access that the Secretary of De-
4 fense enters into, or grants, on or after the date of the
5 enactment of this Act.

6 **SEC. 384. EXPANDED CONSULTATION IN TRAINING OF NA-**
7 **TIONAL GUARD PERSONNEL ON WILDFIRE**
8 **RESPONSE.**

9 Section 351 of the National Defense Authorization
10 Act for Fiscal Year 2018 (Public Law 115–91) is amended
11 by inserting “and the National Interagency Fire Center”
12 after “Bureau”.

13 **SEC. 385. INTERAGENCY COLLABORATION AND EXTENSION**
14 **OF PILOT PROGRAM ON MILITARY WORKING**
15 **DOGS AND EXPLOSIVES DETECTION.**

16 (a) EXTENSION OF PILOT PROGRAM.—Section
17 381(b) of the National Defense Authorization Act for Fis-
18 cal Year 2022 (Public Law 117–81; 135 Stat. 1672; 10
19 U.S.C. 3062 note) is amended by striking “2024” and in-
20 serting “2025”.

21 (b) REVIEW OF RESEARCH EFFORTS OF DEPART-
22 MENT OF DEFENSE AND DEPARTMENT OF HOMELAND
23 SECURITY.—

24 (1) REVIEW.—The Secretary of Defense, in co-
25 ordination with the Secretary of Homeland Security,

1 shall conduct a review of the recent and ongoing re-
2 search, testing, and evaluation efforts of the Depart-
3 ment of Defense and the Department of Homeland
4 Security, respectively, regarding explosives detection
5 working dogs.

6 (2) MATTERS.—The review under paragraph
7 (1) shall include an analysis of the following:

8 (A) Any recent or ongoing research efforts
9 of the Department of Defense or the Depart-
10 ment of Homeland Security, respectively, relat-
11 ing to explosives detection working dogs, and
12 any similarities between such efforts.

13 (B) Any recent or ongoing veterinary re-
14 search efforts of the Department of Defense or
15 the Department of Homeland Security, respec-
16 tively, relating to working dogs, canines, or
17 other areas that may be relevant to the im-
18 provement of the breeding, health, performance,
19 or training of explosives detection working dogs.

20 (C) Any research areas relating to explo-
21 sives detection working dogs in which there is
22 a need for ongoing research but no such ongo-
23 ing research is being carried out by either the
24 Secretary of Defense or the Secretary of Home-
25 land Security, particularly with respect to the

1 health, domestic breeding, and training of ex-
2 plosives detection working dogs.

3 (D) How the recent and ongoing research
4 efforts of the Department of Defense and the
5 Department of Homeland Security, respectively,
6 may improve the domestic breeding of working
7 dogs, including explosives detection working
8 dogs, and the health outcomes and performance
9 of such domestically bred working dogs, includ-
10 ing through coordination with academic or in-
11 dustry partners with experience in research re-
12 lating to working dogs.

13 (E) Potential opportunities for the Sec-
14 retary of Defense to collaborate with the Sec-
15 retary of Homeland Security on research relat-
16 ing to explosives detection working dogs.

17 (F) Any research partners of the Depart-
18 ment of Defense or the Department of Home-
19 land Security, or both, that may be beneficial in
20 assisting with the research efforts and areas de-
21 scribed in this subsection.

22 (c) PLAN REQUIRED.—Not later than 180 days of
23 the date of the enactment of this Act, the Secretary of
24 Defense shall submit to the congressional defense commit-
25 tees a plan for the Secretary of Defense to collaborate,

1 as appropriate, with the Secretary of Homeland Security
2 on research relating to explosives detection working dogs
3 and other relevant matters. Such plan shall include the
4 following:

5 (1) An analysis of potential opportunities for
6 collaboration between the Secretary of Defense and
7 the Secretary of Homeland Security on the research
8 efforts and areas described in subsection (a)(2).

9 (2) An identification of specific programs or
10 areas of research for such collaboration.

11 (3) An identification of any additional agree-
12 ments or authorities necessary for the Secretaries to
13 carry out such collaboration.

14 (4) An identification of additional funding nec-
15 essary to carry out such collaboration.

16 (5) An analysis of potential coordination on the
17 research efforts and areas described in subsection
18 (a)(2) with academic and industry partners with ex-
19 perience in research relating to working dogs, in-
20 cluding an identification of potential opportunities
21 for such coordination in carrying out the collabora-
22 tion described in paragraph (1).

23 (6) A proposed timeline for the Secretary of
24 Defense to engage in such collaboration, including
25 specific proposed deadlines.

1 (7) Any other matters the Secretary of Defense
2 considers appropriate.

3 (d) EXPLOSIVES DETECTION WORKING DOG.—In
4 this section, the term “explosives detection working dog”
5 means a canine that, in connection with the work duties
6 of the canine performed for a Federal department or agen-
7 cy, is certified and trained to detect odors indicating the
8 presence of explosives in a given object or area, in addition
9 to the performance of such other duties for the Federal
10 department or agency as may be assigned.

11 **SEC. 386. ESTABLISHMENT OF ARMY AND AIR FORCE SAFE-**
12 **TY COMMANDS; IMPLEMENTATION OF ACCI-**
13 **DENT INVESTIGATION RECOMMENDATIONS.**

14 (a) SAFETY COMMANDS.—

15 (1) ARMY SAFETY COMMAND.—

16 (A) ESTABLISHMENT.—Not later than 180
17 days after the date of the enactment of this
18 Act, the Secretary of the Army shall establish
19 within the Department of the Army an “Army
20 Safety Command”.

21 (B) COMMANDER.—There is a Commander
22 of the Army Safety Command. The Commander
23 shall be selected by the Secretary of the Army
24 from among the general officers of the Army
25 who hold a rank of major general or higher.

1 (C) DUTIES.—The duties of the Army
2 Safety Command shall include, with respect to
3 the Army, the formulation of safety policy, the
4 development of risk management strategies, the
5 monitoring of risk adjudication processes, the
6 provision of safety-related training, and such
7 other duties as the Secretary of the Army may
8 determine appropriate.

9 (2) AIR FORCE SAFETY COMMAND.—

10 (A) ESTABLISHMENT.—Not later than 180
11 days after the date of the enactment of this
12 Act, the Secretary of the Air Force shall estab-
13 lish within the Department of the Air Force an
14 “Air Force Safety Command”.

15 (B) COMMANDER.—There is a Commander
16 of the Air Force Safety Command. The Com-
17 mander shall be selected by the Secretary of the
18 Air Force from among the general officers of
19 the Air Force who hold a rank of major general
20 or higher.

21 (C) DUTIES.—The duties of the Air Force
22 Safety Command shall include, with respect to
23 the Air Force, the formulation of safety policy,
24 the development of risk management strategies,
25 the monitoring of risk adjudication processes,

1 the provision of safety-related training, and
2 such other duties as the Secretary of the Air
3 Force may determine appropriate.

4 (3) TRANSFER OF PREEXISTING ORGANIZA-
5 TIONAL ELEMENTS.—As of the date on which the
6 Safety Command of a military department is estab-
7 lished under this subsection, any element of that
8 military department responsible for the duties of
9 such Safety Command as of the day before the date
10 of such establishment (including the duties, respon-
11 sibilities, and personnel of any such element) shall
12 be transferred to such Safety Command.

13 (4) BRIEFINGS.—Not later than 90 days after
14 the date on which the Safety Command of a military
15 department is established under this subsection, the
16 Secretary of that military department shall provide
17 to the congressional defense committees a briefing
18 on the duties, assigned personnel, key lines of effort,
19 and organizational structure of such Safety Com-
20 mand.

21 (b) IMPLEMENTATION OF ACCIDENT INVESTIGATION
22 RECOMMENDATION.—

23 (1) ESTABLISHMENT OF RESPONSIBLE ENTI-
24 TIES.—

1 (A) ARMY.—Not later than 180 days of
2 enactment of this Act, the Secretary of the
3 Army shall establish within the Department of
4 the Army an entity the primary responsibility of
5 which is to ensure the implementation across
6 the Army of recommended actions arising from
7 accident investigations conducted by the De-
8 partment of Defense.

9 (B) AIR FORCE.—Not later than 180 days
10 of enactment of this Act, the Secretary of the
11 Air Force shall establish within the Department
12 of the Air Force an entity the primary responsi-
13 bility of which is to ensure the implementation
14 across the Air Force of recommended actions
15 arising from accident investigations conducted
16 by the Department of Defense.

17 (2) BRIEFINGS.—Not later than 90 days after
18 the date on which the Secretary of a military depart-
19 ment establishes a responsible entity under para-
20 graph (1), that Secretary shall provide to the con-
21 gressional defense committees a briefing on the du-
22 ties, assigned personnel, key lines of effort, and or-
23 ganizational structure of such entity.

1 **SEC. 387. NATIONAL STANDARDS FOR FEDERAL FIRE PRO-**
2 **TECTION AT MILITARY INSTALLATIONS.**

3 (a) STANDARDS REQUIRED.—The Secretary of De-
4 fense shall ensure that—

5 (1) members of the Armed Forces and employ-
6 ees of Defense Agencies who provide fire protection
7 services to military installations shall comply with
8 the National Consensus Standards developed by the
9 National Fire Protection Association pursuant to
10 section 12(d) of the National Technology Transfer
11 and Advancement Act of 1995 (Pub. L. 104–113;
12 15 U.S.C. 272 note);

13 (2) the minimum staffing requirement for any
14 firefighting vehicle responding to a structural build-
15 ing emergency at a military installation is not less
16 than four firefighters per vehicle; and

17 (3) the minimum staffing requirement for any
18 firefighting vehicle responding to an aircraft or air-
19 field incident at a military installation is not less
20 than three firefighters per vehicle.

21 (b) DEFINITIONS.—In this section:

22 (1) The terms “Armed Forces” and “Defense
23 Agency” have the meanings given such terms in sec-
24 tion 101 of title 10, United States Code.

25 (2) The term “firefighter” has the meaning
26 given that term in section 707(b) of the National

1 Defense Authorization Act for Fiscal Year 2020
2 (Pub. L. 116–92; 10 U.S.C. 1074m note).

3 (3) The term “military installation” has the
4 meaning given that term in section 2801 of title 10,
5 United States Code.

6 **SEC. 388. PILOT PROGRAM FOR TACTICAL VEHICLE SAFETY**

7 **DATA COLLECTION.**

8 (a) IN GENERAL.—Not later than one year after the
9 date of the enactment of this Act, the Secretary of the
10 Army and the Secretary of the Navy shall jointly carry
11 out a pilot program to evaluate the feasibility of using
12 data recorders to monitor, assess, and improve the readi-
13 ness and safety of the operation of military tactical vehi-
14 cles (in this section referred to as the “pilot program”).

15 (b) PURPOSES.—The purposes of the pilot program
16 are—

17 (1) to allow for the automated identification of
18 hazards and potential hazards on and off military
19 installations;

20 (2) to mitigate and increase awareness of haz-
21 ards and potential hazards on and off military in-
22 stallations;

23 (3) to identify near-miss accidents;

24 (4) to create a standardized record source for
25 accident investigations;

1 (5) to assess individual driver proficiency, risk,
2 and readiness;

3 (6) to increase consistency in the implementa-
4 tion of military installation and unit-level range safe-
5 ty programs across military installations and units;

6 (7) to evaluate the feasibility of incorporating
7 metrics generated from data recorders into the safe-
8 ty reporting systems and to the Defense Readiness
9 Reporting System as a measure of assessing safety
10 risks, mitigations, and readiness;

11 (8) to determine the costs and benefits of retro-
12 fitting data recorders on legacy platforms and in-
13 cluding data recorders as a requirement in acquisi-
14 tion of military tactical vehicles; and

15 (9) any other matters as determined by the
16 Secretary concerned.

17 (c) REQUIREMENTS.—In carrying out the pilot pro-
18 gram, the Secretary of the Army and the Secretary of the
19 Navy shall—

20 (1) assess the feasibility of using commercial
21 technology, such as smartphones or technologies
22 used by insurance companies, as a data recorder;

23 (2) test and evaluate a minimum of two data
24 recorders that meet the pilot program requirements;

1 (3) select a data recorder capable of collecting
2 and exporting the telemetry data, event data, and
3 driver identification during operation and accidents;

4 (4) install and maintain a data recorder on a
5 sufficient number of each of the military tactical ve-
6 hicles listed under subsection (f) at installations se-
7 lected by the Secretary concerned under subsection
8 (e) for statistically significant results;

9 (5) establish and maintain a database that con-
10 tains telemetry data, driver data, and event data
11 captured by the data recorder;

12 (6) regularly generate for each installation se-
13 lected under subsection (e) a dataset that is viewable
14 in widely available mapping software of hazards and
15 potential hazards based on telemetry data and event
16 data captured by the data recorders;

17 (7) generate actionable data sets and statistics
18 on individual, vehicle, and military installation;

19 (8) require commanders at the installations se-
20 lected under subsection (e) to incorporate the action-
21 able data sets and statistics into the installation
22 range safety program;

23 (9) require unit commanders at the installations
24 selected under subsection (e) to incorporate the ac-

1 tionable data sets and statistics into the unit driver
2 safety program;

3 (10) evaluate the feasibility of integrating data
4 sets and statistics to improve driver certification and
5 licensing based on data recorded and generated by
6 the data recorders;

7 (11) use open architecture to the maximum ex-
8 tent practicable; and

9 (12) carry out any other activities determined
10 by the Secretary as necessary to meet the purposes
11 under subsection (b).

12 (d) IMPLEMENTATION PLAN.—Not later than 180
13 days after the date of the enactment of this Act, the Sec-
14 retary of the Army and the Secretary of the Navy shall
15 develop a plan for implementing the pilot program.

16 (e) LOCATIONS.—Each Secretary concerned shall
17 carry out the pilot program at not fewer than one military
18 installation in the United States selected by the Secretary
19 concerned that meets the following conditions:

20 (1) Contains the necessary force structure,
21 equipment, and maneuver training ranges to collect
22 driver and military tactical vehicle data during train-
23 ing and routine operation.

24 (2) Represents at a minimum one of the five
25 training ranges identified in the study by the Comp-

1 troller General of the United States titled “Army
2 and Marine Corps Should Take Additional Actions
3 to Mitigate and Prevent Training Accidents” that
4 did not track unit location during the training
5 events.

6 (f) COVERED MILITARY TACTICAL VEHICLES.—The
7 pilot program shall cover the following military tactical ve-
8 hicles:

9 (1) Army Strykers.

10 (2) Marine Corps Light Armored Vehicles.

11 (3) Army Family of Medium Tactical Vehicles.

12 (4) Marine Corps Medium Tactical Vehicle Re-
13 placements.

14 (5) Army and Marine Corps High Mobility Mul-
15 tipurpose Wheeled Vehicles.

16 (6) Army and Marine Corps Joint Light Tac-
17 tical Vehicles.

18 (7) Army and United States Special Operations
19 Command Ground Mobility Vehicles.

20 (8) Army Infantry Squad Vehicles.

21 (g) METRICS.—The Secretaries shall develop metrics
22 to evaluate the effectiveness of the pilot program in moni-
23 toring, assessing, and improving vehicle safety, driver
24 readiness, and mitigation of risk.

25 (h) REPORTS.—

1 (1) INITIAL.—Not later than 180 days after the
2 date of the enactment of this Act, the Secretary of
3 the Army and the Secretary of the Navy shall jointly
4 submit to the congressional defense committees a re-
5 port on the pilot program that addresses the plan
6 for implementing the requirements under subsection
7 (c), including the established metrics under sub-
8 section (g).

9 (2) INTERIM.—Not later than three years after
10 the commencement of the pilot program, the Sec-
11 retary of the Army and the Secretary of the Navy
12 shall jointly submit to the congressional defense
13 committees a report on the status of the pilot pro-
14 gram, including the preliminary results in carrying
15 out the pilot program, the metrics generated during
16 the pilot program, disaggregated by military tactical
17 vehicle, location, and service, and the implementa-
18 tion plan under subsection (d).

19 (3) FINAL.—

20 (A) IN GENERAL.—Not later than 90 days
21 after the termination of the pilot program, the
22 Secretary of the Army and the Secretary of the
23 Navy shall jointly submit to the congressional
24 defense committees a report on the results of
25 the program.

1 (B) ELEMENTS.—The report required by
2 subparagraph (A) shall—

3 (i) assess the effectiveness of the pilot
4 program in meeting the purposes under
5 subsection (b);

6 (ii) include the metrics generated dur-
7 ing the pilot program, disaggregated by
8 military tactical vehicle, location, and serv-
9 ice;

10 (iii) include the views of range per-
11 sonnel, unit commanders, and tactical vehi-
12 cle operators involved in the pilot program
13 on the level of effectiveness of the tech-
14 nology selected;

15 (iv) provide a cost estimate for equip-
16 ping legacy military tactical vehicles with
17 data recorders;

18 (v) determine the instances in which
19 data recorders should be a requirement in
20 the acquisition of military tactical vehicles;

21 (vi) recommend whether the pilot pro-
22 gram should be expanded or made into a
23 program of record; and

1 (vii) recommend any statutory, regu-
2 latory, or policy changes required to sup-
3 port the purposes under subsection (b).

4 (i) TERMINATION.—The authority to carry out the
5 pilot program under subsection (a) shall terminate five
6 years after the date of the enactment of this Act.

7 (j) DEFINITIONS.—In this section:

8 (1) The term “accident” means a collision, roll-
9 over, or other mishap involving a motor vehicle.

10 (2) The term “data recorder” means tech-
11 nologies installed in a motor vehicle to record driver
12 identification, telemetry data, and event data related
13 to the operation of the motor vehicle.

14 (3) The term “driver identification” means data
15 enabling the unique identification of the driver oper-
16 ating a motor vehicle.

17 (4) The term “event data” includes data related
18 to—

19 (A) the start and conclusion of each vehicle
20 operation;

21 (B) a vehicle accident;

22 (C) a vehicle acceleration, velocity, or loca-
23 tion with an increased potential for an accident;

24 or

1 (D) a vehicle orientation with an increased
2 potential for an accident.

3 (5) The term “Secretary concerned” means—

4 (A) the Secretary of the Army with respect
5 to matters concerning the Army; and

6 (B) the Secretary of the Navy with respect
7 to matters concerning the Navy and Marine
8 Corps.

9 (6) The term “tactical vehicle” means a motor
10 vehicle designed to military specification, or a com-
11 mercial design motor vehicle modified to military
12 specification, to provide direct transportation sup-
13 port of combat or tactical operations, or for the
14 training of personnel for such operations.

15 (7) The term “telemetry data” includes—

16 (A) time;

17 (B) vehicle distance traveled;

18 (C) vehicle acceleration and velocity;

19 (D) vehicle orientation, including roll,
20 pitch, and yaw; and

21 (E) vehicle location in a geographic coordi-
22 nate system, including elevation.

1 **TITLE IV—MILITARY**
2 **PERSONNEL AUTHORIZATIONS**
3 **Subtitle A—Active Forces**

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

5 The Armed Forces are authorized strengths for active
6 duty personnel as of September 30, 2023, as follows:

7 (1) The Army, 473,000.

8 (2) The Navy, 348,220.

9 (3) The Marine Corps, 177,000.

10 (4) The Air Force, 323,400.

11 (5) The Space Force, 8,600.

12 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**
13 **STRENGTH MINIMUM LEVELS.**

14 Section 691(b) of title 10, United States Code, is
15 amended by striking paragraphs (1) through (5) and in-
16 serting the following new paragraphs:

17 “(1) For the Army, 473,000.

18 “(2) For the Navy, 348,220.

19 “(3) For the Marine Corps, 177,000.

20 “(4) For the Air Force, 323,400.

21 “(5) For the Space Force, 8,600.”.

1 **Subtitle B—Reserve Forces**

2 **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

3 (a) IN GENERAL.—The Armed Forces are authorized
4 strengths for Selected Reserve personnel of the reserve
5 components as of September 30, 2023, as follows:

6 (1) The Army National Guard of the United
7 States, 336,000.

8 (2) The Army Reserve, 189,500.

9 (3) The Navy Reserve, 57,700.

10 (4) The Marine Corps Reserve, 33,000.

11 (5) The Air National Guard of the United
12 States, 108,400.

13 (6) The Air Force Reserve, 70,000.

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

15 (b) END STRENGTH REDUCTIONS.—The end
16 strengths prescribed by subsection (a) for the Selected Re-
17 serve of any reserve component shall be proportionately
18 reduced by—

19 (1) the total authorized strength of units orga-
20 nized to serve as units of the Selected Reserve of
21 such component which are on active duty (other
22 than for training) at the end of the fiscal year; and

23 (2) the total number of individual members not
24 in units organized to serve as units of the Selected
25 Reserve of such component who are on active duty

1 (other than for training or for unsatisfactory partici-
2 pation in training) without their consent at the end
3 of the fiscal year.

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

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

14 Within the end strengths prescribed in section
15 411(a), the reserve components of the Armed Forces are
16 authorized, as of September 30, 2023, the following num-
17 ber of Reserves to be serving on full-time active duty or
18 full-time duty, in the case of members of the National
19 Guard, for the purpose of organizing, administering, re-
20 cruiting, instructing, or training the reserve components:

- 21 (1) The Army National Guard of the United
22 States, 30,845.
- 23 (2) The Army Reserve, 16,511.
- 24 (3) The Navy Reserve, 10,077.
- 25 (4) The Marine Corps Reserve, 2,388.

1 (5) The Air National Guard of the United
2 States, 26,630.

3 (6) The Air Force Reserve, 6,286.

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

6 The minimum number of military technicians (dual
7 status) as of the last day of fiscal year 2023 for the re-
8 serve components of the Army and the Air Force (notwith-
9 standing section 129 of title 10, United States Code) shall
10 be the following:

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

13 (2) For the Army Reserve, 6,492.

14 (3) For the Air National Guard of the United
15 States, 9,892.

16 (4) For the Air Force Reserve, 6,696.

17 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**
18 **THORIZED TO BE ON ACTIVE DUTY FOR**
19 **OPERATIONAL SUPPORT.**

20 During fiscal year 2023, the maximum number of
21 members of the reserve components of the Armed Forces
22 who may be serving at any time on full-time operational
23 support duty under section 115(b) of title 10, United
24 States Code, is the following:

1 (1) The Army National Guard of the United
2 States, 17,000.

3 (2) The Army Reserve, 13,000.

4 (3) The Navy Reserve, 6,200.

5 (4) The Marine Corps Reserve, 3,000.

6 (5) The Air National Guard of the United
7 States, 16,000.

8 (6) The Air Force Reserve, 14,000.

9 **Subtitle C—Authorization of**
10 **Appropriations**

11 **SEC. 421. MILITARY PERSONNEL.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
13 are hereby authorized to be appropriated for fiscal year
14 2023 for the use of the Armed Forces and other activities
15 and agencies of the Department of Defense for expenses,
16 not otherwise provided for, for military personnel, as spec-
17 ified in the funding table in section 4401.

18 (b) CONSTRUCTION OF AUTHORIZATION.—The au-
19 thorization of appropriations in the subsection (a) super-
20 sedes any other authorization of appropriations (definite
21 or indefinite) for such purpose for fiscal year 2023.

1 **TITLE V—MILITARY PERSONNEL**
2 **POLICY**
3 **Subtitle A—Officer Personnel**
4 **Policy**

5 **SEC. 501. DISTRIBUTION OF COMMISSIONED OFFICERS ON**
6 **ACTIVE DUTY IN GENERAL OFFICER AND**
7 **FLAG OFFICER GRADES.**

8 Section 525 of title 10, United States Code, is
9 amended—

10 (1) in subsection (a)—

11 (A) in the matter preceding paragraph (1),
12 by striking “as follows:” and inserting an em
13 dash;

14 (B) in paragraph (4)(C), by striking the
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following new
17 paragraph:

18 “(5) in the Space Force, if that appointment
19 would result in more than—

20 “(A) 2 officers in the grade of general;

21 “(B) 7 officers in a grade above the grade
22 of major general; or

23 “(C) 6 officers in the grade of major gen-
24 eral.”;”;

25 (2) in subsection (c)—

1 (A) in paragraph (1)(A), by striking “and
2 Marine Corps” and inserting “Marine Corps,
3 and Space Force”; and

4 (B) in paragraph (2), by striking “or Ma-
5 rine Corps” and inserting “Marine Corps, or
6 Space Force”; and

7 (3) in subsection (d), by striking “or Com-
8 mandant of the Marine Corps” and inserting “Com-
9 mandant of the Marine Corps, or Chief of Space Op-
10 erations”.

11 **SEC. 502. AUTHORIZED STRENGTH AFTER DECEMBER 31,**
12 **2022: GENERAL OFFICERS AND FLAG OFFI-**
13 **CERS ON ACTIVE DUTY.**

14 Section 526a of title 10, United States Code, is
15 amended—

16 (1) in subsection (a)—

17 (A) in the matter preceding paragraph (1),
18 by striking “and Marine Corps” and inserting
19 “Marine Corps, and Space Force”;

20 (B) in paragraph (1), by striking “220”
21 and inserting “218”;

22 (C) in paragraph (2), by striking “151”
23 and inserting “149”;

24 (D) in paragraph (3), by striking “187”
25 and inserting “170”; and

1 (E) by adding at the end the following new
2 paragraph:

3 “(5) For the Space Force, 21.”; and

4 (2) in subsection (b)(2), by adding at the end
5 the following new subparagraph:

6 “(E) For the Space Force, 6.”.

7 **SEC. 503. EXCLUSION OF LEAD SPECIAL TRIAL COUNSEL**
8 **FROM LIMITATIONS ON GENERAL OFFICERS**
9 **AND FLAG OFFICERS ON ACTIVE DUTY.**

10 Section 526a of title 10, United States Code, as
11 amended by section 502, is further amended—

12 (1) by redesignating the second subsection (i)
13 as subsection (j);

14 (2) by redesignating subsections (g), (h), (i),
15 and (j) as subsections (h), (i), (j), and (k), respec-
16 tively; and

17 (3) by inserting after subsection (f) the fol-
18 lowing new subsection:

19 “(g) **EXCLUSION OF OFFICERS SERVING AS LEAD**
20 **SPECIAL TRIAL COUNSEL.**—The limitations in subsection
21 (a) do not apply to a general or flag officer serving in
22 the position of lead special trial counsel pursuant to an
23 appointment under section 1044f(a)(2) of this title.”.

1 **SEC. 504. CONSTRUCTIVE SERVICE CREDIT FOR CERTAIN**
2 **OFFICERS OF THE ARMED FORCES: AUTHOR-**
3 **IZATION; SPECIAL PAY.**

4 (a) CONSTRUCTIVE SERVICE CREDIT FOR WARRANT
5 OFFICERS.—Section 572 of title 10, United States Code,
6 is amended—

7 (1) by inserting “(a)” before “For the pur-
8 poses”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(b)(1) The Secretary concerned shall credit a person
12 who is receiving an original appointment as a warrant offi-
13 cer in the regular component of an armed force under the
14 jurisdiction of such Secretary concerned, and who has ad-
15 vanced education or training or special experience, with
16 constructive service for such education, training, or experi-
17 ence, as follows:

18 “(A) For special training or experience in a
19 particular warrant officer field designated by the
20 Secretary concerned, if such training or experience is
21 directly related to the operational needs of the
22 armed force concerned, as determined by such Sec-
23 retary concerned.

24 “(B) For advanced education in a warrant offi-
25 cer field designated by the Secretary concerned, if
26 such education is directly related to the operational

1 needs of the armed force concerned, as determined
2 by such Secretary concerned.

3 “(2) The authority under this subsection expires on
4 December 31, 2027.”

5 (b) SPECIAL PAY FOR CERTAIN OFFICERS COMMIS-
6 SIONED OR APPOINTED WITH CONSTRUCTIVE SERVICE
7 CREDIT.—

8 (1) ESTABLISHMENT.—Subchapter II of chap-
9 ter 5 of title 37, United States Code, is amended by
10 inserting after section 336 the following new section:

11 **“§ 337. Special pay: certain officers of the armed**
12 **forces commissioned or appointed with**
13 **constructive service credit**

14 “(a) SPECIAL PAY AUTHORIZED.—The Secretary
15 concerned may pay monthly special pay to an eligible offi-
16 cer under this section.

17 “(b) ELIGIBLE OFFICER DEFINED.—In this section,
18 the term ‘eligible officer’ means an officer who—

19 “(1)(A) received an original appointment in a
20 commissioned grade on or after the date of the en-
21 actment of the National Defense Authorization Act
22 for Fiscal Year 2023; and

23 “(B) was credited by the Secretary of the mili-
24 tary department concerned with constructive service
25 under section 533(b)(1)(D) of title 10; or

1 “(2)(A) was originally appointed in a warrant
2 officer grade on or after the date of the enactment
3 of the National Defense Authorization Act for Fiscal
4 Year 2023; and

5 “(B) was credited by the Secretary concerned
6 with constructive service under section 572(b) of
7 title 10.

8 “(c) AMOUNT OF PAY.—The Secretary concerned
9 shall determine an amount of monthly special pay to pay
10 to an eligible officer under this section. Such amount may
11 not exceed \$5,000 per month.

12 “(d) RELATIONSHIP TO OTHER INCENTIVES.—Spe-
13 cial pay under this section is in addition to any other pay
14 or allowance to which an eligible officer is entitled.

15 “(e) SUNSET.—No special pay may be paid under
16 this section after December 31, 2027.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions at the beginning of such chapter is amended
19 by inserting after the item relating to section 336
20 the following:

 “337. Special pay: certain officers of the armed forces commissioned or ap-
 pointed with constructive service credit.”.

21 (c) REGULATIONS.—The Secretaries concerned shall
22 prescribe regulations to carry out the amendments made
23 by this section not later than 180 days after the date of
24 the enactment of this Act.

1 (d) REPORT.—Not later than February 1, 2027, the
2 Secretary of Defense, in consultation with the Secretary
3 of Homeland Security, shall submit to the appropriate
4 congressional committees a report on the amendments
5 made by this section. Such report shall include—

6 (1) the evaluation of such amendments by the
7 Secretary; and

8 (2) the recommendation of the Secretary wheth-
9 er such amendments should be made permanent.

10 (e) DEFINITIONS.—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means the following:

13 (A) The congressional defense committees.

14 (B) The Committee on Transportation and
15 Infrastructure of the House of Representatives.

16 (C) The Committee on Commerce, Science,
17 and Transportation of the Senate.

18 (2) The terms “congressional defense commit-
19 tees” and “Secretary concerned” have the meanings
20 given such terms in section 101 of title 10, United
21 States Code.

1 **SEC. 505. CLARIFICATION OF GRADE OF SURGEON GEN-**
2 **ERAL OF THE NAVY.**

3 Section 8077 of title 10, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(c) GRADE.—The Surgeon General, while so serv-
7 ing, shall hold the grade of O-9.”

8 **SEC. 506. ASSESSMENTS OF STAFFING IN THE OFFICE OF**
9 **THE SECRETARY OF DEFENSE AND OTHER**
10 **DEPARTMENT OF DEFENSE HEADQUARTERS**
11 **OFFICES.**

12 (a) OFFICE OF THE SECRETARY OF DEFENSE.—The
13 Secretary of Defense shall conduct an assessment of staff-
14 ing of the Office of the Secretary of Defense. Such assess-
15 ment shall including the following elements:

16 (1) A validation of every military staff billet as-
17 signed to the Office of the Secretary of Defense
18 against existing military personnel requirements.

19 (2) The estimated effect of returning 15 per-
20 cent of such military staff billets to operational ac-
21 tivities of the Armed Forces concerned, over a period
22 of 36 months, would have on the office of the Sec-
23 retary of Defense and other Department of Defense
24 Headquarters Offices.

25 (3) A plan and milestones for how reductions
26 described in paragraph (2) would occur, a schedule

1 for such reductions, and the process by which the
2 billets would be returned to the operational activities
3 of the Armed Forces concerned.

4 (b) OFFICE OF THE JOINT CHIEFS OF STAFF.—The
5 Chairman of the Joint Chiefs of Staff shall conduct an
6 assessment of staffing of the Office of the Joint Chiefs
7 of Staff. Such assessment shall including the following ele-
8 ments:

9 (1) A validation of every military staff billet as-
10 signed to the Office of the Joint Chiefs of Staff
11 against existing military personnel requirements.

12 (2) The estimated effect of returning 15 per-
13 cent of such military staff billets to operational ac-
14 tivities of the Armed Forces concerned, over a period
15 of 36 months, would have on the office of the Joint
16 Staff and the Chairman's Controlled Activities and
17 other related Joint Staff Headquarters Offices.

18 (3) A plan and milestones for how reductions
19 described in paragraph (2) would occur, a schedule
20 for such reductions, and the process by which the
21 billets would be returned to the operational activities
22 of the Armed Forces concerned.

23 (c) INTERIM BRIEFING AND REPORT.—

24 (1) INTERIM BRIEFING.—Not later than April
25 1, 2023, the Secretary shall provide to the Commit-

1 tees on Armed Services of the Senate and House of
2 Representatives an interim briefing on the assess-
3 ments under subsections (a) and (b).

4 (2) FINAL REPORT.—Not later than one year
5 after the date of the enactment of this Act, the Sec-
6 retary shall submit to the Committees on Armed
7 Services of the Senate and House of Representatives
8 a report on the assessments under subsections (a)
9 and (b). Such report shall include the following:

10 (A) A validation of every military staff bil-
11 let assigned to the Office of the Secretary of
12 Defense and the Joint Staff to include the
13 Chairman’s Controlled Activities against exist-
14 ing military personnel requirements.

15 (B) The methodology and process through
16 which such validation was performed.

17 (C) Relevant statistical analysis on military
18 billet fill rates against validated requirements.

19 (D) An analysis of unvalidated military bil-
20 lets currently performing staff support func-
21 tions,

22 (E) The rationale for why unvalidated mili-
23 tary billets may be required.

24 (F) The cost of military staff filling both
25 validated and unvalidated billets.

1 (G) Lessons learned through the military
2 billet validation process and statistical analysis
3 under subparagraphs (B) through (F).

4 (H) Any other matters the Secretary deter-
5 mines relevant to understanding the use of mili-
6 tary staff billets described in subsections (a)
7 and (b).

8 (I) Any legislative, policy or budgetary rec-
9 ommendations of the Secretary related to the
10 subject matter of the report.

11 **SEC. 507. SURVEY OF CHAPLAINS.**

12 (a) DEVELOPMENT.—The Secretary of Defense shall
13 seek to enter into an agreement with a nonprofit entity
14 or a federally funded research and development center to
15 develop an anonymous survey of chaplains of the covered
16 Armed Forces. The survey shall include questions regard-
17 ing the following:

18 (1) Chaplain job satisfaction.

19 (2) The tools available for chaplains to minister
20 to members of the covered Armed Forces.

21 (3) Resources available to support religious pro-
22 grams.

23 (4) Inclusion of chaplains in resiliency and
24 wellness programs.

1 (5) The role of chaplains in embedded units,
2 headquarters activities, and military treatment facili-
3 ties.

4 (6) Recruitment and retention of chaplains.

5 (7) Any challenges in the ability of chaplains to
6 offer ministry services.

7 (b) ADMINISTRATION.—The Secretary shall admin-
8 ister the survey not later than 180 days after development.

9 (c) REPORT.—Not later than one year after the date
10 of the enactment of this Act, the Secretary of Defense
11 shall submit a report to the Committees on Armed Serv-
12 ices of the Senate and House of Representatives on the
13 findings from the survey.

14 (d) COVERED ARMED FORCE DEFINED.—The term
15 “covered Armed Force” means the following:

16 (1) The Army.

17 (2) The Navy.

18 (3) The Marine Corps.

19 (4) The Air Force.

20 (5) The Space Force.

21 **SEC. 508. INDEPENDENT REVIEW OF ARMY OFFICER PER-**
22 **FORMANCE EVALUATIONS.**

23 (a) STUDY REQUIRED.—Not later than six months
24 after the enactment of this Act, the Secretary of the Army

1 shall seek to enter into an agreement with a private entity
2 that the Secretary determines appropriate to—

3 (1) study the fitness report system used for the
4 performance evaluation of Army officers; and

5 (2) provide to the Secretary recommendations
6 regarding how to improve such system.

7 (b) ELEMENTS.—The study required under sub-
8 section (a) shall include the following:

9 (1) An analysis of the effectiveness of the fit-
10 ness report system at evaluating and documenting
11 the performance of Army officers.

12 (2) A comparison of the fitness report system
13 for Army officers with best practices for perform-
14 ance evaluations used by public- and private-sector
15 organizations.

16 (3) An analysis of the value of Army fitness re-
17 ports in providing useful information to officer pro-
18 motion boards.

19 (4) An analysis of the value of Army fitness re-
20 ports in providing useful feedback to Army officers
21 being evaluated.

22 (5) Recommendations to improve the Army fit-
23 ness report system to—

1 (A) increase its effectiveness at accurately
2 evaluating and documenting the performance of
3 Army officers;

4 (B) align with best practices for perform-
5 ance evaluations used by public- and private-
6 sector organizations;

7 (C) provide more useful information to of-
8 ficer promotion boards; and

9 (D) provide more useful feedback regard-
10 ing evaluated officers.

11 (c) ACCESS TO DATA AND RECORDS.—The Secretary
12 of the Army shall ensure that the entity selected under
13 subsection (a) has sufficient resources and access to tech-
14 nical data, individuals, organizations, and records nec-
15 essary to complete the study required under this section.

16 (d) SUBMISSION TO DEPARTMENT OF THE ARMY.—
17 Not later than one year after entering into an agreement
18 under subsection (a), the entity that conducts the study
19 under subsection (a) shall submit to the Secretary of the
20 Army a report on the results of the study.

21 (e) SUBMISSION TO CONGRESS.—Not later than 30
22 days after the date on which the Secretary of the Army
23 receives the report under subsection (d), the Secretary
24 shall submit to the congressional defense committees—

25 (1) an unaltered copy of such report; and

1 (2) any comments of the Secretary regarding
2 such report.

3 **Subtitle B—Reserve Component**
4 **Management**

5 **SEC. 511. GRADES OF CERTAIN CHIEFS OF RESERVE COM-**
6 **PONENTS.**

7 (a) IN GENERAL.—

8 (1) CHIEF OF ARMY RESERVE.—Section
9 7038(b) of title 10, United States Code, is amended
10 by striking paragraph (4) and inserting the fol-
11 lowing:

12 “(4) The Chief of Army Reserve, while so serving,
13 holds the grade of lieutenant general.”.

14 (2) CHIEF OF NAVY RESERVE.—Section
15 8083(b) of such title is amended by striking para-
16 graph (4) and inserting the following:

17 “(4) The Chief of Navy Reserve, while so serving,
18 holds the grade of vice admiral.”.

19 (3) COMMANDER, MARINE FORCES RESERVE.—
20 Section 8084(b) of such title is amended by striking
21 paragraph (4) and inserting the following:

22 “(4) The Commander, Marine Forces Reserve, while
23 so serving, holds the grade of lieutenant general.”.

1 (4) CHIEF OF AIR FORCE RESERVE.—Section
2 9038(b) of such title is amended by striking para-
3 graph (4) and inserting the following:

4 “(4) The Chief of Air Force Reserve, while so serving,
5 holds the grade of lieutenant general.”.

6 (b) EFFECTIVE DATE.—The amendments made by
7 subsection (a) shall take effect on the day that is one year
8 after the date of the enactment of this Act and shall apply
9 to appointments made after such date.

10 **SEC. 512. GRADE OF VICE CHIEF OF THE NATIONAL GUARD**
11 **BUREAU.**

12 Section 10505 of title 10, United States Code, is
13 amended by adding at the end the following new sub-
14 section:

15 “(c) GRADE.—(1) The Vice Chief of the National
16 Guard Bureau shall be appointed to serve in the grade
17 of general.

18 “(2) The Secretary of Defense shall designate, pursu-
19 ant to subsection (b) of section 526 of this title, the posi-
20 tion of Vice Chief of the National Guard Bureau as one
21 of the general officer and flag officer positions to be ex-
22 cluded from the limitations in subsection (a) of such sec-
23 tion.”.

1 **SEC. 513. BACKDATING OF EFFECTIVE DATE OF RANK FOR**
2 **RESERVE OFFICERS IN THE NATIONAL**
3 **GUARD DUE TO UNDUE DELAYS IN FEDERAL**
4 **RECOGNITION.**

5 Paragraph (2) of section 14308(f) of title 10, United
6 States Code, is amended to read as follows:

7 “(2) If there is a delay in extending Federal recogni-
8 tion in the next higher grade in the Army National Guard
9 or the Air National Guard to a reserve commissioned offi-
10 cer of the Army or the Air Force that exceeds 100 days
11 from the date the National Guard Bureau deems such offi-
12 cer’s application for Federal recognition to be completely
13 submitted by the State and ready for review at the Na-
14 tional Guard Bureau, and the delay was not attributable
15 to the action or inaction of such officer—

16 “(A) in the event of State promotion with an
17 effective date before January 1, 2024, the effective
18 date of the promotion concerned under paragraph
19 (1) may be adjusted to a date determined by the
20 Secretary concerned, but not earlier than the effec-
21 tive date of the State promotion; and

22 “(B) in the event of State promotion with an
23 effective date on or after January 1, 2024, the effec-
24 tive date of the promotion concerned under para-
25 graph (1) shall be adjusted by the Secretary con-
26 cerned to the later of—

1 “(i) the date the National Guard Bureau
2 deems such officer’s application for Federal rec-
3 ognition to be completely submitted by the
4 State and ready for review at the National
5 Guard Bureau; and

6 “(ii) the date on which the officer occupies
7 a billet in the next higher grade.”.

8 **SEC. 514. FINANCIAL ASSISTANCE PROGRAM FOR SPE-**
9 **CIALLY SELECTED MEMBERS: ARMY RE-**
10 **SERVE AND ARMY NATIONAL GUARD.**

11 Section 2107a of title 10, United States Code, is
12 amended—

13 (1) in subsection (a)—

14 (A) by amending paragraph (1) to read as
15 follows:

16 “(1) The Secretary of the Army may appoint as a
17 cadet in the Army Reserve or Army National Guard of
18 the United States any eligible member of the program
19 who—

20 “(A)(i) is enrolled in the Advanced Course of
21 the Army Reserve Officers’ Training Corps at a mili-
22 tary college or a military junior college; or

23 “(ii)(I) is enrolled in the Advanced Course of
24 the Army Reserve Officers’ Training Corps at a ci-
25 vilian institution; and

1 “(II) has completed the second year of a course
2 of study in science, technology, engineering, mathe-
3 matics, or a related field at such institution; and

4 “(B) will be under 31 years of age on December
5 31 of the calendar year in which the member eligible
6 under this section for appointment as a second lieu-
7 tenant in the Army Reserve or Army National
8 Guard.”;

9 (B) by adding at the end the following new
10 paragraph:

11 “(3) The Secretary of the Army may prescribe regu-
12 lations specifying—

13 “(A) the courses of study that may be pursued
14 by a member of the program for purposes of meeting
15 the requirement under paragraph (1)(A)(ii); and

16 “(B) the level of academic achievement needed
17 to meet such requirement.”.

18 (2) in subsection (b)(3)(B)(i), by inserting “or
19 civilian institution” after “military junior college”;

20 (3) in subsection (c)—

21 (A) in paragraph (1), by inserting “or ci-
22 vilian institution” after “military junior col-
23 lege”;

1 (B) in paragraph (4)(A), by inserting “or
2 civilian institution” after “military junior col-
3 lege”;

4 (4) by amending subsection (h) to read as fol-
5 lows:

6 “(h)(1) The Secretary of the Army may appoint each
7 year under this section not less than 22 cadets at each
8 military junior college at which there are not less than
9 22 members of the program eligible under subsection (b)
10 for such an appointment. At any military junior college
11 at which in any year there are fewer than 22 such mem-
12 bers, the Secretary shall appoint each such member as a
13 cadet under this section.

14 “(2) The Secretary of the Army may appoint each
15 year under this section the number of cadets from civilian
16 institutions that the Secretary determines to be appro-
17 priate based on the needs of the Army.”; and

18 (5) in subsection (j), by inserting “or civilian
19 institution” after “military junior college”.

20 **SEC. 515. INSPECTIONS OF NATIONAL GUARD.**

21 (a) ESTABLISHMENT.—Chapter 1 of title 32, United
22 States Code, is amended by inserting, after section 105,
23 the following new section:

1 **“§ 105A. Additional inspections**

2 “(a) REGULAR INSPECTIONS REQUIRED.—The Sec-
3 retary of the Army and the Secretary of the Air Force
4 shall each prescribe regulations pursuant to which the Na-
5 tional Guard of each State shall be inspected not less fre-
6 quently than once every five years.

7 “(b) AUTHORIZED INSPECTORS.—An inspection of
8 the National Guard of a State under subsection (a) shall
9 be conducted by—

10 “(1) in the case of the Air National Guard, by
11 a qualified member of the regular component of the
12 Air Force or by the inspector general of the Depart-
13 ment of the Air Force; or

14 “(2) in the case of the Army National Guard,
15 by a qualified member of the regular component of
16 the Army or by the inspector general of the Depart-
17 ment of the Army.

18 “(c) ELEMENTS AND RECOMMENDATIONS.—Each in-
19 spection under subsection (a) shall include—

20 “(1) a review and assessment of—

21 “(A) the command climate of the National
22 Guard of the State;

23 “(B) the extent to which members of such
24 National Guard are treated with dignity and re-
25 spect; and

1 “(C) the compliance of such National
2 Guard with statutory, regulatory, and other ap-
3 plicable requirements relating to—

4 “(i) reporting and addressing sex-re-
5 lated offenses and sexual harassment;

6 “(ii) training in sexual assault preven-
7 tion and response; and

8 “(iii) training in suicide prevention;
9 and

10 “(2) the inspector’s recommendation as to
11 whether the Secretary of the military department
12 concerned should designate the performance of such
13 National Guard as unsatisfactory, satisfactory, or
14 excellent.

15 “(d) PERFORMANCE GRADE.—Following the conclu-
16 sion of an inspection of a National Guard of a State under
17 subsection (a), the Secretary of the military department
18 concerned shall—

19 “(1) based on the results of the inspection, des-
20 ignate the performance of such National Guard as
21 unsatisfactory, satisfactory, or excellent; and

22 “(2) post such designation on a publicly acces-
23 sible website of the Department of Defense.

24 “(e) MANDATORY REINSPECTION.—A National
25 Guard of a State that receives a designation of unsatisfac-

1 tory under subsection (d) shall be reinspected in accord-
2 ance with this section not later one year after the conclu-
3 sion of the inspection that resulted in such designation.

4 “(f) REPORTS.—

5 “(1) IN GENERAL.—Not later than 90 days,
6 after the conclusion of each inspection under this
7 section, the Secretary of the military department
8 concerned shall submit a report on the results of
9 such inspection—

10 “(A) to the Secretary of Defense; and

11 “(B) to the Committees on Armed Services
12 of the Senate and the House of Representa-
13 tives.

14 “(2) ELEMENTS.—Each report under para-
15 graph (1) shall—

16 “(A) summarize the results of the inspec-
17 tion with respect to each element specified in
18 subsection (c);

19 “(B) indicate the designation issued for
20 the National Guard of the State under sub-
21 section (d); and

22 “(C) in the case of a National Guard of a
23 State that received a designation of unsatisfac-
24 tory under subsection (d) after a reinspection

1 under subsection (e), include the Secretary's
2 recommendation as to whether—

3 “(i) Federal funds should be withheld
4 from such National Guard; or

5 “(ii) such National Guard unit should
6 be transferred to another State.

7 “(g) DEFINITIONS.—In this section:

8 “(1) The term ‘sex-related offense’ means an
9 alleged sex-related offense (as defined in section
10 1044e(h) of this title).

11 “(2) The term ‘sexual harassment’ means the
12 offense of sexual harassment as punishable under
13 section 934 of this title (article 134 of the Uniform
14 Code of Military Justice) pursuant to the regulations
15 prescribed by the Secretary of Defense for purposes
16 of such section (article).

17 “(3) The term ‘State’ has the meaning given
18 such term in section 901 of this title.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of such chapter is amended by inserting
21 after the item relating to section 105 the following new
22 item:

“105A. Additional inspections.”.

1 **SEC. 516. REQUIREMENT OF CONSENT OF THE CHIEF EXEC-**
2 **UTIVE OFFICER FOR CERTAIN FULL-TIME NA-**
3 **TIONAL GUARD DUTY PERFORMED IN A**
4 **STATE, TERRITORY, OR THE DISTRICT OF CO-**
5 **LUMBIA.**

6 Section 502(f)(2)(A) of title 32, United States Code,
7 is amended to read as follows:

8 “(A) Support of operations or missions under-
9 taken by the member’s unit at the request of the
10 President or Secretary of Defense, with the consent
11 of—

12 “(i) the chief executive officer of each
13 State (as that term is defined in section 901 of
14 this title) in which such operations or missions
15 shall take place; and

16 “(ii) if such operations or missions shall
17 take place in the District of Columbia, the
18 Mayor of the District of Columbia.”.

19 **SEC. 517. EXTENSION OF NATIONAL GUARD SUPPORT FOR**
20 **FIREGUARD PROGRAM.**

21 Section 515 of the National Defense Authorization
22 Act for Fiscal Year 2022 (Public Law 117–81) is amended
23 by striking “September 30, 2026” and inserting “Sep-
24 tember 30, 2029”.

1 **SEC. 518. NOTICE TO CONGRESS BEFORE CERTAIN AC-**
2 **TIONS REGARDING UNITS OF CERTAIN RE-**
3 **SERVE COMPONENTS.**

4 (a) NOTICE REQUIRED; ELEMENTS.—The Secretary
5 of a military department may not take any covered action
6 regarding a covered unit until the day that is 60 days after
7 the Secretary of a military department submits to Con-
8 gress notice of such covered action. Such notice shall in-
9 clude the following elements:

10 (1) An analysis of how the covered action would
11 improve readiness.

12 (2) A description of how the covered action
13 would align with the National Defense Strategy and
14 the supporting strategies of each military depart-
15 ments.

16 (3) A description of any proposed organiza-
17 tional change associated with the covered action and
18 how the covered action will affect the relationship of
19 administrative, operational, or tactical control re-
20 sponsibilities of the covered unit.

21 (4) The projected cost and any projected long-
22 term cost savings of the covered action.

23 (5) A detailed description of any requirements
24 for new infrastructure or relocation of equipment
25 and assets necessary for the covered action.

1 (6) An analysis whether the covered action
2 would facilitate—

3 (A) total force integration; and

4 (B) general officer progression.

5 (7) A description of how the covered activity
6 will affect the ability of the covered unit to accom-
7 plish its current mission.

8 (b) APPLICABILITY.—This section shall apply to any
9 step to perform covered action regarding a covered unit
10 on or after the date of the enactment of this Act.

11 (c) DEFINITIONS.—In this section:

12 (1) The term “covered action” means any of
13 the following:

14 (A) To deactivate.

15 (B) To reassign.

16 (C) To move the home station.

17 (D) To reassign any responsibility.

18 (E) To integrate, in the case of—

19 (i) a covered unit and a unit of the
20 regular component of a covered Armed
21 Force; or

22 (ii) more than one covered unit.

23 (2) The term “covered Armed Force” means
24 the following:

25 (A) The Army.

1 (B) The Navy.

2 (C) The Marine Corps.

3 (D) The Air Force.

4 (E) The Space Force.

5 (3) The term “covered unit” means a unit of a
6 reserve component of a covered Armed Force.

7 **SEC. 519. PLAN TO ENSURE REASONABLE ACCESS TO THE**
8 **JUNIOR RESERVE OFFICERS’ TRAINING**
9 **CORPS.**

10 (a) **PLAN REQUIRED.**—The Secretary of Defense, in
11 consultation with the Secretaries of the military depart-
12 ments, shall develop a plan to increase the total number
13 of units of the Junior Reserve Officers’ Training Corps
14 to ensure that there is reasonable access to such units in
15 each geographic region of the United States by not later
16 than September 30, 2031.

17 (b) **ELEMENTS.**—The plan required under subsection
18 (a) shall include the following:

19 (1) A proposal to increase the total number of
20 units of the Junior Reserve Officers’ Training Corps
21 to ensure reasonable access for students throughout
22 the United States.

23 (2) The estimated cost of implementing the pro-
24 posed increase in the number of such units.

1 (3) A prioritized list of the States and regions
2 in which the Secretary proposes adding additional
3 units.

4 (4) Actions the Secretary expects to carry out
5 to ensure adequate representation and fair access to
6 such units for students in all regions of the United
7 States, including rural and remote areas and in
8 underrepresented States.

9 (5) To the extent appropriate, modifications to
10 the requirements for such units, including the re-
11 quirements applicable to instructors, to accommo-
12 date units in rural areas and small schools.

13 (6) A plan to increase school and community
14 awareness of Junior Reserve Officers' Training
15 Corps programs in underrepresented areas.

16 (c) REPORT.—Not later than 180 days after the date
17 of the enactment of this Act, the Secretary of Defense
18 shall submit to the Committees on Armed Services of the
19 Senate and the House of Representatives a report that
20 includes the plan developed under subsection (a).

21 (d) REASONABLE ACCESS DEFINED.—In this section,
22 the term “reasonable access”, when used with respect to
23 units of the Junior Reserve Officers' Training Corps,
24 means a level of access determined by the Secretary of
25 Defense be reasonable taking into account the demand for

1 student participation, the availability of instructors, and
2 the physical distance between units.

3 **Subtitle C—General Service**
4 **Authorities and Military Records**

5 **SEC. 521. NOTIFICATION TO NEXT OF KIN UPON THE**
6 **DEATH OF A MEMBER OF THE ARMED**
7 **FORCES.**

8 Subchapter II of chapter 75 of title 10, United States
9 Code, is amended by adding at the end the following new
10 section (and the table of sections at the beginning of such
11 subchapter is amended accordingly):

12 **“§ 1493. Notification to next of kin or other appro-**
13 **priate person: timing; training**

14 “(a) IN GENERAL.—In the event of a death that re-
15 quires the Secretary of the military department concerned
16 to provide a death benefit under this subchapter, such Sec-
17 retary shall notify the next of kin or other appropriate
18 person not later than four hours after such death.

19 “(b) DEATH OUTSIDE THE UNITED STATES.—If a
20 death described in subsection (a) occurs outside the
21 United States, the Secretary of Defense, in coordination
22 with the Secretary of State, shall attempt to delay report-
23 ing, by the media of the country in which such death oc-
24 curs, of the name of the decedent until after the Secretary
25 of the military department concerned has notified the next

1 of kin or other appropriate person pursuant to subsection
2 (a).

3 “(c) TRAINING.—The Secretary of the military de-
4 partment concerned shall include a training exercise re-
5 garding a death described in this section in each major
6 exercise or planning conference conducted by such Sec-
7 retary or the Secretary of Defense.”.

8 **SEC. 522. DIRECT ACCEPTANCE OF GIFTS FROM CERTAIN**
9 **SOURCES BY ENLISTED MEMBERS.**

10 (a) AUTHORITY.—Section 2601a of title 10, United
11 States Code, is amended—

12 (1) in subsection (b)—

13 (A) by redesignating paragraphs (1)
14 through (3) as subparagraphs (A) through (C),
15 respectively;

16 (B) in the matter preceding subparagraph
17 (A), as redesignated, by striking “This section
18 applies to” and inserting “(1) A member de-
19 scribed in this paragraph is”;

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

22 “(2) A member described in this paragraph is an en-
23 listed member of the armed forces.”; and

24 (2) in subsection (d)—

1 (A) by inserting “(1)” before “The regula-
2 tions”; and

3 (B) by adding at the end the following new
4 paragraph:

5 “(2) A member described in subsection (b)(2) may
6 not accept a gift—

7 “(A) from a source described in paragraph (1);

8 “(B) solicited by the member;

9 “(C) that a reasonable person would believe was
10 intended to influence the member in the performance
11 of duties as a member; or

12 “(D) that a reasonable person would believe
13 was intended to supplement the pay of the mem-
14 ber.”.

15 (b) CONFORMING AMENDMENTS.—Such section is
16 further amended—

17 (1) in subsection (b)(1)(C), as redesignated, by
18 striking “paragraph (1)” and inserting “subpara-
19 graph (A)”;

20 (2) in subsection (e), by striking “, (2) or (3)”;
21 and

22 (3) in subsection (e), by striking “subsection
23 (b)(2)” and inserting “subsection (b)(1)(B)”.

1 **SEC. 523. LIMITATION OF EXTENSION OF PERIOD OF AC-**
2 **TIVE DUTY FOR A MEMBER WHO ACCEPTS A**
3 **FELLOWSHIP, SCHOLARSHIP, OR GRANT.**

4 (a) **LIMITATION.**—Subsection (b) of section 2603 of
5 title 10, United States Code, is amended by adding at the
6 end “No such period may exceed five years”.

7 (b) **RETROACTIVE EFFECT.**—An agreement under
8 such subsection, made by a member of the Armed Forces
9 on or before the date of the enactment of this Act, may
10 not require such member to serve on active duty for a pe-
11 riod longer than five years.

12 **SEC. 524. ELIMINATION OF TIME LIMIT FOR MANDATORY**
13 **CHARACTERIZATIONS OF ADMINISTRATIVE**
14 **DISCHARGES OF CERTAIN MEMBERS ON THE**
15 **BASIS OF FAILURE TO RECEIVE COVID-19**
16 **VACCINE.**

17 Section 736(a) of the National Defense Authorization
18 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
19 1161 note) is amended in the matter preceding paragraph
20 (1) by striking “During the time period beginning on Au-
21 gust 24, 2021, and ending on the date that is two years
22 after the date of the enactment of this Act, any” and in-
23 serting “Any”.

1 **SEC. 525. PROHIBITION ON USE OF PHOTOGRAPHS BY CER-**
2 **TAIN MILITARY PROMOTION BOARDS.**

3 (a) IN GENERAL.—The Secretary of Defense shall
4 ensure that no military promotion record of a covered
5 Armed Force includes any official or unofficial photo-
6 graphs.

7 (b) COVERED ARMED FORCE DEFINED.—In this sec-
8 tion, the term “covered Armed Force” means the fol-
9 lowing:

- 10 (1) The Army.
- 11 (2) The Navy.
- 12 (3) The Marine Corps.
- 13 (4) The Air Force.
- 14 (5) The Space Force.

15 **SEC. 526. GENDER-NEUTRAL FITNESS STANDARDS FOR**
16 **COMBAT MILITARY OCCUPATIONAL SPECIAL-**
17 **TIES OF THE ARMY.**

18 (a) ESTABLISHMENT.—Not later than 180 days after
19 the date of the enactment of this Act, the Secretary of
20 the Army shall—

21 (1) establish gender-neutral fitness standards
22 for combat MOSs that are higher than those for
23 non-combat MOSs; and

24 (2) provide a briefing to the Committees on
25 Armed Services of the Senate and House of Rep-
26 resentatives setting forth—

1 (A) the list of combat MOSs described in
2 paragraph (1); and

3 (B) the methodology used to determine
4 whether to include an MOS on such list.

5 (b) MOS DEFINED.—In this section, the term
6 “MOS” means a military occupational specialty.

7 **SEC. 527. RETENTION AND RECRUITMENT OF MEMBERS OF**
8 **THE ARMY WHO SPECIALIZE IN AIR AND MIS-**
9 **SILE DEFENSE SYSTEMS.**

10 (a) STUDY.—The Comptroller General of the United
11 States shall study efforts to retain and recruit members
12 with military occupational specialties regarding air and
13 missile defense systems of the Army.

14 (b) REPORT.—Not later than six months after the
15 date of the enactment of this Act, the Comptroller General
16 shall submit to the Committees on Armed Services of the
17 Senate and House of Representatives a report that identi-
18 fies steps the Secretary of the Army may take to improve
19 such retention and recruitment.

20 (c) IMPLEMENTATION.—Not later than September
21 30, 2023, the Secretary of the Army shall implement the
22 steps identified in the report under subsection (b).

1 **SEC. 528. PILOT PROGRAM ON REMOTE PERSONNEL PROC-**
2 **ESSING IN THE ARMY.**

3 (a) PILOT PROGRAM.—Not later than January 1,
4 2024, the Secretary of the Army shall implement a pilot
5 program to test the use of a software application to expedite
6 in-processing and out-processing at one or more military
7 installations—

8 (1) under the jurisdiction of such Secretary;
9 and

10 (2) located within the continental United
11 States.

12 (b) APPLICATION REQUIREMENTS.—The software
13 application shall perform the following functions:

14 (1) Enable the remote in-processing and out-
15 processing of covered personnel, including by permit-
16 ting covered personnel to electronically sign forms.

17 (2) Reduce the number of hours required of
18 covered personnel for in-processing and out-pro-
19 cessing.

20 (3) Provide, to covered personnel and the com-
21 mander of a military installation concerned, elec-
22 tronic copies of records related to in-processing and
23 out-processing.

24 (c) SELECTION OF LOCATION.—In selecting a mili-
25 tary installation for the pilot program, the Secretary shall
26 give priority to the military installation that is the least

1 popular according to preferences of Army officers in the
2 Active Duty Officer Assignment Interactive Module.

3 (d) TERMINATION.—The pilot program shall termi-
4 nate on January 1st, 2027.

5 (e) REPORT.—Not later than January 1, 2026, the
6 Secretary shall submit to the Committees on Armed Serv-
7 ices of the Senate and House of Representatives a report
8 regarding the pilot program, including the recommenda-
9 tion of the Secretary whether to make the pilot program
10 permanent.

11 (f) DEFINITIONS.—In this section:

12 (1) The term “covered personnel” includes
13 members of the Army and civilian employees of the
14 Department of the Army.

15 (2) The term “in-processing” means the admin-
16 istrative activities that covered personnel undertake
17 pursuant to a permanent change of station.

18 (3) The term “out-processing” means the ad-
19 ministrative activities that covered personnel under-
20 take pursuant to a permanent change of station,
21 separation from the Army, or end of employment
22 with the Department of the Army.

1 **Subtitle D—Military Justice**

2 **SEC. 531. SEXUAL HARASSMENT INDEPENDENT INVESTIGA-**
3 **TIONS AND PROSECUTION.**

4 (a) INCLUSION OF SEXUAL HARASSMENT IN OF-
5 FENSES SUBJECT TO AUTHORITY OF SPECIAL TRIAL
6 COUNSEL.—

7 (1) DEFINITION OF COVERED OFFENSE.—Sec-
8 tion 801(17)(A) of title 10, United States Code (ar-
9 ticle 1(17)(A) of the Uniform Code of Military Jus-
10 tice), as added by section 533 of the National De-
11 fense Authorization Act for Fiscal Year 2022 (Pub-
12 lic Law 117–81), is amended—

13 (A) by striking “or”; and

14 (B) by striking “of this title” and inserting
15 “, or the standalone offense of sexual harass-
16 ment punishable under section 934 (article 134)
17 of this title”.

18 (2) EFFECTIVE DATE.—The amendments made
19 by subsection (a) shall take effect two years after
20 the coming into effect of the amendments made by
21 section 533 of the National Defense Authorization
22 Act for Fiscal Year 2022 (Public Law 117–81) as
23 provided in section 539C of that Act.

24 (b) INDEPENDENT INVESTIGATION OF SEXUAL HAR-
25 ASSMENT.—

1 (1) DEFINITIONS.—Section 1561 of title 10,
2 United States Code, as amended by section 543 of
3 the National Defense Authorization Act for Fiscal
4 Year 2022 (Public Law 117–81), is amended—

5 (A) in subsection (a)—

6 (i) by striking “or Space Force” and
7 inserting “Space Force, or Coast Guard”;
8 and

9 (ii) by inserting “or the Department
10 of Homeland Security (in the case of a
11 matter involving the Coast Guard when not
12 operating as a service in the Navy)” after
13 “Department of Defense”; and

14 (B) by amending subsection (e) to read as
15 follows:

16 “(e) DEFINITIONS.—In this section:

17 “(1) The term ‘independent investigator’ means
18 a member of the armed forces or a civilian employee
19 of the Department of Defense or the Department of
20 Homeland Security (in the case of a matter involv-
21 ing the Coast Guard when not operating as a service
22 in the Navy) who—

23 “(A) is outside the chain of command of
24 the complainant and the subject of the inves-
25 tigation; and

1 “(B) is trained in the investigation of sex-
2 ual harassment, as determined by—

3 “(i) the Secretary concerned, in the
4 case of a member of the armed forces;

5 “(ii) the Secretary of Defense, in the
6 case of a civilian employee of the Depart-
7 ment of Defense; or

8 “(iii) the Secretary of Homeland Se-
9 curity, in the case of a civilian employee of
10 the Department of Homeland Security.

11 “(2) The term ‘sexual harassment’ means con-
12 duct that constitutes the offense of sexual harass-
13 ment as punishable under section 934 of this title
14 (article 134) pursuant to the regulations prescribed
15 by the Secretary of Defense for purposes of such
16 section (article).”.

17 (2) EFFECTIVE DATE.—The amendments made
18 by paragraph (1) shall take effect immediately after
19 the coming into effect of the amendments made by
20 section 543 of the National Defense Authorization
21 Act for Fiscal Year 2022 (Public Law 117–81) as
22 provided in subsection (c) of that section.

23 **SEC. 532. MATTERS IN CONNECTION WITH SPECIAL TRIAL**
24 **COUNSEL.**

25 (a) DEFINITION OF COVERED OFFENSE.—

1 (1) IN GENERAL.—Paragraph (17)(A) of sec-
2 tion 801 of title 10, United States Code (article 1
3 of the Uniform Code of Military Justice), as added
4 by section 533 of the National Defense Authoriza-
5 tion Act for Fiscal Year 2022 (Public Law 117–81;
6 135 Stat. 1695) and amended by section 531, is fur-
7 ther amended by striking “section 920 (article 120)”
8 and inserting “section 919a (article 119a), section
9 920 (article 120), section 920a (article 120a)”.

10 (2) EFFECTIVE DATE.—The amendments made
11 by paragraph (1) shall—

12 (A) take effect on the date that is two
13 years after the date of the enactment of the
14 National Defense Authorization Act for Fiscal
15 Year 2022 (Public Law 117–81); and

16 (B) apply with respect to any offenses that
17 occur after that date.

18 (b) RESIDUAL PROSECUTORIAL DUTIES AND OTHER
19 JUDICIAL, FUNCTIONS OF CONVENING AUTHORITIES IN
20 COVERED CASES.—The President shall prescribe regula-
21 tions to ensure that residual prosecutorial duties and other
22 judicial functions of convening authorities, including but
23 not limited to granting immunity, ordering depositions,
24 and hiring experts, with respect to charges and specifica-
25 tions over which a special trial counsel exercises authority

1 pursuant to section 824a of title 10, United States Code
2 (article 24a of the Uniform Code of Military Justice), are
3 transferred to the military judge, the special trial counsel,
4 or other authority as appropriate in such cases by no later
5 than the effective date established in section 539C of the
6 National Defense Authorization Act for fiscal Year 2022
7 (Public Law 117–81; 10 U.S.C. 801 note), in consider-
8 ation of due process for all parties involved in such a case.

9 (c) AMENDMENTS TO THE RULES FOR COURTS MAR-
10 TIAL.—The President shall prescribe in regulation such
11 modifications to Rule 813 of the Rules for Courts-Martial
12 and other Rules as appropriate to ensure that at the be-
13 ginning of each court-martial convened, the presentation
14 of orders does not in open court specify the name, rank,
15 or position of the convening authority convening such
16 court, unless such convening authority is the Secretary
17 concerned, the Secretary of Defense, or the President.

18 (d) BRIEFING REQUIRED.—Not later than 180 days
19 after the date of the enactment of this Act, the Secretary
20 of Defense shall provide to the Committees on Armed
21 Services of the Senate and the House of Representatives
22 a briefing on the progress of the Department of Defense
23 in implementing this section, including an identification
24 of—

1 (1) the duties to be transferred under sub-
2 section (b);

3 (2) the positions to which those duties will be
4 transferred; and

5 (3) any provisions of law or Rules for Courts
6 Martial that must be amended or modified to fully
7 complete the transfer.

8 (e) ADDITIONAL REPORTING RELATIVE TO IMPLE-
9 MENTATION OF SUBTITLE D OF TITLE V OF THE NA-
10 TIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL
11 YEAR 2022.—Not later than February 1, 2025, and annu-
12 ally thereafter for five years, the Secretary of Defense and
13 the Secretary of the department in which the Coast Guard
14 is operating (with respect to the Coast Guard) shall sub-
15 mit to the appropriate congressional committees a report
16 assessing the holistic effect of the reforms contained in
17 subtitle D of title V of the National Defense Authorization
18 Act for Fiscal Year 2022 (Public Law 117–81) on the
19 military justice system. The report shall include the fol-
20 lowing elements:

21 (1) An overall assessment of the effect such re-
22 forms have had on the military justice system and
23 the maintenance of good order and discipline in the
24 ranks.

1 (2) The percentage of caseload and courts-mar-
2 tial assessed as meeting, or having been assessed as
3 potentially meeting, the definition of “covered of-
4 fense”, disaggregated by offense and military service
5 where possible.

6 (3) An assessment of prevalence and data con-
7 cerning disposition of cases by commanders after
8 declination of prosecution by special trial counsel,
9 disaggregated by offense and military service when
10 possible.

11 (4) Assessment of the effect, if any, the reforms
12 contained in such subtitle have had on non-judicial
13 punishment concerning covered and non-covered of-
14 fenses.

15 (5) A description of the resources and personnel
16 required to maintain and execute the reforms made
17 by such subtitle during the reporting period relative
18 to fiscal year 2022.

19 (6) A description of any other factors or mat-
20 ters considered by the Secretary to be important to
21 a holistic assessment of these reforms on the mili-
22 tary justice system.

23 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—In this section, the term “appropriate congres-
25 sional committees” means the following:

1 (1) The Committee on Armed Services of the
2 House of Representatives.

3 (2) The Committee on Armed Services of the
4 Senate.

5 (3) The Committee on Transportation and In-
6 frastructure of the House of Representatives.

7 (4) The Committee on Commerce, Science, and
8 Transportation of the Senate.

9 **SEC. 533. STANDARDS FOR IMPOSITION OF COMMANDING**
10 **OFFICER'S NON-JUDICIAL PUNISHMENT.**

11 (a) COMMANDING OFFICER'S NON-JUDICIAL PUN-
12 ISHMENT.—

13 (1) IN GENERAL.—Section 815 of title 10,
14 United States Code (article 15 of the Uniform Code
15 of Military Justice), is amended—

16 (A) by redesignating subsections (c)
17 through (g) as subsections (d) through (h), re-
18 spectively;

19 (B) by inserting after subsection (b), the
20 following new subsection:

21 “(c)(1) Except as provided in paragraphs (2) and (3),
22 a commanding officer may not impose a punishment au-
23 thorized in subsection (b) unless, before the imposition of
24 such punishment, the commanding officer—

1 “(A) requests and receives legal guidance re-
2 garding the imposition of such punishment from a
3 judge advocate or other legal officer of the armed
4 force of which the commanding officer is a member;
5 and

6 “(B) provides the member who may be subject
7 to such punishment with an opportunity to consult
8 appropriate legal counsel.

9 “(2) Paragraph (1) shall not apply to the punish-
10 ments specified in subparagraphs (E) and (F) of sub-
11 section (b)(2).

12 “(3) A commanding officer may waive the require-
13 ments set forth in subparagraphs (A) and (B) of para-
14 graph (1), on a case by case basis, if the commanding offi-
15 cer determines such a waiver is necessary on the basis of
16 operational necessity.”; and

17 (C) in subsection (f), as so redesignated,
18 by striking “subsection (d)” and inserting “sub-
19 section (e)”.

20 (2) EFFECTIVE DATE AND APPLICABILITY.—

21 The amendments made by paragraph (1) shall take
22 effect 180 days after the date of the enactment of
23 this Act and shall apply with respect to punishments
24 imposed under section 815 of title 10, United States

1 Code (article 15 of the Uniform Code of Military
2 Justice), on or after such effective date.

3 (3) ADDITIONAL GUIDANCE REQUIRED.—Not
4 later than one year after the date of the enactment
5 of this Act, each Secretary concerned shall prescribe
6 regulations or issue other written guidance with re-
7 spect to non-judicial punishment under section 815
8 of title 10, United States Code (article 15 of the
9 Uniform Code of Military Justice) that—

10 (A)(i) identifies criteria to be considered
11 when determining whether a member of the
12 armed forces is attached to or embarked in a
13 vessel for the purposes of determining whether
14 such member may demand trial by court-mar-
15 tial in lieu of punishment under such section
16 (article); and

17 (ii) establishes a policy about the appro-
18 priate and responsible invocation of such excep-
19 tion; and

20 (B) establishes criteria commanders must
21 consider when evaluating whether to issue a
22 waiver under subsection (c)(3) of such section
23 (article) (as added by paragraph (1) of this
24 subsection) on the basis of operational neces-
25 sity.

1 (b) MODIFICATION OF ANNUAL REPORTS ON RACIAL
2 AND ETHNIC DEMOGRAPHICS IN THE MILITARY JUSTICE
3 SYSTEM.—Section 486(b) of title 10, United States Code,
4 is amended—

5 (1) in paragraph (7), by striking “and” at the
6 end;

7 (2) in paragraph (8), by striking the period at
8 the end and inserting a semicolon; and

9 (3) by adding at the end the following new
10 paragraphs:

11 “(9) with respect to principals on sea duty who
12 were not attached to or embarked in a vessel (as de-
13 termined by the Secretary of the Navy or the Sec-
14 retary of the department in which the Coast Guard
15 is operating), the number of non-judicial punish-
16 ments proposed and finalized under section 815 of
17 this title (article 15 of the Uniform Code of Military
18 Justice), in total and disaggregated by—

19 “(A) whether the commanding officer im-
20 posing non-judicial punishment requested and
21 received legal guidance regarding the imposition
22 of such punishment from a judge advocate or
23 other legal officer of the armed force of which
24 the commanding officer is a member;

1 “(B) whether the principal was provided
2 the opportunity to consult appropriate legal
3 counsel; and

4 “(C) statistical category as related to the
5 principal; and

6 “(10) with respect to principals on sea duty
7 who were attached to or embarked in a vessel (as de-
8 termined by the Secretary of the Navy or the Sec-
9 retary of the department in which the Coast Guard
10 is operating), the number of non-judicial punish-
11 ments proposed and finalized under section 815 of
12 this title (article 15 of the Uniform Code of Military
13 Justice), in total and disaggregated by—

14 “(A) whether the commanding officer im-
15 posing non-judicial punishment requested and
16 received legal guidance regarding the imposition
17 of such punishment from a judge advocate or
18 other legal officer of the armed force of which
19 the commanding officer is a member;

20 “(B) whether the principal was provided
21 the opportunity to consult appropriate legal
22 counsel; and

23 “(C) statistical category as related to the
24 principal.”.

1 **SEC. 534. SPECIAL TRIAL COUNSEL OF THE AIR FORCE.**

2 (a) IN GENERAL.—Section 1044f of title 10, United
3 States Code, is amended—

4 (1) in subsection (a), in the matter preceding
5 paragraph (1), by striking “The policies shall” and
6 inserting “Subject to subsection (c), the policies
7 shall”;

8 (2) by redesignating subsection (c) as sub-
9 section (d); and

10 (3) by inserting after subsection (b) the fol-
11 lowing new subsection:

12 “(c) SPECIAL TRIAL COUNSEL OF DEPARTMENT OF
13 THE AIR FORCE.—In establishing policies under sub-
14 section (a), the Secretary of Defense shall—

15 “(1) in lieu of providing for separate offices for
16 the Air Force and Space Force under subsection
17 (a)(1), provide for the establishment of a single dedi-
18 cated office from which office the activities of the
19 special trial counsel of the Department of the Air
20 Force shall be supervised and overseen; and

21 “(2) in lieu of providing for separate lead spe-
22 cial trial counsels for the Air Force and Space Force
23 under subsection (a)(2), provide for the appointment
24 of one lead special trial counsel who shall be respon-
25 sible for the overall supervision and oversight of the

1 activities of the special trial counsel of the Depart-
2 ment of the Air Force.”.

3 (b) EFFECTIVE DATE.—The amendments made sub-
4 section (a) shall take effect immediately after the coming
5 into effect of the amendments made by section 532 of the
6 National Defense Authorization Act for Fiscal Year 2022
7 (Public Law 117–81) as provided in section 539C of that
8 Act.

9 **SEC. 535. FINANCIAL ASSISTANCE FOR VICTIMS OF OF-**
10 **FENSES UNDER THE UNIFORM CODE OF MILI-**
11 **TARY JUSTICE.**

12 (a) MILITARY CRIME VICTIMS FINANCIAL ASSIST-
13 ANCE FUND.—Chapter 53 of title 10, United States Code,
14 is amended by inserting before section 1045 the following
15 new section:

16 **“§ 1044g. Military Crime Victims Financial Assistance**
17 **Fund**

18 “(a) ESTABLISHMENT.—There is established in the
19 Treasury of the United States a fund to be known as the
20 ‘Military Crime Victims Financial Assistance Fund’ (re-
21 ferred to in this section as the ‘Fund’).

22 “(b) ADMINISTRATION OF FUND.—The Secretary of
23 the Treasury shall administer the Fund consistent with
24 the provisions of this section.

1 “(c) DEPOSITS.—There shall be deposited in the
2 Fund the following:

3 “(1) Any amounts appropriated to the Fund.

4 “(2) Any amounts donated to the Fund.

5 “(d) AVAILABILITY AND USE OF FUND.—Amounts
6 in the Fund shall, to the extent provided in appropriations
7 Acts, be available solely for the payment of financial as-
8 sistance to victims of covered violent offenses in accord-
9 ance with the regulations prescribed under subsection (e).

10 “(e) REGULATIONS.—Not later than one year after
11 the date of the enactment of this section, the Secretary
12 of Defense shall prescribe regulations pursuant to which
13 a victim of a covered violent offense may apply for and
14 receive financial assistance payments from the Fund. Such
15 regulations shall provide as follows:

16 “(1) A victim of a covered violent offense may
17 apply to the Fund for—

18 “(A) a standard payment;

19 “(B) a reimbursement payment; or

20 “(C) a standard payment and a reimburse-
21 ment payment.

22 “(2) A standard payment to a victim shall be
23 a fixed amount determined by the Secretary of De-
24 fense for each covered violent offense.

1 “(3) A reimbursement payment to a victim
2 shall be an amount determined by the Secretary of
3 Defense that is sufficient to reimburse the victim for
4 health care expenses, travel expenses, and expenses
5 for property damage resulting from the covered vio-
6 lent offense, subject to such limits as the Secretary
7 may prescribe. A reimbursement payment may not
8 be made for any expenses for which a victim receives
9 reimbursement from other sources, including insur-
10 ance claims.

11 “(4) An individual victim may receive not more
12 than \$50,000 from the Fund per incident.

13 “(5) The eligibility of a victim to receive pay-
14 ments from the Fund shall be subject to such terms,
15 conditions, and other requirements as the Secretary
16 may prescribe.

17 “(6) The Secretary may not make a payment
18 from the Fund if the amount of such payment would
19 exceed the amounts available in the fund.

20 “(f) ANNUAL REPORTS.—Not later than February 1
21 of each year, the Secretaries concerned, in consultation
22 with the Secretary of the Treasury, shall submit to the
23 appropriate congressional committees a report that in-
24 cludes—

1 “(1) a summary of the amounts deposited to
2 and paid from the Fund during the preceding year;

3 “(2) the number of victims who received pay-
4 ments from the Fund during the preceding year, set
5 forth separately for each covered violent offense; and

6 “(3) an estimate of the amount of appropria-
7 tions required, if any, to maintain the solvency of
8 the fund for the period of two fiscal years following
9 the date of the report.

10 “(g) DEFINITIONS.—In this section:

11 “(1) The term ‘appropriate congressional com-
12 mittees’ means the following:

13 “(A) The congressional defense commit-
14 tees.

15 “(B) The Committee on Transportation
16 and Infrastructure of the House of Representa-
17 tives.

18 “(C) The Committee on Commerce,
19 Science, and Transportation of the Senate.

20 “(2) The term ‘covered violent offense’ means—

21 “(A) an offense under section 918 (article
22 118), section 919 (article 119), section 919a
23 (article 119a), section 920 (article 120), section
24 920b (article 120b), section 920c (article 120c),
25 section 922 (article 122), section 925 (article

1 125), section 928 (article 128), section 928a
2 (article 128a), section 928b (article 128b), sec-
3 tion 930 (article 130), or the standalone offense
4 of sexual harassment as punishable under sec-
5 tion 934 (article 134) of this title; or

6 “(B) an attempt to commit an offense
7 specified in subparagraph (A) as punishable
8 under section 880 of this title (article 880).

9 “(3) The term ‘victim’ means individual who
10 has suffered direct physical, emotional, or pecuniary
11 harm as a result of the commission of a covered vio-
12 lent offense.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such chapter is amended by inserting
15 before the item relating to section 1045 the following new
16 item:

 “1044g. Military Crime Victims Financial Assistance Fund.”.

17 (c) APPLICABILITY.—Eligibility to receive a payment
18 from the Military Crime Victims Financial Assistance
19 Fund under section 1044g of title 10, United States Code
20 (as added by subsection (a)), shall be limited to individuals
21 who—

22 (1) are victims of covered violent offenses that
23 occur on or after the date of the enactment of this
24 Act; and

1 (2) apply for payment from the Fund after the
2 effective date of the regulations prescribed under
3 subsection (e) of such section 1044g.

4 (d) PROGRESS REPORT.—

5 (1) IN GENERAL.—Not later than 90 days after
6 the date of the enactment of this Act, the Secretary
7 of Defense shall submit to the appropriate congress-
8 sional committees a report on plans of the Secretary
9 for implementing the Military Crime Victims Finan-
10 cial Assistance Fund under section 1044g of title
11 10, United States Code (as added by subsection (a)).

12 (2) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES DEFINED.—In this subsection, the term “ap-
14 propriate congressional committees” means the fol-
15 lowing:

16 (A) The congressional defense committees.

17 (B) The Committee on Transportation and
18 Infrastructure of the House of Representatives.

19 (C) The Committee on Commerce, Science,
20 and Transportation of the Senate.

21 **SEC. 536. ADDRESSING SEX-RELATED OFFENSES AND SEX-**
22 **UAL HARASSMENT INVOLVING MEMBERS OF**
23 **THE NATIONAL GUARD.**

24 (a) ADDRESSING CERTAIN SEX-RELATED OF-
25 FENSES.—

1 (1) IN GENERAL.—Chapter 80 of title 10,
2 United States Code, is amended by inserting after
3 section 1561b the following new section:

4 **“§ 1561c. Addressing sex-related offenses and sexual**
5 **harassment involving members of the Na-**
6 **tional Guard**

7 “(a) IN GENERAL.—An adjutant general who re-
8 ceives notice of an allegation of a sex-related offense or
9 sexual harassment committed by a member of the Na-
10 tional Guard under the jurisdiction of the adjutant general
11 shall, not later than 72 hours after receiving such notice—

12 “(1) report the allegation to the Chief of the
13 National Guard Bureau; and

14 “(2) ensure that the alleged victim is informed
15 of the availability of Special Victims’ Counsel in ac-
16 cordance with section 1044e of this title, as applica-
17 ble.

18 “(b) INITIAL REPORT.—

19 “(1) ELEMENTS.—Each report under sub-
20 section (a)(1) shall include the following:

21 “(A) A summary of the allegation.

22 “(B) Identification of—

23 “(i) the individual who is alleged to
24 have committed the offense;

1 “(ii) the alleged victim of the offense;

2 and

3 “(iii) the individual or entity that is
4 investigating the allegation.

5 “(C) A statement indicating whether the
6 alleged victim has been informed of the avail-
7 ability of legal counsel in accordance with sub-
8 section (a)(2).

9 “(2) LATE REPORTS.—In the event that an ad-
10 jutant general submits a report required under sub-
11 section (a) after the expiration of the 72-hour period
12 specified in such subsection, the report shall in-
13 clude—

14 “(A) the information specified in para-
15 graph (1); and

16 “(B) an explanation of the reasons the re-
17 port was not timely submitted.

18 “(c) FINAL REPORT.—Not later than 30 days after
19 determining whether or not to take action against a mem-
20 ber of the National guard accused of a sex-related offense
21 or sexual harassment, the adjutant general shall submit
22 to the Chief of the National Guard Bureau a report that
23 includes—

24 “(1) the information described in subpara-
25 graphs (A) and (B) of subsection (b)(1);

1 “(2) a description of any administrative, judi-
2 cial, or other action taken against the member; and

3 “(3) if no such action was taken, an expla-
4 nation of the reasons the adjutant general declined
5 to take such action.

6 “(d) APPLICABILITY.—The requirements of this sec-
7 tion shall apply with respect to an allegation of a sex-re-
8 lated offense or sexual harassment of which an adjutant
9 general receives notice after the date of the enactment of
10 this section without regard to—

11 “(1) the jurisdiction in which the offense oc-
12 curred; or

13 “(2) whether prosecution for the offense would
14 be time barred by a statute of limitations.

15 “(e) DEFINITIONS.—In this section:

16 “(1) The term ‘sex-related offense’ means an
17 alleged sex-related offense (as defined in section
18 1044e(h) of this title).

19 “(2) The term ‘sexual harassment’ means the
20 offense of sexual harassment as punishable under
21 section 934 of this title (article 134 of the Uniform
22 Code of Military Justice) pursuant to the regulations
23 prescribed by the Secretary of Defense for purposes
24 of such section (article).”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by inserting after the item relating to section 1561b
4 the following new item:

 “1561e. Addressing sex-related offenses and sexual harassment involving mem-
 bers of the National Guard.”.

5 (b) EFFECTIVE DATE.—The amendments made by
6 subsection (a) shall take effect immediately after the effec-
7 tive date of the amendments made by part 1 of subtitle
8 D of title V of the National Defense Authorization Act
9 for Fiscal Year 2022 (Public Law 117–81) as provided
10 in section 539C of that Act.

11 (c) IMPLEMENTATION.—The Secretary of Defense
12 shall prescribe regulations implementing section 1561e of
13 title 10, United States Code, as added by subsection (a).

14 **SEC. 537. PROHIBITION ON SHARING OF INFORMATION ON**
15 **DOMESTIC VIOLENCE INCIDENTS.**

16 Section 1562 of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 section:

19 “(c) PROHIBITION ON SHARING OF CERTAIN INFOR-
20 MATION.—

21 “(1) IN GENERAL.—In a case in which the in-
22 formation maintained and reported by the Secretary
23 of a military department under subsection (b) in-
24 cludes the findings of an Incident Determination

1 Committee, the Secretary may not share such find-
2 ings with any party other than the administrator of
3 the database under subsection (a).

4 “(2) WAIVER.—The Secretary of Defense may
5 waive the prohibition under paragraph (1) on a case-
6 by-case basis if the Secretary determines that it is
7 necessary to share the findings of an Incident Deter-
8 mination Committee with a member of the Armed
9 Forces or a civilian employee of the Department of
10 Defense acting within the scope of their official du-
11 ties.

12 “(3) INCIDENT DETERMINATION COMMITTEE
13 DEFINED.—In this subsection, the term ‘Incident
14 Determination Committee’ means a committee es-
15 tablished at a military installation that is responsible
16 for reviewing a reported incident of domestic vio-
17 lence and determining whether such incident con-
18 stitutes serious harm to the victim according to the
19 applicable criteria of the Department of Defense.”.

20 **SEC. 538. MANDATORY NOTIFICATION OF MEMBERS OF**
21 **THE ARMED FORCES IDENTIFIED IN CERTAIN**
22 **RECORDS OF CRIMINAL INVESTIGATIONS.**

23 (a) IN GENERAL.—Chapter 80 of title 10, United
24 States Code, is amended by adding at the end the fol-
25 lowing new section:

1 **“§ 1567b. Mandatory notification of members of the**
2 **armed forces and reserve components**
3 **identified in certain records of criminal**
4 **investigations**

5 “(a) NOTIFICATION OF INCLUSION IN MCIO
6 RECORDS.—As soon as practicable after the conclusion of
7 a criminal investigation for which a military criminal in-
8 vestigative organization is the lead investigative agency,
9 the head of such organization shall provide, to any mem-
10 ber or a former member of the armed forces and reserve
11 components who is designated in the records of the organi-
12 zation as a subject of such investigation, written notice
13 of such designation.

14 “(b) INITIAL NOTIFICATION OF PREVIOUS INCLU-
15 SION IN MCIO RECORDS.—Not later than 180 days after
16 the date of the enactment of this section, the head of each
17 military criminal investigative organization shall provide,
18 to any member or former member of the armed forces and
19 reserve components who is designated after January 1,
20 2011 in the records of the organization as a subject of
21 a criminal investigation that is closed as of such date,
22 written notice of such designation.

23 “(c) CONTENTS OF NOTICE.—Each notice provided
24 under subsection (a) and (b) shall include the following
25 information—

1 “(1) The date on which the member was des-
2 ignated as a subject of a criminal investigation in
3 the records of the military criminal investigative or-
4 ganization.

5 “(2) Identification of each crime for which the
6 member was investigated, including a citation to
7 each provision of chapter 47 of this title (the Uni-
8 form Code of Military Justice) that the member was
9 suspected of violating, if applicable.

10 “(3) Instructions on how the member may seek
11 removal of the record in accordance with subsection
12 (d).

13 “(d) REMOVAL OF RECORD.—The Secretary of De-
14 fense shall—

15 “(1) establish a process through which a mem-
16 ber of the armed forces and reserve components who
17 receives a notice under subsection (a) or (b) may re-
18 quest the removal of the record that is the subject
19 of such notice; and

20 “(2) issue uniform guidance, applicable to all
21 military criminal investigative organizations, speci-
22 fying the conditions under which such a record may
23 be removed.

24 “(f) ON-GOING AND SENSITIVE INVESTIGATIONS.—
25 The head of a military criminal investigative organization

1 may waive the notification requirements of this section if
2 such head determines that a notification made pursuant
3 to this section would—

4 “(1) endanger any witness or victim of the of-
5 fense under investigation;

6 “(2) disclose the existence of an intelligence or
7 counterintelligence investigation; or

8 “(3) compromise or reveal any other on-going
9 criminal investigation.

10 “(e) MILITARY CRIMINAL INVESTIGATIVE ORGANIZA-
11 TION DEFINED.—In this section, the term ‘military crimi-
12 nal investigative organization’ means any organization or
13 element of the Department of Defense or an armed force
14 that is responsible for conducting criminal investigations,
15 including—

16 “(1) the Army Criminal Investigation Com-
17 mand;

18 “(2) the Naval Criminal Investigative Service;

19 “(3) the Air Force Office of Special Investiga-
20 tions;

21 “(4) the Coast Guard Investigative Service; and

22 “(5) the Defense Criminal Investigative Serv-
23 ice.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by adding
3 at the end the following new item:

“1567b. Mandatory notification of members of the armed forces and reserve
components identified in certain records of criminal investiga-
tions.”.

4 **SEC. 539. SENTENCING PARAMETERS UNDER THE UNIFORM**
5 **CODE OF MILITARY JUSTICE FOR HATE**
6 **CRIMES.**

7 Section 539E(e)(2)(A)(ii) of the National Defense
8 Authorization Act for Fiscal Year 2022 (Public Law 117–
9 81; 10 U.S.C. 856 note) is amended by inserting “(includ-
10 ing whether the offense is described in section 249 of title
11 18)” after “district court”.

12 **SEC. 539A. LIMITATION ON AVAILABILITY OF FUNDS FOR**
13 **RELOCATION OF ARMY CID SPECIAL AGENT**
14 **TRAINING COURSE.**

15 (a) LIMITATION.—None of the funds authorized to
16 be appropriated by this Act or otherwise made available
17 for fiscal year 2023 for the Army may be obligated or ex-
18 pended to relocate an Army CID special agent training
19 course until—

20 (1)(A) the Secretary of the Army submits to
21 the Committees on Armed Services of the Senate
22 and the House of Representatives—

23 (i) the evaluation and plan required by
24 subsection (a) of section 549C of the National

1 Defense Authorization Act for Fiscal Year 2022
2 (Public Law 117–81; 135 Stat. 1724);

3 (ii) the implementation plan required by
4 subsection (b) of such section; and

5 (iii) a separate report on any plans of the
6 Secretary to relocate an Army CID special
7 agent training course, including an explanation
8 of the business case for any transfer of training
9 personnel proposed as part of such plan;

10 (B) the Secretary provides to the Committee on
11 Armed Services of the House of Representatives a
12 briefing on the contents of each report specified in
13 subparagraph (A); and

14 (C) a period of 90 days has elapsed following
15 the briefing under subparagraph (B); and

16 (2) the Secretary submits a written certification
17 to the Committees on Armed Services of the Senate
18 and the House of Representatives indicating that the
19 Army has fully complied with subsection (c) of sec-
20 tion 549C of the National Defense Authorization
21 Act for Fiscal Year 2022 (Public Law 117–81; 135
22 Stat. 1724) with regard to locations at which mili-
23 tary criminal investigative training is conducted.

24 (b) DEFINITIONS.—In this section:

1 (1) The term “relocate”, when used with re-
2 spect to an Army CID special agent training course,
3 means the transfer of such course to a location dif-
4 ferent than the location used for such course as of
5 the date of the enactment of this Act.

6 (2) The term “Army CID special agent training
7 course” means a training course provided to mem-
8 bers of the Army to prepare such members for serv-
9 ice as special agents in the Army Criminal Investiga-
10 tion Division.

11 **SEC. 539B. RECOMMENDATIONS FOR SENTENCING OF**
12 **MARIJUANA-BASED OFFENSES UNDER THE**
13 **UNIFORM CODE OF MILITARY JUSTICE.**

14 (a) **RECOMMENDATIONS.**—The Military Justice Re-
15 view Panel shall develop recommendations specifying ap-
16 propriate sentencing ranges for offenses involving the use
17 and possession of marijuana under chapter 47 of title 10,
18 United States Code (the Uniform Code of Military Jus-
19 tice). In developing such recommendations, the Military
20 Justice Review Panel shall consider—

21 (1) how the sentences typically imposed for
22 marijuana-based offenses under such chapter com-
23 pare to the sentences typically imposed for other
24 comparable offenses, such as offenses involving the
25 misuse of alcohol; and

1 (2) the overall burden on the military justice
2 system of the current approach of the Department
3 of Defense to sentencing marijuana-based offenses
4 under such chapter.

5 (b) REPORT.—Not later than 180 days after the date
6 of the enactment of this Act, the Military Justice Review
7 Panel shall submit to the Committees on Armed Services
8 of the Senate and the House of Representatives a report
9 that includes the recommendations developed under sub-
10 section (a).

11 **SEC. 539C. REPORT ON SHARING INFORMATION WITH**
12 **COUNSEL FOR VICTIMS OF OFFENSES UNDER**
13 **THE UNIFORM CODE OF MILITARY JUSTICE.**

14 (a) REPORT REQUIRED.—Not later than one year
15 after the date of the enactment of this Act, the Defense
16 Advisory Committee on Investigation, Prosecution, and
17 Defense of Sexual Assault in the Armed Forces (referred
18 to in this section as the “Advisory Committee”) shall sub-
19 mit to the appropriate congressional committees and each
20 Secretary concerned a report on the feasibility and advis-
21 ability of establishing a uniform policy for the sharing of
22 the information described in subsection (c) with a Special
23 Victims’ Counsel, Victims’ Legal Counsel, or other counsel
24 representing a victim of an offense under chapter 47 of

1 title 10, United States Code (the Uniform Code of Military
2 Justice).

3 (b) ELEMENTS.—The report under subsection (a)
4 shall include the following:

5 (1) An assessment of the feasibility and advis-
6 ability of establishing the uniform policy described in
7 subsection (a), including an assessment of the poten-
8 tial effects of such a policy on—

9 (A) the privacy of individuals;

10 (B) the criminal investigative process; and

11 (C) the military justice system generally.

12 (2) If the Advisory Committee determines that
13 the establishment of such a policy is feasible and ad-
14 visable, a description of—

15 (A) the stages of the military justice proc-
16 ess at which the information described in sub-
17 section (c) should be made available to counsel
18 representing a victim; and

19 (B) any circumstances under which some
20 or all of such information should not be shared.

21 (3) Such recommendations for legislative or ad-
22 ministrative action as the Advisory Committee con-
23 siders appropriate.

24 (c) INFORMATION DESCRIBED.—The information de-
25 scribed in this subsection is the following:

1 (1) Any recorded statements of the victim to in-
2 investigators.

3 (2) The record of any forensic examination of
4 the person or property of the victim, including the
5 record of any sexual assault forensic exam of the vic-
6 tim that is in possession of investigators or the Gov-
7 ernment.

8 (3) Any medical record of the victim that is in
9 the possession of investigators or the Government.

10 (d) DEFINITIONS.—In this section—

11 (1) The term “appropriate congressional com-
12 mittees” means—

13 (A) the congressional defense committees;

14 (B) the Committee on Commerce, Science,
15 and Transportation of the Senate; and

16 (C) the Committee on Transportation and
17 Infrastructure of the House of Representatives.

18 (2) The term “Secretary concerned” has the
19 meaning given that term in section 101(a)(9) of title
20 10, United States Code.

1 **Subtitle E—Other Legal Matters**

2 **SEC. 541. CLARIFICATIONS OF PROCEDURE IN INVESTIGA-** 3 **TIONS OF PERSONNEL ACTIONS TAKEN** 4 **AGAINST MEMBERS OF THE ARMED FORCES** 5 **IN RETALIATION FOR PROTECTED COMMU-** 6 **NICATIONS.**

7 (a) IN GENERAL.—Subparagraphs (D) and (E) of
8 paragraph (4) of section 1034(c) of title 10, United States
9 Code, is amended to read as follows:

10 “(D)(i) Upon determining that an investigation of an
11 allegation under paragraph (1) is warranted, the Inspector
12 General making the determination shall expeditiously in-
13 vestigate the allegation to determine whether the protected
14 communication or activity under subsection (b) was a con-
15 tributing factor in the personnel action prohibited under
16 subsection (b) that was taken or withheld (or threatened
17 to be taken or withheld) against a member of the armed
18 forces.

19 “(ii) In the case of a determination made by the In-
20 spector General of the Department of Defense, that In-
21 spector General may delegate responsibility for the inves-
22 tigation to an appropriate Inspector General of a military
23 department.

24 “(iii) The member alleging the prohibited personnel
25 action may use circumstantial evidence to demonstrate

1 that the protected communication or activity under sub-
2 section (b) was a contributing factor in the personnel ac-
3 tion prohibited under subsection (b). Such circumstantial
4 evidence may include that the person taking such prohib-
5 ited personnel action knew of the protected communication
6 or activity, and that the prohibited personnel action oc-
7 curred within a period of time such that a reasonable per-
8 son could conclude that the communication or protected
9 activity was a contributing factor in the personnel action.

10 “(iv) If the Inspector General determines it likelier
11 than not that the member made a communication or par-
12 ticipated in an activity protected under subsection (b) that
13 was a contributing factor in a personnel action described
14 in such subsection, the Inspector General shall presume
15 such personnel action to be prohibited under such sub-
16 section unless the Inspector General determines there is
17 clear and convincing evidence that the same personnel ac-
18 tion would have occurred in the absence of such protected
19 communication or activity.

20 “(E) If the Inspector General preliminarily deter-
21 mines in an investigation under subparagraph (D) that a
22 personnel action prohibited under subsection (b) has oc-
23 curred and that such personnel action shall result in an
24 immediate hardship to the member alleging the personnel
25 action, the Inspector General shall promptly notify the

1 Secretary of the military department concerned or the Sec-
2 retary of Homeland Security, as applicable, of the hard-
3 ship, and such Secretary shall take such action as such
4 Secretary determines appropriate.”.

5 (b) TECHNICAL AMENDMENTS.—Such paragraph is
6 further amended in subparagraphs (A) and (B) by striking
7 “subsection (h)” both places it appears and inserting
8 “subsection (i)”.

9 **SEC. 542. PRIMARY PREVENTION OF VIOLENCE.**

10 (a) ANNUAL PRIMARY PREVENTION RESEARCH
11 AGENDA.—Section 549A(c) of the National Defense Au-
12 thorization Act for Fiscal Year 2022 (Public Law 117–
13 811 10 U.S.C. 1561 note) is amended—

14 (1) by redesignating paragraphs (2), (3), and
15 (4) as paragraphs (5), (6), and (7), respectively;

16 (2) by inserting after paragraph (1) the fol-
17 lowing new paragraphs:

18 “(2) include a focus on whether and to what ex-
19 tent sub-populations of the military community may
20 be targeted for sexual assault, sexual harassment, or
21 domestic violence more than others;

22 “(3) seek to identify factors that influence the
23 prevention, perpetration, and victimization of sexual
24 assault, sexual harassment, and domestic violence;

1 “(4) seek to improve the collection and dissemi-
2 nation of data on hazing and bullying related to sex-
3 ual assault, sexual harassment, and domestic vio-
4 lence;”; and

5 (3) in paragraph (6), as redesignated by para-
6 graph (1) of this section, by amending the text to
7 read as follows:

8 “(6) incorporate collaboration with other Fed-
9 eral departments and agencies, including the De-
10 partment of Health and Human Services and the
11 Centers for Disease Control and Prevention, State
12 governments, academia, industry, federally funded
13 research and development centers, nonprofit organi-
14 zations, and other organizations outside of the De-
15 partment of Defense, including civilian institutions
16 that conduct similar data-driven studies, collection,
17 and analysis; and”.

18 (b) PRIMARY PREVENTION WORKFORCE.—Section
19 549B of the National Defense Authorization Act for Fis-
20 cal Year 2022 (Public Law 117–81; 10 U.S.C. 501 note)
21 is amended—

22 (1) in subsection (c), by adding at the end the
23 following new paragraph:

24 “(3) COMPTROLLER GENERAL REPORT.—Not
25 later than one year after the date of the enactment

1 of the National Defense Authorization Act for Fiscal
2 Year 2023, the Comptroller General of the United
3 States shall submit to the appropriate congressional
4 committees a report comparing the sexual harass-
5 ment and prevention training of the Department of
6 Defense with similar programs at other Federal de-
7 partments and agencies and including data collected
8 by colleges and universities and other relevant out-
9 side entities.”; and

10 (2) by adding at the end the following new sub-
11 sections:

12 “(e) INCORPORATION OF RESEARCH AND FIND-
13 INGS.—The Primary Prevention Workforce established
14 under subsection (a) shall, on a regular basis, incorporate
15 findings and conclusions from the primary prevention re-
16 search agenda established under section 549A, as appro-
17 priate, into the work of the workforce.

18 “(f) APPROPRIATE CONGRESSIONAL COMMITTEES
19 DEFINED.—In this section, the term ‘appropriate congres-
20 sional committees’ means the following:

21 “(1) The Committees on Armed Services of the
22 Senate and House of Representatives.

23 “(2) The Committees on Appropriations of the
24 Senate and House of Representatives.

1 “(3) The Committee on Committee on Home-
2 land Security and Governmental Affairs of the Sen-
3 ate.

4 “(4) The Committee on Oversight and Reform
5 of the House of Representatives.”.

6 **SEC. 543. TREATMENT OF CERTAIN COMPLAINTS FROM**
7 **MEMBERS OF THE ARMED FORCES.**

8 (a) **REGULATIONS REQUIRED.**—Not later than 180
9 days after the date of the enactment of this Act, each Sec-
10 retary of a military department shall issue regulations im-
11 plementing subsections (b) and (c).

12 (b) **MANDATORY IG INVESTIGATION OF CERTAIN**
13 **COMPLAINTS.**—

14 (1) **INSPECTOR GENERAL INVESTIGATION.**—A
15 complaint described in paragraph (2) from a mem-
16 ber an Armed Force under the jurisdiction of the
17 Secretary of a military department—

18 (A) may be investigated only by the In-
19 specter General of the Armed Force or military
20 department concerned; and

21 (B) may not be referred to an individual in
22 the chain of command of the complainant for
23 investigation.

24 (2) **COMPLAINT DESCRIBED.**—A complaint de-
25 scribed in this paragraph—

1 (A) is a complaint alleging that there was
2 a violation of a Department of Defense policy
3 relating to the investigation, processing, or
4 other administrative treatment of a report sex-
5 ual assault, sexual harassment, or domestic vio-
6 lence; and

7 (B) does not include a complaint alleging
8 an actual act of sexual harassment, sexual as-
9 sault, or domestic violence.

10 (c) OPPORTUNITY TO WITHDRAW COMPLAINTS BE-
11 FORE REFERRAL TO CHAIN OF COMMAND.—

12 (1) NOTICE AN OPPORTUNITY TO WITHDRAW.—

13 An Inspector General of an Armed Force or military
14 department who is in receipt of a complaint that is
15 eligible for referral to the chain of command of the
16 complainant may refer such complaint to the chain
17 of command only if the Inspector General—

18 (A) notifies the complainant of the intent
19 of the Inspector General to make such referral;
20 and

21 (B) provides the complainant with the op-
22 portunity to withdraw the complaint during the
23 period of 10 days following the issuance of such
24 notice.

1 (2) EFFECT OF WITHDRAWAL.—If a complain-
2 ant withdraws a complaint pursuant to paragraph
3 (1)(B), the Inspector General may not refer the
4 complaint to an individual in the complainant’s
5 chain of command and there shall be no further in-
6 vestigation of the complaint.

7 **SEC. 544. PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR**
8 **VICTIMS OF DOMESTIC VIOLENCE.**

9 (a) IN GENERAL.—Beginning not later than one year
10 after the date of the enactment of this Act, the Secretary
11 of Defense shall carry out a pilot program under which
12 the Secretary makes grants, on a discretionary basis, to
13 qualified victims of domestic violence to assist such victims
14 in seeking refuge from an abuser.

15 (b) DISBURSEMENT.—A grant under subsection (a)
16 may be disbursed—

17 (1) as a single, lump sum payment; or

18 (2) in multiple payments at such times and in
19 such amounts as the Secretary determines appro-
20 priate.

21 (c) MAXIMUM AMOUNT.—A qualified victim of do-
22 mestic violence may receive not more than a total of
23 \$7,500 in grants under subsection (a) during the victim’s
24 lifetime.

1 (d) REPORT.—Not later than one year prior to the
2 termination date specified in subsection (e), the Secretary
3 of Defense shall submit to the Committees on Armed Serv-
4 ices of the Senate and the House of Representatives a re-
5 port that—

6 (1) evaluates the effectiveness of the pilot pro-
7 gram under this section; and

8 (2) indicates whether the pilot program should
9 be continued or expanded.

10 (e) TERMINATION.—The authority to carry out the
11 pilot program under this section shall terminate six years
12 after the date of the enactment of this Act.

13 (f) REGULATIONS.—The Secretary of Defense shall
14 prescribe regulations implementing this section.

15 (g) DEFINITIONS.—In this section:

16 (1) The term “domestic violence” means an act
17 described in section 928b of title 10, United States
18 Code (article 128b of the Uniform Code of Military
19 Justice).

20 (2) The term “qualified victim of domestic vio-
21 lence” means an individual who meets the following
22 criteria:

23 (A) The individual is a member of an
24 Armed Force or a spouse, intimate partner, or

1 immediate family member of a member of an
2 Armed Force.

3 (B) The individual reported an incident of
4 domestic violence to an organization or element
5 of the Department of Defense or to a civilian
6 law enforcement organization.

7 (C) The individual or a dependent of that
8 individual was an alleged victim of such inci-
9 dent.

10 (D) The individual demonstrates—

11 (i) an intent to seek refuge from the
12 alleged abuser; and

13 (ii) a need for financial assistance.

14 **SEC. 545. AGREEMENTS WITH CIVILIAN VICTIM SERVICE**
15 **AGENCIES.**

16 (a) **GUIDANCE REQUIRED.**—The Secretary of De-
17 fense, in consultation with the Secretaries of the military
18 departments and the Secretary of the department in which
19 the Coast Guard is operating (with respect to the Coast
20 Guard), shall issue guidance pursuant to which installa-
21 tion commanders may enter into memoranda of under-
22 standing with qualified victim service agencies for pur-
23 poses of providing services to victims of sexual assault in
24 accordance with subsection (b).

1 (b) CONTENTS OF AGREEMENT.—A memorandum of
2 understanding entered into under subsection (a) shall pro-
3 vide that personnel of the sexual assault prevention and
4 response program at a military installation may refer a
5 victim of sexual assault to a qualified civilian victim serv-
6 ice agency if such personnel determine that such a referral
7 would benefit the victim.

8 (c) VICTIM SERVICE AGENCY DEFINED.—In this sec-
9 tion, the term “victim service agency” means an agency
10 which may provide legal services, counseling, or safe hous-
11 ing.

12 **SEC. 546. ACTIVITIES TO IMPROVE INFORMATION SHARING**
13 **AND COLLABORATION ON MATTERS RELAT-**
14 **ING TO THE PREVENTION OF AND RESPONSE**
15 **TO DOMESTIC ABUSE AND CHILD ABUSE AND**
16 **NEGLECT AMONG MILITARY FAMILIES.**

17 (a) ENHANCEMENT OF ACTIVITIES FOR AWARENESS
18 OF MILITARY FAMILIES REGARDING FAMILY ADVOCACY
19 PROGRAMS AND OTHER SIMILAR SERVICES.—

20 (1) PILOT PROGRAM ON INFORMATION ON FAPS
21 FOR FAMILIES.—The Secretary of Defense shall
22 carry out a pilot program to assess the feasibility
23 and advisability of various mechanisms to inform
24 families about the Family Advocacy Programs and
25 resiliency training of the covered Armed Forces dur-

1 ing command orientation and during enrollment in
2 the Defense Enrollment Eligibility Reporting Sys-
3 tem. The matters assessed by the pilot program
4 shall include the following:

5 (A) An option for training of family mem-
6 bers on the Family Advocacy Programs.

7 (B) The provision to families of informa-
8 tion on the resources available through the
9 Family Advocacy Programs.

10 (C) The availability through the Family
11 Advocacy Programs of both restricting and un-
12 restricted reporting on incidents of domestic
13 abuse.

14 (D) The provision to families of informa-
15 tion on the Military OneSource program of the
16 Department of Defense.

17 (E) The provision to families of informa-
18 tion on resources relating to domestic abuse
19 and child abuse and neglect that are available
20 through local community service organizations.

21 (F) The availability of the Military and
22 Family Life Counseling Program.

23 (2) OUTREACH ON FAP AND SIMILAR SERVICES
24 FOR MILITARY FAMILIES.—Each Secretary of a mili-
25 tary department shall improve the information avail-

1 able to military families under the jurisdiction of
2 such Secretary that are the victim of domestic abuse
3 or child abuse and neglect in order to provide such
4 families with comprehensive information on the serv-
5 ices available to such families in connection with
6 such violence and abuse and neglect. The informa-
7 tion so provided shall include a complete guide to
8 the following:

9 (A) The Family Advocacy Program of the
10 covered Armed Force or military department
11 concerned.

12 (B) Military law enforcement services, in-
13 cluding the process following a report of an in-
14 cidence of domestic abuse or child abuse or ne-
15 glect.

16 (C) Other applicable victim services.

17 (b) IMPROVEMENT OF COLLABORATION IN DOMESTIC
18 ABUSE PREVENTION SERVICES.—

19 (1) IN GENERAL.—Not later than 180 days
20 after the date of the enactment of this Act, Depart-
21 ment of Defense Instruction 6400.01, relating to the
22 Family Advocacy Program of the Department of De-
23 fense, shall be modified to enhance collaboration
24 among the programs and entities specified in para-
25 graph (2) for the purpose of leveraging the expertise

1 and resources of such programs and components to
2 order to improve the availability and scope of domes-
3 tic abuse prevention services for military families.

4 (2) PROGRAMS AND ENTITIES.—The programs
5 and entities specified in this paragraph are the fol-
6 lowing:

7 (A) The Family Advocacy Program of the
8 Department of Defense.

9 (B) The Sexual Assault Prevention and
10 Response Office of the Department of Defense.

11 (C) The Defense Suicide Prevention Of-
12 fice..

13 (D) The Defense Equal Opportunity Man-
14 agement Institute.

15 (E) The Defense Health Agency.

16 (F) The substance abuse prevention pro-
17 grams and entities of the covered Armed
18 Forces.

19 (G) Relevant programs and entities of the
20 Department of Veterans Affairs.

21 (H) Civilian organizations with missions
22 relevant to domestic abuse prevention, including
23 community health and social services organiza-
24 tions.

1 (I) Such other programs and entities as
2 the Secretary of Defense considers appropriate.

3 (c) COVERED ARMED FORCE DEFINED.—In this sec-
4 tion, the term “covered Armed Force” means the fol-
5 lowing:

- 6 (1) The Army.
- 7 (2) The Navy.
- 8 (3) The Marine Corps.
- 9 (4) The Air Force.
- 10 (5) The Space Force.

11 **Subtitle F—Member Education**

12 **SEC. 551. INCREASE IN MAXIMUM NUMBER OF STUDENTS** 13 **ENROLLED AT UNIFORMED SERVICES UNI-** 14 **VERSITY OF THE HEALTH SCIENCES.**

15 Section 2114(f)(2) of title 10, United States Code,
16 is amended by striking “40” and inserting “60”.

17 **SEC. 552. AUTHORIZATION OF CERTAIN SUPPORT FOR** 18 **MILITARY SERVICE ACADEMY FOUNDATIONS.**

19 (a) IN GENERAL.—Subchapter I of chapter 134 of
20 title 10, United States Code, is amended by inserting after
21 section 2245 the end the following new section:

1 **“§ 2246. Authorization of certain support for military**
2 **service academy foundations**

3 “(a) **AUTHORITY.**—Subject to subsection (b), the
4 Secretary of the military department concerned may pro-
5 vide the following support to a covered foundation:

6 “(1) The use, on an unreimbursed basis, of fa-
7 cilities or equipment of the United States by the cov-
8 ered foundation, authorized by any—

9 “(A) general or flag officer;

10 “(B) Senior Executive Service employee
11 assigned to the Service Academy supported by
12 that covered foundation; or

13 “(C) official designated by the Secretary
14 concerned.

15 “(2) Endorsement by an individual described in
16 paragraph (1) of—

17 “(A) the covered foundation;

18 “(B) an event of the covered foundation;

19 or

20 “(C) an activity of the covered foundation.

21 “(b) **LIMITATIONS.**—Support under subsection (a)
22 may be provided only if such support—

23 “(1) is without any liability of the United
24 States to the covered foundation;

25 “(2) does not affect the ability of any official or
26 employee of the military department concerned, or

1 any member of the armed forces, to carry out any
2 responsibility or duty in a fair and objective manner;

3 “(3) does not compromise the integrity or ap-
4 pearance of integrity of any program of the military
5 department concerned, or any individual involved in
6 such a program; and

7 “(4) does not include the participation of any
8 cadet or midshipman, other than participation in an
9 honor guard at an event of the covered foundation.

10 “(c) BRIEFING.—In any fiscal year during which sup-
11 port is provided under subsection (a), the Secretary of the
12 military department concerned shall provide a briefing not
13 later than the last day of that fiscal year to the congres-
14 sional defense committees regarding the number of events
15 or activities of a covered foundation in which an individual
16 described in subsection (a)(1) participated during such fis-
17 cal year.

18 “(d) DEFINITIONS.—In this section:

19 “(1) The term ‘covered foundation’ means a
20 charitable, educational, or civic nonprofit organiza-
21 tion under section 501(c)(3) of the Internal Revenue
22 Code of 1986, that the Secretary concerned deter-
23 mines operates exclusively to support, with respect
24 to a Service Academy, any of the following:

25 “(A) Recruiting.

1 “(B) Parent or alumni development.

2 “(C) Academic, leadership, or character
3 development.

4 “(D) Institutional development.

5 “(E) Athletics.

6 “(2) The term ‘Service Academy’ has the mean-
7 ing given such term in section 347 of this title.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such subchapter is amended by insert-
10 ing after the item relating to item 2245 the following new
11 item:

“2246. Authorization of certain support for military service academy founda-
tions.”.

12 **SEC. 553. AGREEMENT BY A CADET OR MIDSHIPMAN TO**
13 **PLAY PROFESSIONAL SPORT CONSTITUTES A**
14 **BREACH OF SERVICE OBLIGATION.**

15 (a) UNITED STATES MILITARY ACADEMY.—Section
16 7448 of title 10, United States Code, is amended as fol-
17 lows:

18 (1) Paragraph (5) of subsection (a) is amended
19 to read as follows:

20 “(5) The cadet may not obtain employment, in-
21 cluding as a professional athlete, until after com-
22 pleting the cadet’s commissioned service obligation.”.

23 (2) Subsection (b) is amended by adding at the
24 end the following new paragraph:

1 “(4) A cadet who violates paragraph (5) of subsection
2 (a) by obtaining employment as a professional athlete is
3 not eligible for the alternative obligation under paragraph
4 (1).”.

5 (3) Subsection (c) is amended—

6 (A) by redesignating paragraphs (2) and
7 (3) as paragraphs (3) and (4), respectively; and

8 (B) by inserting, after paragraph (1), the
9 following new paragraph (2):

10 “(2) that a cadet who obtains employment as a
11 professional athlete before completing the cadet’s
12 commissioned service obligation has breached an
13 agreement under such subsection;”.

14 (4) Subsection (d) is amended—

15 (A) by striking “with respect to an officer
16 who is a graduate of the Academy” and insert-
17 ing “with respect to a cadet”; and

18 (B) by striking “officer’s” and inserting
19 “cadet’s”.

20 (5) Subsection (f) is amended by striking “the
21 terms” and inserting “each term”.

22 (b) UNITED STATES NAVAL ACADEMY.—Section
23 8459 of title 10, United States Code, is amended as fol-
24 lows:

1 (1) Paragraph (5) of subsection (a) is amended
2 to read as follows:

3 “(5) The midshipman may not obtain employ-
4 ment, including as a professional athlete, until after
5 completing the midshipman’s commissioned service
6 obligation.”.

7 (2) Subsection (b) is amended by adding at the
8 end the following new paragraph:

9 “(4) A midshipman who violates paragraph (5) of
10 subsection (a) by obtaining employment as a professional
11 athlete is not eligible for the alternative obligation under
12 paragraph (1).”.

13 (3) Subsection (c) is amended—

14 (A) by redesignating paragraphs (2) and
15 (3) as paragraphs (3) and (4), respectively; and

16 (B) by inserting, after paragraph (1), the
17 following new paragraph (2):

18 “(2) that a midshipman who obtains employ-
19 ment as a professional athlete before completing the
20 midshipman’s commissioned service obligation has
21 breached an agreement under such subsection;”.

22 (4) Subsection (d) is amended—

23 (A) by striking “with respect to an officer
24 who is a graduate of the Academy” and insert-
25 ing “with respect to a midshipman”; and

1 (B) by striking “officer’s” and inserting
2 “midshipman’s”.

3 (5) Subsection (f) is amended by striking “the
4 terms” and inserting “each term”.

5 (c) UNITED STATES AIR FORCE ACADEMY.—Section
6 9448 of title 10, United States Code, is amended as fol-
7 lows:

8 (1) Paragraph (5) of subsection (a) is amended
9 to read as follows:

10 “(5) The cadet may not obtain employment, in-
11 cluding as a professional athlete, until after com-
12 pleting the cadet’s commissioned service obligation.”.

13 (2) Subsection (b) is amended by adding at the
14 end the following new paragraph:

15 “(4) A cadet who violates paragraph (5) of subsection
16 (a) by obtaining employment as a professional athlete is
17 not eligible for the alternative obligation under paragraph
18 (1).”.

19 (3) Subsection (c) is amended—

20 (A) by redesignating paragraphs (2) and
21 (3) as paragraphs (3) and (4), respectively; and

22 (B) by inserting, after paragraph (1), the
23 following new paragraph (2):

24 “(2) that a cadet who obtains employment as a
25 professional athlete before completing the cadet’s

1 commissioned service obligation has breached an
2 agreement under such subsection;”.

3 (4) Subsection (d) is amended—

4 (A) by striking “with respect to an officer
5 who is a graduate of the Academy” and insert-
6 ing “with respect to a cadet”; and

7 (B) by striking “officer’s” and inserting
8 “cadet’s”.

9 (5) Subsection (f) is amended by striking “the
10 terms” and inserting “each term”.

11 **SEC. 554. NAVAL POSTGRADUATE SCHOOL: ATTENDANCE**
12 **BY ENLISTED MEMBERS.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that:

15 (1) The demands of the future operating envi-
16 ronment need to be met by the most professional, in-
17 telligent, innovative, and capable servicemembers our
18 nation has ever produced.

19 (2) Though officers comprise roughly 18% of
20 the armed forces, they receive significantly higher in-
21 vestments into their education up to the PhD level
22 than that of their enlisted counterparts.

23 (3) Investing in enlisted advanced education
24 will strengthen the lethality of the armed forces by
25 producing higher quantities of noncommissioned offi-

1 cers able to operate through the intellectual de-
2 mands of complex contingencies, producing military
3 leaders at rates higher than is otherwise feasible
4 with the pool of eligible officers.

5 (4) Conducting research and analysis on the
6 impact of advanced education on enlisted
7 servicemembers performance, promotion rate, mis-
8 conduct, and retention is critical to propelling the
9 Department of Defense’s initiatives for a modern,
10 state-of-the art approach to education and research
11 to create and sustain an intellectual overmatch in to-
12 day’s warfighting domains.

13 (5) The Naval Postgraduate School serves as a
14 converging point for all branches of the United
15 States military while simultaneously offering innova-
16 tive learning environments that, combined, offers an
17 ideal testing ground to evaluate the potential bene-
18 fits of expanding enlisted higher education across
19 the Joint Force.

20 (b) IN GENERAL.—Subsection (a)(2)(D)(iii) of sec-
21 tion 8545 of title 10, United States Code, is amended by
22 striking “only on a space-available basis” and inserting
23 “at a rate of acceptance not to be conditioned by the num-
24 ber of officer applications”.

1 (c) BRIEFING.—Six years after the date of the enact-
2 ment of this Act, the Secretary of Defense shall brief the
3 Committees on Armed Services of the Senate and House
4 of Representatives on the effects of increasing enrollment
5 of enlisted members at the Naval Postgraduate School
6 pursuant to the amendment made by subsection (a). Such
7 briefing shall include the following elements:

8 (1) Any increase to the lethality of the Armed
9 Forces.

10 (2) Effects on rates of recruitment, promotion
11 (including compensation to members), and retention.

12 (3) Effects on malign behavior by members of
13 the Armed Forces.

14 **SEC. 555. AUTHORITY TO WAIVE TUITION AT UNITED**
15 **STATES AIR FORCE INSTITUTE OF TECH-**
16 **NOLOGY FOR CERTAIN PRIVATE SECTOR CI-**
17 **VILIANS.**

18 Section 9414a(e)(1) of title 10, United States Code,
19 is amended—

20 (1) in by striking “The United” and inserting
21 “Subject to paragraph (3), the United”; and

22 (2) by adding at the end the following:

23 “(3) The Director and Chancellor of the United
24 States Air Force Institute of Technology may waive tui-

1 tion for a student, enrolled under this section, who attends
2 a course for professional continuing education.”.

3 **SEC. 556. TERMS OF PROVOST AND ACADEMIC DEAN OF**
4 **THE UNITED STATES AIR FORCE INSTITUTE**
5 **OF TECHNOLOGY.**

6 (a) IN GENERAL.—Paragraph (2) of subsection (b)
7 of section 9414b of title 10, United States Code, is amend-
8 ed to read as follows: “An individual selected for the posi-
9 tion of Provost and Chief Academic Officer shall serve in
10 that position for a term of not more than five years and
11 may be continued in that position for an additional term
12 of up to five years”.

13 (b) CONFORMING AMENDMENT.—Paragraph (1) of
14 such subsection is amended by striking “appointed” and
15 inserting “selected”.

16 **SEC. 557. ESTABLISHMENT OF CONSORTIUM FOR CUR-**
17 **RICULA IN MILITARY EDUCATION.**

18 (a) ESTABLISHMENT.—Not later than one year after
19 the date of the enactment of this Act, the Secretary of
20 Defense, in coordination with the Chairman of the Joint
21 Chiefs of Staff, and in coordination with the Under Sec-
22 retary of Defense for Personnel and Readiness, shall es-
23 tablish a consortium of the institutions of military edu-
24 cation and covered entities.

1 (b) ACTIVITIES.—The duties of the consortium shall
2 be to conduct research and develop common, research-
3 based curricula for the institutions of military education
4 in order to improve military education for students of the
5 consortium members.

6 (c) CURRICULA.—

7 (1) IN GENERAL.—Curricula developed by the
8 consortium shall—

9 (A) be more responsive to new opportuni-
10 ties and challenges in an era of great power
11 competition, and in which security requires
12 knowledge of economics, new technologies, sup-
13 ply chains, and adversarial governments;

14 (B) creatively apply military power to in-
15 form national strategy, conduct globally inte-
16 grated operations, and fight under conditions of
17 disruptive change; and

18 (C) include non-military topics, such as di-
19 plomacy, economics, information, intelligence,
20 and culture.

21 (2) APPLIED DESIGN FOR INNOVATION OF THE
22 DEFENSE ANALYSIS DEPARTMENT AT THE NAVAL
23 POSTGRADUATE SCHOOL.—The Secretary may make
24 permanent the curriculum of the Applied Design for
25 Innovation of the Defense Analysis Department at

1 the Naval Postgraduate School and use such cur-
2 riculum as a model to be replicated at other institu-
3 tions of military education.

4 (d) DIRECTOR.—The Director of the consortium shall
5 be the President of National Defense University.

6 (e) MEETINGS.—The consortium shall meet at the
7 call of the Director, in accordance with the following:

8 (1) The consortium and the Chiefs of the
9 Armed Forces shall meet not less than once annually
10 to establish or revise curricula.

11 (2) The consortium shall meet not less than
12 twice annually to establish a plan of action and mile-
13 stones to prepare curricula.

14 (f) REPORTS.—

15 (1) INTERIM REPORT.—Not later than 180
16 days after the date of the enactment of this Act, the
17 Secretary shall submit to the Committees on Armed
18 Services of the Senate and House of Representative
19 an interim report on the organization, activities,
20 funding, actions and milestones of the consortium.

21 (2) ANNUAL REPORT.—Not later than Sep-
22 tember 30 of each year, beginning in 2024 and end-
23 ing in 2028, the Secretary shall submit to the Com-
24 mittees on Armed Services of the Senate and House
25 of Representative a report describing the activities,

1 funding, curricula created, and research conducted
2 by the consortium during the preceding year.

3 (g) TERMINATION.—The consortium shall terminate
4 on September 30, 2028.

5 (h) DEFINITIONS.—In this section:

6 (1) The term “institutions of military edu-
7 cation” means—

8 (A) the professional military education
9 schools;

10 (B) the senior level service schools;

11 (C) the intermediate level service schools;

12 (D) the joint intermediate level service
13 school;

14 (E) the Naval Postgraduate School; and

15 (F) the military service academies.

16 (2) The term “covered entity” means—

17 (A) an institution of higher education that
18 the Secretary determines has an established
19 program of education regarding national secu-
20 rity or technology relevant to the Department
21 of Defense; or

22 (B) an entity that the Secretary deter-
23 mines conducts research in policy relevant to
24 the Department of Defense.

1 (3) The term “institution of higher education”
2 has the meaning given that term in section 101 of
3 the Higher Education Act of 1965 (Public Law 89–
4 329; 20 U.S.C. 1001).

5 (4) The terms “intermediate level service
6 school”, “joint intermediate level service school”,
7 and “senior level service school” have the meaning
8 given such terms in section 2151 of title 10, United
9 States Code.

10 (5) The term “military service academy” means
11 the following:

12 (A) The United States Military Academy.

13 (B) The United States Naval Academy.

14 (C) The United States Air Force Academy.

15 (6) The term “professional military education
16 schools” means the schools specified in section 2162
17 of title 10, United States Code.

18 **SEC. 558. ESTABLISHMENT OF CONSORTIUM OF INSTITU-**
19 **TIONS OF MILITARY EDUCATION FOR CYBER-**
20 **SECURITY MATTERS.**

21 (a) **ESTABLISHMENT.**—Not later than one year after
22 the date of the enactment of this Act, the Secretary of
23 Defense, in coordination with the Chairman of the Joint
24 Chiefs of Staff and the Under Secretary of Defense for

1 Personnel and Readiness, shall establish a consortium of
2 the institutions of military education and covered entities.

3 (b) FUNCTIONS.—The functions of the consortium
4 include the following:

5 (1) To provide a forum for members of the con-
6 sortium to share information regarding matters of
7 education on cybersecurity, including—

8 (A) education of cyber mission forces;

9 (B) lessons learned;

10 (C) the intersection of cybersecurity across
11 all warfighting domains; and

12 (D) other matters of cybersecurity related
13 to national security.

14 (2) To develop a cybersecurity research agenda
15 to—

16 (A) identify gaps in cybersecurity of the
17 Department of Defense; and

18 (B) study offensive threats, defensive
19 threats, and active deterrence in the cyber do-
20 main.

21 (3) To provide the Secretary, the consortium
22 members, and other entities determined appropriate
23 by the Secretary, access to the expertise of the mem-
24 bers of the consortium on matters relating to cyber-
25 security.

1 (4) To align the efforts of the members of the
2 consortium to support cybersecurity of the Depart-
3 ment of Defense.

4 (c) DIRECTOR.—The Director of the consortium shall
5 be the President of National Defense University. The Di-
6 rector shall consult and coordinate with representatives of
7 the institutions of military education and covered entities.

8 (d) MEETINGS.—The consortium shall meet at the
9 call of the Director, including—

10 (1) not less than once annually with the Chiefs
11 of the Armed Forces; and

12 (2) not less than once annually to conduct cyber
13 space war games wherein members of the consor-
14 tium compete.

15 (e) COORDINATION WITH OTHER ENTITIES.—The
16 Consortium shall, to the maximum extent practicable, co-
17 ordinate on matters of mutual interest and align its efforts
18 with the consortium established under section 1659 of the
19 National Defense Authorization Act for Fiscal Year 2020
20 (Public Law 116–92; 10 U.S.C. 391 note).

21 (f) REPORTS.—

22 (1) INTERIM REPORT.—Not later than 180
23 days after the date of the enactment of this Act, the
24 Secretary shall submit to the Committees on Armed
25 Services of the Senate and House of Representative

1 an interim report on the organization, activities,
2 funding, actions and milestones of the consortium.

3 (2) ANNUAL REPORT.—Not later than Sep-
4 tember 30 of each year, beginning in 2024 and end-
5 ing in 2028, the Secretary shall submit to the Com-
6 mittees on Armed Services of the Senate and House
7 of Representative a report describing the activities,
8 funding, research conducted by the consortium, and
9 other matters determined by the Secretary, during
10 the preceding year.

11 (g) TERMINATION.—The consortium shall terminate
12 on September 30, 2028.

13 (h) DEFINITIONS.—In this section:

14 (1) The term “institutions of military edu-
15 cation” means—

16 (A) the professional military education
17 schools;

18 (B) the senior level service schools;

19 (C) the intermediate level service schools;

20 (D) the joint intermediate level service
21 school;

22 (E) the Naval Postgraduate School; and

23 (F) the military service academies.

24 (2) The term “covered entity” means—

1 (A) an institution of higher education that
2 the Secretary determines has an established
3 program of education regarding cybersecurity
4 or technology relevant to the Department of
5 Defense; or

6 (B) an entity that the Secretary deter-
7 mines conducts research in cybersecurity rel-
8 evant to the Department of Defense.

9 (3) The term “institution of higher education”
10 has the meaning given that term in section 101 of
11 the Higher Education Act of 1965 (Public Law 89–
12 329; 20 U.S.C. 1001).

13 (4) The terms “intermediate level service
14 school”, “joint intermediate level service school”,
15 and “senior level service school” have the meaning
16 given such terms in section 2151 of title 10, United
17 States Code.

18 (5) The term “military service academy” means
19 the following:

20 (A) The United States Military Academy.

21 (B) The United States Naval Academy.

22 (C) The United States Air Force Academy.

23 (6) The term “professional military education
24 schools” means the schools specified in section 2162
25 of title 10, United States Code.

1 **SEC. 559. COMMISSION ON PROFESSIONAL MILITARY EDU-**
2 **CATION.**

3 (a) **ESTABLISHMENT.**—There is established a com-
4 mission to examine the purpose, implementation, out-
5 comes, and relevance of professional military education
6 programs operated by the Department of Defense. The
7 commission shall be known as the “Commission on Profes-
8 sional Military Education” (referred to in this section as
9 the “Commission”).

10 (b) **MEMBERSHIP.**—

11 (1) **COMPOSITION.**—The Commission shall be
12 composed of the following members:

13 (A) Two members appointed by the Chair-
14 man of the Committee on Armed Services of
15 the Senate, one of whom shall be a Senator and
16 one who may not be a Senator.

17 (B) Two members appointed by the Rank-
18 ing Minority Member of the Committee on
19 Armed Services of the Senate, one of whom
20 shall be a Senator and one who may not be a
21 Senator.

22 (C) Two members appointed by the Chair
23 of the Committee on Armed Services of the
24 House of Representatives, one of whom shall be
25 a Member of the House of Representatives and

1 one who may not be a Member of the House of
2 Representatives.

3 (D) Two members appointed by the Rank-
4 ing Minority Member of the Committee on
5 Armed Services of the House of Representa-
6 tives, one of whom shall be a Member of the
7 House of Representatives and one who may not
8 be a Member of the House of Representatives.

9 (2) CHAIR.—The Commission shall have one
10 Chair, selected by the members of the Commission.

11 (c) APPOINTMENT; INITIAL MEETING.—

12 (1) APPOINTMENT.—Members of the Commis-
13 sion shall be appointed not later than 60 days after
14 the date of the enactment of this Act.

15 (2) INITIAL MEETING; NOTICE.—The Commis-
16 sion shall hold its initial meeting on or before the
17 date that is 90 days after the date of the enactment
18 of this Act. In lieu of publication in the Federal
19 Register, the Commission shall post a notice of such
20 meeting on a publicly accessible website of the Com-
21 mission at least 15 days before such meeting.

22 (d) MEETINGS; NOTICE; QUORUM; VACANCIES.—

23 (1) IN GENERAL; NOTICE.—After its initial
24 meeting, the Commission shall meet—

1 (A) upon the call of the Chair of the Com-
2 mission; and

3 (B) not fewer than 15 days after posting
4 a notice of such meeting on a publicly accessible
5 website of the Commission, in lieu of publica-
6 tion in the Federal Register.

7 (2) QUORUM.—Five members of the Commis-
8 sion shall constitute a quorum for purposes of con-
9 ducting business, except that two members of the
10 Commission shall constitute a quorum for purposes
11 of receiving testimony.

12 (3) VACANCIES.—Members shall be appointed
13 for the life of the Commission. Any vacancy in the
14 Commission shall not affect its powers, but shall be
15 filled in the same manner as the original appoint-
16 ment.

17 (4) QUORUM WITH VACANCIES.—If vacancies in
18 the Commission occur on any day after 60 days
19 after the date of the enactment of this Act, a
20 quorum shall consist of a majority of the members
21 of the Commission as of such day.

22 (e) ACTIONS OF COMMISSION.—

23 (1) IN GENERAL.—The Commission shall act by
24 resolution agreed to by a majority of the members
25 of the Commission voting and present.

1 (2) SUBCOMMITTEES.—The Commission may
2 establish subcommittees composed of less than the
3 full membership of the Commission for purposes of
4 carrying out the duties of the Commission under this
5 section. The actions of any such subcommittee shall
6 be subject to the review and control of the Commis-
7 sion. Any findings and determinations made by such
8 a subcommittee shall not be considered the findings
9 and determinations of the Commission unless ap-
10 proved by the Commission.

11 (3) DELEGATION.—Any member, agent, or staff
12 of the Commission may, if authorized by the Chair
13 of the Commission, take any action which the Com-
14 mission is authorized to take pursuant to this sec-
15 tion.

16 (f) DUTIES.—The duties of the Commission are as
17 follows:

18 (1) To—

19 (A) review the purpose and desired out-
20 comes, as indicated in Department of Defense
21 Instruction 1322.35, of professional military
22 education in support of the National Defense
23 Strategy; and

24 (B) evaluate whether the Armed Forces
25 are achieving such purpose and outcomes.

1 (2) To review and evaluate the means by which
2 faculty assigned to teach professional military edu-
3 cation are selected, managed, promoted, evaluated,
4 and afforded academic freedom, including—

5 (A) members serving on active duty;

6 (B) civilian instructors who are military re-
7 tirees; and

8 (C) civilian instructors who are not mili-
9 tary retirees.

10 (3) To—

11 (A) review how members are selected for
12 residential and non-residential professional mili-
13 tary education;

14 (B) evaluate whether students are ade-
15 quately prepared for professional military edu-
16 cation programs; and

17 (C) whether additional entrance require-
18 ments, such as a writing assessment and aca-
19 demic prerequisites, should be established.

20 (4) To—

21 (A) review and assess how the performance
22 of professional military education students is
23 evaluated during the academic year;

24 (B) how such performance is reflected in
25 the service records of such students; and

1 (C) consider whether students assigned to
2 residential professional military education at
3 the war colleges should be objectively evaluated
4 by the faculty for potential at more senior
5 ranks.

6 (5) To review and evaluate whether and how
7 professional military education prepares graduates
8 for senior-level operational and strategic assign-
9 ments.

10 (6) To review and evaluate whether and how
11 the Armed Forces consider and fully leverage profes-
12 sional military education in subsequent assignments.

13 (7) To consider whether professional military
14 education tracks focused on China, Russia, or other
15 key adversaries or topics of importance to the Na-
16 tional Defense Strategy would provide value for the
17 Armed Forces.

18 (8) With respect to professional military edu-
19 cation curriculum, to review and evaluate—

20 (A) relevance to the National Defense
21 Strategy and current and future defense needs,
22 including topics covered and modalities of in-
23 struction, such as interactive seminars,
24 wargaming, and other simulations; and

1 (B) the process for developing and modi-
2 fying the curriculum.

3 (9) To evaluate whether the Armed Forces have
4 established a system of accountability to ensure that
5 professional military education meets the defense
6 needs of the United States at a reasonable cost.

7 (10) To review and evaluate the appropriate-
8 ness of the service commitments imposed by the
9 Armed Forces for members selected for professional
10 military education.

11 (g) POWERS OF COMMISSION.—

12 (1) IN GENERAL.—The Commission or, on the
13 authorization of the Commission, any subcommittee
14 or member thereof, may, for the purpose of carrying
15 out the provisions of this section hold such hearings
16 and sit and act at such times and places, take such
17 testimony, receive such evidence, and administer
18 such oaths.

19 (2) CONTRACTING.—The Commission may, to
20 such extent and in such amounts as are provided in
21 advance in appropriation Acts, enter into contracts
22 to enable the Commission to discharge its duties
23 under this section.

24 (3) INFORMATION FROM FEDERAL AGENCIES.—

1 (A) IN GENERAL.—The Commission may
2 secure directly from any executive department,
3 agency, bureau, board, commission, office, inde-
4 pendent establishment, or instrumentality of the
5 Government information, suggestions, esti-
6 mates, and statistics for the purposes of this
7 section.

8 (B) COMPLIANCE.—Except for the intel-
9 ligence community (as such term is defined in
10 section 3 of the National Security Act of 1947
11 (Chapter 343; 61 Stat. 496; 50 U.S.C. 3003)),
12 each such department, agency, bureau, board,
13 commission, office, establishment, or instrumen-
14 tality shall, to the extent authorized by law, fur-
15 nish such information, suggestions, estimates,
16 and statistics directly to the Commission, upon
17 request of the Chair of the Commission.

18 (C) CLASSIFIED INFORMATION.—The
19 Commission shall handle and protect all classi-
20 fied information provided to it under this sec-
21 tion in accordance with applicable statutes and
22 regulations.

23 (4) ASSISTANCE FROM DEPARTMENT OF DE-
24 FENSE.—The Secretary of Defense shall provide to
25 the Commission, on a nonreimbursable basis, such

1 administrative services, funds, staff, facilities, and
2 other support services as are necessary for the per-
3 formance of the Commission's duties under this sec-
4 tion.

5 (5) POSTAL SERVICES.—The Commission may
6 use the United States postal services in the same
7 manner and under the same conditions as the de-
8 partments and agencies of the United States.

9 (6) GIFTS.—No member or staff of the Com-
10 mission may receive a gift or benefit by reason of
11 the service of such member or staff to the Commis-
12 sion.

13 (h) STAFF OF COMMISSION.—

14 (1) DIRECTOR.—The Chair of the Commission,
15 in accordance with rules agreed upon by the Com-
16 mission, shall appoint and fix the compensation of a
17 staff director and such other personnel as may be
18 necessary to enable the Commission to carry out its
19 duties, without regard to the provisions of title 5,
20 United States Code, governing appointments in the
21 competitive service, and without regard to the provi-
22 sions of chapter 51 and subchapter III of chapter 53
23 of such title relating to classification and General
24 Schedule pay rates, except that no rate of pay fixed
25 under this subsection may exceed the equivalent of

1 that payable to a person occupying a position at
2 level V of the Executive Schedule under section 5316
3 of such title.

4 (2) DETAILEES.—Any Federal Government em-
5 ployee may be detailed to the Commission without
6 reimbursement from the Commission, and such
7 detailee shall retain the rights, status, and privileges
8 of his or her regular employment without interrup-
9 tion.

10 (3) CONSULTANT SERVICES.—The Commission
11 may procure the services of experts and consultants
12 in accordance with section 3109 of title 5, United
13 States Code, but at rates not to exceed the daily rate
14 paid a person occupying a position at level IV of the
15 Executive Schedule under section 5315 of such title.

16 (i) COMPENSATION AND TRAVEL EXPENSES.—

17 (1) COMPENSATION.—

18 (A) IN GENERAL.—Except as provided in
19 paragraph (2), each member of the Commission
20 may be compensated at not to exceed the daily
21 equivalent of the annual rate of basic pay in ef-
22 fect for a position at level IV of the Executive
23 Schedule under section 5315 of title 5, United
24 States Code, for each day during which that
25 member is engaged in the actual performance of

1 the duties of the Commission under this sec-
2 tion.

3 (B) FEDERAL OFFICERS OR EMPLOY-
4 EES.—Members of the Commission who are of-
5 ficers or employees of the United States or
6 Members of Congress shall receive no additional
7 pay by reason of their service on the Commis-
8 sion.

9 (2) TRAVEL EXPENSES.—While away from
10 their homes or regular places of business in the per-
11 formance of services for the Commission, members
12 of the Commission may be allowed travel expenses,
13 including per diem in lieu of subsistence, in the
14 same manner as persons employed intermittently in
15 the Government service are allowed expenses under
16 section 5703 of title 5, United States Code.

17 (j) FINAL REPORT; TERMINATION.—

18 (1) FINAL REPORT.—Not later than 18 months
19 after the date of the enactment of this Act, the
20 Commission shall submit to the congressional de-
21 fense committees and the Secretary of Defense an
22 unclassified report (that may include a classified
23 annex) containing the findings and recommendations
24 of the Commission.

25 (2) TERMINATION.—

1 (A) IN GENERAL.—The Commission, and
2 all the authorities of this section, shall termi-
3 nate at the end of the 120-day period beginning
4 on the date on which the final report under
5 paragraph (1) is submitted to the congressional
6 defense committees.

7 (B) WINDING DOWN.—The Commission
8 may use the 120-day period referred to in sub-
9 paragraph (A) for the purposes of concluding
10 its activities, including providing testimony to
11 Congress concerning the final report referred to
12 in that subparagraph and disseminating the re-
13 port.

14 **Subtitle G—Member Training and** 15 **Transition**

16 **SEC. 561. INFORMATION REGARDING APPRENTICESHIPS** 17 **FOR MEMBERS DURING INITIAL ENTRY** 18 **TRAINING.**

19 (a) REQUIREMENT.—Chapter 31 of title 10, United
20 States Code, is amended by inserting after section 510 the
21 following new section:

22 **“§ 510a. Provision of information regarding appren-** 23 **ticeships during initial entry training**

24 “(a) IN GENERAL.—The Secretary concerned shall
25 provide to a member, during initial entry training, infor-

1 mation regarding registered apprenticeship programs re-
2 lated to the military occupational specialty or career field
3 of such member.

4 “(b) REGISTERED APPRENTICESHIP PROGRAM DE-
5 FINED.—In this section, the term ‘registered apprentice-
6 ship program’ means an apprenticeship program reg-
7 istered under the Act of August 16, 1937 (commonly
8 known as the ‘National Apprenticeship Act’; 50 Stat. 664,
9 chapter 663; 29 U.S.C. 50 et seq.).”

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by inserting,
12 after the item relating to section 510, the following new
13 item:

“510a. Provision of information regarding apprenticeships during initial entry
training.”

14 **SEC. 562. EXTREMIST ACTIVITY BY A MEMBER OF THE**
15 **ARMED FORCES: NOTATION IN SERVICE**
16 **RECORD; TAP COUNSELING.**

17 (a) TAP COUNSELING.—Subsection (b) of section
18 1142 of title 10, United States Code, is amended by add-
19 ing at the end the following new paragraph (20):

20 “(20) In the case of a member who has violated
21 Department of Defense Instruction 1325.06 (or suc-
22 cessor document), relating to extremist activity, in-
23 person counseling, developed by the Secretary of De-

1 fense in consultation with the Secretary of Home-
2 land Security, that includes—

3 “(A) information regarding why extremist
4 activity is inconsistent with service in the armed
5 forces and with national security;

6 “(B) information regarding the dangers
7 associated with involvement with an extremist
8 group; and

9 “(C) methods for the member to recognize
10 and avoid information that may promote ex-
11 tremist activity.”.

12 (b) SERVICE RECORD.—In the case of a member de-
13 scribed in paragraph (20) of such subsection, as added
14 by subsection (a) of this section, the Secretary concerned
15 shall ensure that the commanding officer of such member
16 notes such violation in the service record of such member.

17 (c) IMPLEMENTATION DATE.—The Secretary of De-
18 fense shall complete development of counseling under such
19 paragraph not later than the day that is one year after
20 the date of the enactment of this Act. The Secretary con-
21 cerned shall ensure that such counseling is carried out on
22 and after such day.

23 **SEC. 563. CODIFICATION OF SKILLBRIDGE PROGRAM.**

24 (a) IN GENERAL.—Section 1143(e) of title 10,
25 United States Code, is amended—

1 (1) in the heading, by adding “; SKILLBRIDGE”
2 after “TRAINING” ; and

3 (2) in paragraph (1), by adding at the end
4 “Such a program shall be known as ‘Skillbridge’.”.

5 (b) REGULATIONS.—To carry out Skillbridge, the
6 Secretary of Defense shall, not later than September 30,
7 2023—

8 (1) update Department of Defense Instruction
9 1322.29, titled “Job Training, Employment Skills
10 Training, Apprenticeships, and Internships (JTEST-
11 AI) for Eligible Service Members”; and

12 (2) develop a funding plan for Skillbridge that
13 includes funding lines across the future-years de-
14 fense program under section 221 of title 10, United
15 States Code.

16 **SEC. 564. TRAINING ON DIGITAL CITIZENSHIP AND MEDIA**
17 **LITERACY IN ANNUAL CYBER AWARENESS**
18 **TRAINING FOR CERTAIN MEMBERS.**

19 (a) IN GENERAL.—The annual cyber awareness
20 training provided to members of the covered Armed
21 Forces shall include a digital literacy module regarding
22 digital citizenship, media literacy, and protection against
23 cyber threats (such as influenced or digitally altered infor-
24 mation).

25 (b) DEFINITIONS.—In this section:

1 (1) The term “covered Armed Force” means
2 the following:

3 (A) The Army.

4 (B) The Navy.

5 (C) The Marine Corps.

6 (D) The Air Force.

7 (E) The Space Force.

8 (2) The term “digital citizenship” means the
9 ability to safely, responsibly, and ethically use com-
10 munication technologies and digital information
11 technology tools and platforms; create and share
12 media content using principles of social and civic re-
13 sponsibility and with awareness of the legal and eth-
14 ical issues involved; and participate in the political,
15 economic, social, and cultural aspects of life related
16 to technology, communications, and the digital world
17 by consuming and creating digital content, including
18 media.

19 (3) The term “media literacy” means the ability
20 to access relevant and accurate information through
21 media in a variety of forms; critically analyze media
22 content and the influences of different forms of
23 media; evaluate the comprehensiveness, relevance,
24 credibility, authority, and accuracy of information;
25 make educated decisions based on information ob-

1 tained from media and digital sources; operate var-
2 ious forms of technology and digital tools; and re-
3 flect on how the use of media and technology may
4 affect private and public life.

5 **SEC. 565. PILOT GRANT PROGRAM TO SUPPLEMENT THE**
6 **TRANSITION ASSISTANCE PROGRAM OF THE**
7 **DEPARTMENT OF DEFENSE.**

8 (a) **ESTABLISHMENT.**—The Secretary of Defense, in
9 consultation with the Secretary of Veterans Affairs, shall
10 carry out a pilot grant program under which the Secretary
11 of Defense provides enhanced support and funding to eligi-
12 ble entities to supplement TAP to provide job opportuni-
13 ties for industry recognized certifications, job placement
14 assistance, and related employment services directly to
15 covered individuals.

16 (b) **SERVICES.**—Under the pilot grant program, the
17 Secretary of Defense shall provide grants to eligible enti-
18 ties to provide to covered individuals the following services:

19 (1) Using an industry-validated screening tool,
20 assessments of prior education, work history, and
21 employment aspirations of covered individuals, to
22 tailor appropriate and employment services.

23 (2) Preparation for civilian employment
24 through services like mock interviews and salary ne-

1 negotiations, training on professional networking plat-
2 forms, and company research.

3 (3) Several industry-specific learning path-
4 ways—

5 (A) with entry-level, mid-level and senior
6 versions;

7 (B) in fields such as project management,
8 cybersecurity, and information technology;

9 (C) in which each covered individual works
10 with an academic advisor to choose a career
11 pathway and navigate coursework during the
12 training process; and

13 (D) in which each covered individual can
14 earn industry-recognized credentials and certifi-
15 cations, at no charge to the covered individual.

16 (4) Job placement services.

17 (c) PROGRAM ORGANIZATION AND IMPLEMENTATION
18 MODEL.—The pilot grant program shall follow existing
19 economic opportunity program models that combine indus-
20 try-recognized certification training, furnished by profes-
21 sionals, with online learning staff.

22 (d) CONSULTATION.—In carrying out the program,
23 the Secretary of Defense shall seek to consult with private
24 entities to assess the best economic opportunity program

1 models, including existing economic opportunity models
2 furnished through public-private partnerships.

3 (e) ELIGIBILITY.—To be eligible to receive a grant
4 under the pilot grant program, an entity shall—

5 (1) follow a job training and placement model;

6 (2) have rigorous program evaluation practices;

7 (3) have established partnerships with entities
8 (such as employers, governmental agencies, and non-
9 profit entities) to provide services described in sub-
10 section (b);

11 (4) have online training capability to reach
12 rural veterans, reduce costs, and comply with new
13 conditions forced by COVID-19; and

14 (5) have a well-developed practice of program
15 measurement and evaluation that evinces program
16 performance and efficiency, with data that is high
17 quality and shareable with partner entities.

18 (f) COORDINATION WITH FEDERAL ENTITIES.—A
19 grantee shall coordinate with Federal entities, including—

20 (1) the Office of Transition and Economic De-
21 velopment of the Department of Veterans Affairs;
22 and

23 (2) the Office of Veteran Employment and
24 Transition Services of the Department of Labor.

1 (g) METRICS AND EVALUATION.—Performance out-
2 comes shall be verifiable using a third-party auditing
3 method and include the following:

4 (1) The number of covered individuals who re-
5 ceive and complete skills training.

6 (2) The number of covered individuals who se-
7 cure employment.

8 (3) The retention rate for covered individuals
9 described in paragraph (2).

10 (4) Median salary of covered individuals de-
11 scribed in paragraph (2).

12 (h) SITE LOCATIONS.—The Secretary of Defense
13 shall select five military installations in the United States
14 where existing models are successful.

15 (i) ASSESSMENT OF POSSIBLE EXPANSION.—A
16 grantee shall assess the feasibility of expanding the cur-
17 rent offering of virtual training and career placement serv-
18 ices to members of the reserve components of the Armed
19 Forces and covered individuals outside the United States.

20 (j) DURATION.—The pilot grant program shall termi-
21 nate on September 30, 2025.

22 (k) REPORT.—Not later than 180 days after the ter-
23 mination of the pilot grant program, the Secretary of De-
24 fense shall submit to the congressional defense committees
25 a report that includes—

1 (1) a description of the pilot grant program, in-
2 cluding a description of specific activities carried out
3 under this section; and

4 (2) the metrics and evaluations used to assess
5 the effectiveness of the pilot grant program.

6 (l) DEFINITIONS.—In this section:

7 (1) The term “covered individual” means—

8 (A) a member of the Armed Forces partici-
9 pating in TAP; or

10 (B) a spouse of a member described in
11 subparagraph (A).

12 (2) The term “military installation” has the
13 meaning given such term in section 2801 of title 10,
14 United States Code.

15 (3) The term “TAP” means the transition as-
16 sistance program of the Department of Defense
17 under sections 1142 and 1144 of title 10, United
18 States Code.

19 **SEC. 566. FEMALE MEMBERS OF CERTAIN ARMED FORCES**
20 **AND CIVILIAN EMPLOYEES OF THE DEPART-**
21 **MENT OF DEFENSE IN STEM.**

22 (a) STUDY ON MEMBERS AND CIVILIANS.—Not later
23 than September 30, 2023, the Secretary of Defense shall
24 submit to the Committees on Armed Services of the Sen-
25 ate and House of Representatives a report containing the

1 results of a study on how to increase participation of cov-
2 ered individuals in positions in the covered Armed Forces
3 or Department of Defense and related to STEM.

4 (b) STUDY ON SKILLBRIDGE.—Not later than Sep-
5 tember 30, 2023, the Secretary shall submit to such Com-
6 mittees a report containing the results of a study on how
7 to change Skillbridge to help covered individuals, eligible
8 for Skillbridge, find civilian employment in positions re-
9 lated to STEM.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “covered Armed Force” means an
12 Armed Force under the jurisdiction of the Secretary
13 of a military department.

14 (2) The term “covered individual” means a fe-
15 male—

16 (A) member of a covered Armed Force; or

17 (B) civilian employee of the Department of
18 Defense.

19 (3) The term “Skillbridge” means an employ-
20 ment skills training program under section 1143(e)
21 of title 10, United States Code, as amended by sec-
22 tion 563 of this Act.

23 (4) The term “STEM” means science, tech-
24 nology, engineering, and mathematics.

1 **SEC. 567. SKILLBRIDGE: APPRENTICESHIP PROGRAMS.**

2 (a) STUDY.—Not later than September 30, 2023, the
3 Secretary of Defense, in consultation with the Secretary
4 of the Department in which the Coast Guard is operating,
5 shall conduct a study to identify the private entities par-
6 ticipating in Skillbridge that offer positions in registered
7 apprenticeship programs to covered members.

8 (b) RECRUITMENT.—The Secretary shall consult with
9 officials and employees of the Department of Labor who
10 have experience with registered apprenticeship programs
11 to facilitate the Secretary entering into agreements with
12 entities that offer positions described in subsection (a) in
13 areas where the Secretary determines few such positions
14 are available to covered members.

15 (c) DEFINITIONS.—In this section:

16 (1) The term “covered member” means a mem-
17 ber of the Armed Forces eligible for Skillbridge.

18 (2) The term “registered apprenticeship pro-
19 gram” means an apprenticeship program registered
20 under the Act of August 16, 1937 (commonly known
21 as the “National Apprenticeship Act”; 50 Stat. 664,
22 chapter 663; 29 U.S.C. 50 et seq.).

23 (3) The term “Skillbridge” means an employ-
24 ment skills training program under section 1143(e)
25 of title 10, United States Code, as amended by sec-
26 tion 563 of this Act.

1 **Subtitle H—Military Family Readiness and Dependents’ Education**

2 **SEC. 571. CLARIFICATION AND EXPANSION OF AUTHORIZATION OF SUPPORT FOR CHAPLAIN-LED PROGRAMS FOR MEMBERS OF THE ARMED FORCES.**

3 Section 1789 of title 10, United States Code, is
4 amended—

5 (1) in subsection (a)—

6 (A) by striking “chaplain-led programs”
7 and inserting “a chaplain-led program”;

8 (B) by striking “members of the armed
9 forces” and all that follows through “status and
10 their immediate family members,” and inserting
11 “a covered individual”; and

12 (C) by inserting “, or to support the resiliency,
13 suicide prevention, or holistic wellness of
14 such covered individual” after “structure”;

15 (2) in subsection (b)—

16 (A) by striking “members of the armed
17 forces and their family members” and inserting
18 “a covered individual”;

19 (B) by striking “programs” and inserting
20 “a program”; and

1 (C) by striking “retreats and conferences”
2 and inserting “a retreat or conference”; and

3 (3) by striking subsection (c) and inserting the
4 following:

5 “(c) COVERED INDIVIDUAL DEFINED.—In this sec-
6 tion, the term ‘covered individual’ means—

7 “(1) a member of the armed forces on active
8 duty;

9 “(2) a member of the reserve components in an
10 active status; or

11 “(3) a dependent of an individual described in
12 subparagraph (A) or (B).”.

13 **SEC. 572. RIGHTS OF PARENTS OF CHILDREN ATTENDING**
14 **SCHOOLS OPERATED BY THE DEPARTMENT**
15 **OF DEFENSE EDUCATION ACTIVITY.**

16 (a) IN GENERAL.—Chapter 108 of title 10, United
17 States Code, is amended by inserting after section 2164
18 the following new section:

19 **“§ 2164a. Rights of parents of children attending**
20 **schools operated by the Department of**
21 **Defense Education Activity**

22 “(a) IN GENERAL.—The parent of a child who at-
23 tends a school operated by the Department of Defense
24 Education Activity has the following rights:

1 “(1) The right to review the curriculum of the
2 school.

3 “(2) The right to be informed if the school or
4 Department of Defense Education Activity alters the
5 school’s academic standards or learning benchmarks.

6 “(3) The right to meet with each teacher of
7 their child not less than twice during each school
8 year.

9 “(4) The right to review the budget, including
10 all revenues and expenditures, of the school.

11 “(5) The right to review all instructional mate-
12 rials and teacher professional development materials
13 used by the school.

14 “(6) The right to inspect a list of the books and
15 other reading materials contained in the library of
16 the school.

17 “(7) The right to address the school advisory
18 committee or the school board.

19 “(8) The right to information about the school’s
20 discipline policy and any violent activity in the
21 school.

22 “(9) The right to information about any plans
23 to eliminate gifted and talented programs or acceler-
24 ated coursework at the school.

1 “(b) DISCLOSURES AND NOTIFICATIONS.—Con-
2 sistent with the parental rights specified in subsection (a),
3 a school operated by the Department of Defense Edu-
4 cation Activity shall—

5 “(1) post on a publicly accessible website of the
6 school—

7 “(A) the curriculum for each course and
8 grade level;

9 “(B) the academic standards or other
10 learning benchmarks used by the school;

11 “(C) notice of any proposed revisions to
12 such standards or benchmarks and a copy of
13 any such revisions;

14 “(D) the budget for the school year, in-
15 cluding all revenues and expenditures (including
16 expenditures made for items and services pro-
17 vided by private entities); and

18 “(2) provide the parents of a child attending
19 the school with—

20 “(A) the opportunity to meet in-person
21 with each teacher of their child not less fre-
22 quently than twice during each school year at a
23 time mutually agreed upon by both parties; and

24 “(B) notice of such opportunity at the be-
25 ginning of each school year;

1 “(3) make all instructional and educator profes-
2 sional development materials, including teachers’
3 manuals, films, tapes, books or other reading mate-
4 rials, or other supplementary materials used in any
5 survey, analysis, or evaluation, available for inspec-
6 tion by the parents of children attending the school;

7 “(4) at the beginning of each school year, pro-
8 vide parents a list of reading materials in the school
9 library, including a list of any reading materials that
10 were added to or removed from the list of materials
11 from the prior year;

12 “(5) notify parents in a timely manner of any
13 plans to eliminate gifted and talented programs or
14 accelerated coursework at the school;

15 “(6) except as provided in paragraph (7), notify
16 parents of any medical examinations or screenings
17 the school may administer to their child and receive
18 written consent from parents for any such examina-
19 tion or screening prior to conducting the examina-
20 tion or screening;

21 “(7) in the event of an emergency that requires
22 a medical examination or screening without time for
23 parental notification, promptly notify parents of
24 such examination or screening and, not later than
25 24 hours after the incident occurs, provide an expla-

1 nation of the emergency that prevented notification
2 prior to such examination or screening;

3 “(8) notify parents of any medical information
4 that will be collected on their child, receive written
5 parental consent prior to collecting such information,
6 and provide parents an opportunity to inspect such
7 information at the parent’s request; and

8 “(9) notify parents of any policy changes involv-
9 ing their reporting obligations under the Family Ad-
10 vocacy Program of the Department of Defense.

11 “(c) SCHOOL ADVISORY COMMITTEES AND
12 BOARDS.—Not less frequently than twice per year, a
13 school advisory committee or school board for a school op-
14 erated by the Department of Defense Education Activity
15 shall provide parents of children attending the school with
16 the opportunity to address the advisory committee or
17 school board on any matters relating to the school or the
18 educational services provided to their children.

19 “(d) DEFINITION.—In this section, the term ‘school
20 operated by the Department of Defense Education Activ-
21 ity’ means—

22 “(1) a Department of Defense domestic depend-
23 ent elementary or secondary school, as described in
24 section 2164 of this title; or

1 “(2) any elementary or secondary school or pro-
2 gram for dependents operated by the Department of
3 Defense Education Activity.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by inserting
6 after the item relating to section 2164 the following new
7 item:

 “2164a. Rights of parents of children attending schools operated by the Depart-
 ment of Defense Education Activity.”.

8 **SEC. 573. EXPANSION OF PILOT PROGRAM TO PROVIDE FI-**
9 **NANCIAL ASSISTANCE TO MEMBERS OF THE**
10 **ARMED FORCES FOR IN-HOME CHILD CARE.**

11 Section 589(b) of the William M. (Mac) Thornberry
12 National Defense Authorization Act for Fiscal Year 2021
13 (Public Law 116–283; 10 U.S.C. 1791 note) is amended
14 by striking “five locations” and inserting “six locations”.

15 **SEC. 574. EXTENSION OF PILOT PROGRAM TO EXPAND ELI-**
16 **GIBILITY FOR ENROLLMENT AT DOMESTIC**
17 **DEPENDENT ELEMENTARY AND SECONDARY**
18 **SCHOOLS.**

19 Section 589C(e) of the William M. (Mac) Thornberry
20 National Defense Authorization Act for Fiscal Year 2021
21 (Public Law 116–283; 10 U.S.C. 2164 note) is amended
22 by striking “four years” and inserting “eight years”.

1 **SEC. 575. ADVISORY PANEL ON COMMUNITY SUPPORT FOR**
2 **MILITARY FAMILIES WITH SPECIAL NEEDS.**

3 Section 563(d) of the National Defense Authorization
4 Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.
5 1781c note) is amended—

6 (1) by amending paragraph (2) to read as fol-
7 lows:

8 “(2) MEMBERS.—The advisory panel shall con-
9 sist of the following members, appointed by the Sec-
10 retary of Defense:

11 “(A) Nine individuals from military fami-
12 lies with special needs, with respect to whom
13 the Secretary shall ensure that—

14 “(i) one individual is the spouse of an
15 enlisted member;

16 “(ii) one individual is the spouse of an
17 officer in a grade below O–6;

18 “(iii) one individual is a junior en-
19 listed member;

20 “(iv) one individual is a junior officer;

21 “(v) individuals reside in different ge-
22 ographic regions;

23 “(vi) one individual is a member serv-
24 ing at a remote installation or is a member
25 of the family of such a member; and

1 “(vii) at least two individuals are
2 members serving on active duty, each with
3 a dependent who—

4 “(I) is enrolled in the Excep-
5 tional Family Member Program; and

6 “(II) has an individualized edu-
7 cation program.

8 “(B) One representative of the Defense
9 Health Agency.

10 “(C) One representative of the Department
11 of Defense Education Activity.

12 “(D) One representative of the Office of
13 Special Needs of the Department of Defense.

14 “(E) One or more representatives of advo-
15 cacy groups with missions relating to the Ex-
16 ceptional Family Member Program of the De-
17 partment of Defense.

18 “(F) One or more adult dependents en-
19 rolled in the Exceptional Family Member Pro-
20 gram of the Department of Defense.”; and

21 (2) by adding at the end the following new
22 paragraph:

23 “(5) TRANSPARENCY AND ACCESSIBILITY.—The
24 advisory panel shall—

1 “(A) provide advice that is relevant, objec-
2 tive, and transparent;

3 “(B) ensure that any meetings or other
4 proceedings of the advisory panel are accessible
5 to the public; and

6 “(C) make available on a publicly acces-
7 sible website—

8 “(i) meeting announcements;

9 “(ii) minutes of meetings;

10 “(iii) the names of council representa-
11 tives; and

12 “(iv) regular updates on the progress
13 of the panel in fulfilling the duties speci-
14 fied in paragraph (3).”.

15 **SEC. 576. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**
16 **AGENCIES THAT BENEFIT DEPENDENTS OF**
17 **MILITARY AND CIVILIAN PERSONNEL.**

18 (a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL
19 EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS
20 OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT
21 OF DEFENSE CIVILIAN EMPLOYEES.—Of the amount au-
22 thorized to be appropriated for fiscal year 2023 by section
23 301 and available for operation and maintenance for De-
24 fense-wide activities as specified in the funding table in
25 section 4301, \$53,000,000 shall be available only for the

1 purpose of providing assistance to local educational agen-
2 cies under subsection (a) of section 572 of the National
3 Defense Authorization Act for Fiscal Year 2006 (Public
4 Law 109–163; 20 U.S.C. 7703b).

5 (b) **IMPACT AID FOR CHILDREN WITH SEVERE DIS-**
6 **ABILITIES.**—Of the amount authorized to be appropriated
7 for fiscal year 2023 pursuant to section 301 and available
8 for operation and maintenance for Defense-wide activities
9 as specified in the funding table in section 4301,
10 \$22,000,000 shall be available for payments under section
11 363 of the Floyd D. Spence National Defense Authoriza-
12 tion Act for Fiscal Year 2001 (as enacted into law by Pub-
13 lic Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

14 (c) **LOCAL EDUCATIONAL AGENCY DEFINED.**—In
15 this section, the term “local educational agency” has the
16 meaning given that term in section 7013(9) of the Ele-
17 mentary and Secondary Education Act of 1965 (20 U.S.C.
18 7713(9)).

19 **SEC. 577. VERIFICATION OF REPORTING OF ELIGIBLE FED-**
20 **ERALLY CONNECTED CHILDREN FOR PUR-**
21 **POSES OF FEDERAL IMPACT AID PROGRAMS.**

22 (a) **CERTIFICATION.**—On an annual basis, each com-
23 mander of a military installation under the jurisdiction of
24 the Secretary of a military department shall submit to
25 such Secretary a written certification verifying whether

1 the commander has confirmed the information contained
2 in all impact aid source check forms received from local
3 educational agencies as of the date of such certification.

4 (b) REPORT.—Not later June 30 of each year, each
5 Secretary of a military department shall submit to the
6 congressional defense committees a report, based on the
7 information received under subsection (a), that identi-
8 fies—

9 (1) each military installation under the jurisdic-
10 tion of such Secretary that has confirmed the infor-
11 mation contained in all impact aid source check
12 forms received from local educational agencies as of
13 the date of the report; and

14 (2) each military installation that has not con-
15 firmed the information contained in such forms as of
16 such date.

17 **SEC. 578. EFMP GRANT PROGRAM.**

18 (a) ESTABLISHMENT.—The Secretary of Defense
19 shall establish a program to award grants to, and enter
20 into agreements with, eligible entities under which partici-
21 pating eligible entities shall provide, to covered members
22 assigned to PRIs, services described in subsection (b).

23 (b) SERVICES.—Services described in this subsection
24 are the provision of—

1 (1) training and information that help a cov-
2 ered dependent—

3 (A) meet developmental, functional, and
4 academic goals; and

5 (B) prepare to lead a productive and inde-
6 pendent adult life;

7 (2) training and information that help a cov-
8 ered member—

9 (A) better understand the disabilities and
10 educational, developmental, and transitional
11 needs of the covered dependent of such covered
12 member;

13 (B) participate in the development of an
14 individualized education program for the cov-
15 ered dependent;

16 (C) communicate effectively and work col-
17 laboratively with individuals responsible for pro-
18 viding, to covered dependents, special education,
19 early intervention services, transition services,
20 and related services; and

21 (D) resolve a dispute, regarding education
22 or services described in subparagraph (C), as
23 expeditiously and effectively as possible, includ-
24 ing encouraging the use, and explaining the

1 benefits, of alternative methods of dispute reso-
2 lution; and

3 (3) if an eligible entity is not a PTI—

4 (A) information regarding services offered
5 by the local PTI (about which the eligible entity
6 shall consult with the local PTI not less than
7 once each quarter year); and

8 (B) referrals of covered members to the
9 local PTI.

10 (c) CO-LOCATION.—To the extent practical, the Sec-
11 retary shall ensure that an eligible entity that participates
12 in the program under this section shall provide services
13 described in subsection (b) at a location on the military
14 installation concerned where the Secretary furnishes other
15 services under the EFMP.

16 (d) IMPLEMENTATION.—The Secretary shall imple-
17 ment the program under this section at—

18 (1) six PRIs (one PRI for each covered Armed
19 Force and one joint PRI) not later than two years
20 after the date of the enactment of this Act; and

21 (2) all PRIs not later than four years after the
22 date of the enactment of this Act.

23 (e) PLAN.— Not later than one year after the date
24 of the enactment of this Act, the Secretary shall submit
25 to the appropriate congressional committees the plan of

1 the Secretary to implement the program under this sec-
2 tion.

3 (f) REPORT.—Not later than two years after the Sec-
4 retary implements the program under this section, the
5 Secretary shall submit to the appropriate congressional
6 committees a report on implementation of the program.
7 Such report shall include evaluations of the following:

8 (1) Satisfaction of covered members and cov-
9 ered dependents who receive services under such
10 program.

11 (2) Adherence of schools, with respect to cov-
12 ered dependents described in paragraph (1), to—

13 (A) individualized education programs; and

14 (B) plans under section 504 of the Reha-
15 bilitation Act of 1973 (Public Law 93–112; 29
16 U.S.C. 794).

17 (g) DEFINITIONS.—In this section:

18 (1) The term “appropriate congressional com-
19 mittees” means the following:

20 (A) The congressional defense committees.

21 (B) The Committee on Transportation and
22 Infrastructure of the House of Representatives.

23 (C) The Committee on Commerce, Science,
24 and Transportation of the Senate.

1 (2) The term “congressional defense commit-
2 tees” has the meaning given such term in section
3 101 of title 10, United States Code.

4 (3) The term “covered Armed Force” means an
5 Armed Force under the jurisdiction of the Secretary
6 of a military department.

7 (4) The term “covered dependent” means a de-
8 pendent—

9 (A) of a member of a covered Armed
10 Force;

11 (B) who is a minor; and

12 (C) who is enrolled in the EFMP.

13 (5) The term “covered member” means a mem-
14 ber—

15 (A) of a covered Armed Force; and

16 (B) with a covered dependent.

17 (6) The term “EFMP” means an Exceptional
18 Family Member Program of the Department of De-
19 fense under section 1781c(e) of title 10, United
20 States Code.

21 (7) The term “eligible entity” means a private,
22 nonprofit entity, or an institution of higher edu-
23 cation, that the Secretary of Defense determines ap-
24 propriate to provide services described in subsection
25 (b).

1 (8) The term “individualized education pro-
2 gram” has the meaning given such term in section
3 614 of the Individuals with Disabilities Education
4 Act (20 U.S.C. 1414).

5 (9) The term “institution of higher education”
6 has the meaning given such term in section 101 of
7 the Higher Education Act of 1965 (20 U.S.C.
8 1001).

9 (10) The term “PRI” means a primary receiv-
10 ing installation, as that term is used in section 582
11 of the William M. (Mac) Thornberry National De-
12 fense Authorization Act for Fiscal Year 2021 (Pub-
13 lic Law 116–283; 10 U.S.C. 1781c note).

14 (11) The term “PTI” means a parent training
15 and information center, as that term is defined in
16 section 602 of the Individuals with Disabilities Edu-
17 cation Act (Public Law 91–230; 20 U.S.C. 1401).

18 **SEC. 579. PROMOTION OF CERTAIN CHILD CARE ASSIST-**
19 **ANCE.**

20 (a) IN GENERAL.—Each Secretary concerned shall
21 promote, to members of the Armed Forces under the juris-
22 diction of such Secretary concerned, awareness of child
23 care assistance available under—

24 (1) section 1798 of title 10, United States
25 Code; and

1 (2) section 589 of the William M. (Mac) Thorn-
2 berry National Defense Authorization Act for Fiscal
3 Year 2021 (Public Law 116–283; 10 U.S.C. 1791
4 note).

5 (b) REPORTING.—Not later than one year after the
6 date of the enactment of this Act, each Secretary con-
7 cerned shall submit to the appropriate congressional com-
8 mittees a report summarizing activities taken by such Sec-
9 retary concerned to carry out subsection (a).

10 (c) DEFINITIONS.—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means the following:

13 (A) The Committees on Armed Services of
14 the Senate and House of Representatives.

15 (B) The Committees on Appropriations of
16 the Senate and House of Representatives.

17 (C) The Committee on Commerce, Science,
18 and Transportation of the Senate.

19 (D) The Committee on Transportation and
20 Infrastructure of the House of Representatives.

21 (2) The term “Secretary concerned” has the
22 meaning given such term in section 101 of title 10,
23 United States Code.

1 **SEC. 579A. RECOMMENDATIONS FOR THE IMPROVEMENT**
2 **OF THE MILITARY INTERSTATE CHILDREN'S**
3 **COMPACT.**

4 (a) **RECOMMENDATIONS REQUIRED.**—The Secre-
5 taries concerned, in consultation with States through the
6 Defense-State Liaison Office, shall develop recommenda-
7 tions to improve and fully implement the Military Inter-
8 state Children's Compact.

9 (b) **CONSIDERATIONS.**—In carrying out subsection
10 (a), the Secretaries concerned shall—

11 (1) identify any barriers—

12 (A) to the ability of a parent of a transfer-
13 ring military-connected child to enroll the child,
14 in advance, in an elementary or secondary
15 school in the State in which the child is trans-
16 ferring, without requiring the parent or child to
17 be physically present in the State; and

18 (B) to the ability of a transferring mili-
19 tary-connected child who receives special edu-
20 cation services to gain access to such services
21 and related supports in the State to which the
22 child transfers within the timeframes required
23 under the Individuals with Disabilities Edu-
24 cation Act (20 U.S.C. 1400 et seq.);

25 (2) consider the feasibility and advisability of—

1 (A) tracking and reporting the number of
2 families who use advanced enrollment in States
3 that offer advanced enrollment to military-con-
4 nected children;

5 (B) States clarifying in legislation that eli-
6 gibility for advanced enrollment requires only
7 written evidence of a permanent change of sta-
8 tion order, and does not require a parent of a
9 military-connected child to produce a rental
10 agreement or mortgage statement; and

11 (C) the Secretary of Defense, in coordina-
12 tion with the Military Interstate Children's
13 Compact, developing a letter or other memo-
14 randum that military families may present to
15 local educational agencies that outlines the pro-
16 tections afforded to military-connected children
17 by the Military Interstate Children's Compact;
18 and

19 (3) identify any other actions that may be
20 taken by the States (acting together or separately)
21 to improve the Military Interstate Children's Com-
22 pact.

23 (c) REPORT REQUIRED.—Not later than 180 days
24 after the date of the enactment of this Act, the Secretaries
25 concerned shall submit to the appropriate congressional

1 committees and to the States a report setting forth the
2 recommendations developed under subsection (a).

3 (d) DEFINITIONS.—In this section:

4 (1) The term “appropriate congressional com-
5 mittees” means—

6 (A) the congressional defense committees;

7 (B) the Committee on Health, Education,
8 Labor, and Pensions and the Committee on
9 Homeland Security and Governmental Affairs
10 of the Senate; and

11 (C) the Committee on Education and
12 Labor and the Committee on Homeland Secu-
13 rity of the House of Representatives.

14 (2) The terms “child”, “elementary school”,
15 “local educational agency”, “secondary school”,
16 “parent”, and “State” have the meanings given
17 those terms in section 8101 of the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C. 7801).

19 (3) The terms “armed forces”, “active duty”
20 and “congressional defense committees” have the
21 meanings given those terms in section 101 of title
22 10, United States Code.

23 (4) The term “transferring military-connected
24 child” means the child of a parent who—

1 (A) is serving on active duty in the Armed
2 Forces;

3 (B) is changing duty locations due to a
4 permanent change of station order; and

5 (C) has not yet established an ongoing
6 physical presence in the State to which the par-
7 ent is transferring.

8 (5) The term “Military Interstate Children’s
9 Compact” means the Interstate Compact on Edu-
10 cational Opportunity for Military Children as de-
11 scribed in Department of Defense Instruction
12 1342.29, dated January 31, 2017 (or any successor
13 to such instruction).

14 (6) The term “Secretary concerned” means—

15 (A) the Secretary of Defense, with respect
16 to matters concerning the Department of De-
17 fense; and

18 (B) the Secretary of the department in
19 which the Coast Guard is operating, with re-
20 spect to matters concerning the Coast Guard
21 when it is not operating as a service in the De-
22 partment of the Navy.

1 **SEC. 579B. INDUSTRY ROUNDTABLE ON MILITARY SPOUSE**
2 **HIRING.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Under Secretary
5 of Defense for Personnel and Readiness shall seek to con-
6 vene an industry roundtable to discuss the hiring of mili-
7 tary spouses. Such discussion shall include the following
8 elements:

9 (1) The value of, and opportunities to, private
10 entities that hire military spouses.

11 (2) Career opportunities for military spouses.

12 (3) Understanding the challenges that military
13 spouses encounter in the labor market.

14 (4) Gaps and opportunities in the labor market
15 for military spouses.

16 (5) Best hiring practices from industry leaders
17 in human resources.

18 (b) PARTICIPANTS.—The participants in the round-
19 table shall include the following:

20 (1) The Under Secretary.

21 (2) The Assistant Secretary for Manpower and
22 Reserve Affairs of each military department.

23 (3) The Director of the Defense Human Re-
24 sources Activity.

1 (4) Other officials of the Department of De-
2 fense the Secretary of Defense determines appro-
3 priate.

4 (5) Private entities that elect to participate.

5 (c) NOTICE.—The Under Secretary shall publish no-
6 tice of the roundtable in multiple private sector forums
7 and the Federal Register to encourage participation in the
8 roundtable by private entities and entities interested in the
9 hiring of military spouses.

10 (d) BRIEFING.—Not later than one year after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall provide a briefing to the Committees on Armed Serv-
13 ices of the Senate and House of Representatives on the
14 lessons learned from the roundtable, including the rec-
15 ommendation of the Secretary whether to convene the
16 roundtable annually.

17 **SEC. 579C. FEASIBILITY STUDY AND REPORT ON PILOT**
18 **PROGRAM TO PROVIDE POTFF SERVICES TO**
19 **SEPARATING MEMBERS OF SPECIAL OPER-**
20 **ATIONS FORCES AND CERTAIN FAMILY MEM-**
21 **BERS.**

22 (a) REPORT REQUIRED.—Not later than March 1,
23 2023, the Secretary shall submit to the Committees on
24 Armed Services of the Senate and House of Representa-
25 tives a report on the feasibility of a pilot program to pro-

1 vide, to covered individuals, services under POTFF. The
2 report shall include the following elements:

3 (1) An outline of the tools, resources, and per-
4 sonnel the Secretary determines necessary to carry
5 out the pilot program.

6 (2) An assessment of the potential benefits, im-
7 plications, and effects of the pilot program.

8 (3) The POTFF services that the Secretary
9 could provide to covered individuals under the pilot
10 program.

11 (4) An assessment of how best to carry out the
12 separation of covered members, including any addi-
13 tional resources the Secretary determines necessary.

14 (5) Any legislative or administrative action that
15 the Secretary determines necessary to carry the such
16 pilot program.

17 (6) Any other information the Secretary deter-
18 mines appropriate.

19 (b) DEFINITIONS.—In this section:

20 (1) The term “covered individual” means—

21 (A) a covered member;

22 (B) an immediate family of a covered
23 member; or

24 (C) an individual eligible for a gold star
25 lapel button under section 1126 of title 10,

1 United States Code, on the basis of the rela-
2 tionship of such individual to a deceased mem-
3 ber of special operations forces.

4 (2) The term “covered member” means a mem-
5 ber of the Armed Forces—

6 (A) assigned to special operations forces;
7 and

8 (B) who is separating from the Armed
9 Forces.

10 (3) The term “immediate family member” has
11 the meaning given that term in section 1789 of title
12 10, United States Code.

13 (4) The term “POTFF” means the Preserva-
14 tion of the Force and Family Program of United
15 States Special Operations Command under section
16 1788a of title 10, United States Code.

17 (5) The term “special operations forces” means
18 the forces described in section 167(j) of title 10,
19 United States Code.

20 **Subtitle I—Decorations and** 21 **Awards**

22 **SEC. 581. AUTHORITY TO AWARD THE MEDAL OF HONOR TO**
23 **A MEMBER OF THE ARMED FORCES FOR**
24 **ACTS OF VALOR WHILE A PRISONER OF WAR.**

25 (a) **AUTHORITY.—**

1 (1) ARMY.—Section 7271(1) of title 10, United
2 States Code, is amended by inserting “, including
3 active resistance, gallantry, or defiance while serving
4 as a prisoner of war” after “United States”.

5 (2) NAVY AND MARINE CORPS.—Section
6 8291(1) of title 10, United States Code, is amended
7 by inserting “, including active resistance, gallantry,
8 or defiance while serving as a prisoner of war” after
9 “United States”.

10 (3) AIR FORCE AND SPACE FORCE.—Section
11 9271(1) of title 10, United States Code, is amended
12 by inserting “, including active resistance, gallantry,
13 or defiance while serving as a prisoner of war” after
14 “United States”.

15 (4) COAST GUARD.—Section 2732(1) of title
16 14, United States Code, is amended by inserting “,
17 including active resistance, gallantry, or defiance
18 while serving as a prisoner of war” after “United
19 States”.

20 (b) REGULATIONS.—Not later than one year after the
21 date of the enactment of this Act, the Secretary of Defense
22 and the Secretary of the Department in which the Coast
23 Guard is operating shall prescribe regulations that set
24 forth uniform standards for awarding the Medal of Honor
25 to a member of the Armed Forces pursuant to an amend-

1 ment made by subsection (a). Such regulations shall apply
2 retroactively to a member who was a prisoner of war be-
3 fore the date of the prescription of such regulations.

4 (c) REPORT.—Not later than one year after the date
5 of the enactment of this Act, the Secretary of Defense
6 shall submit to the Committees on Armed Services of the
7 Senate and House of Representatives a report regarding
8 the number of individuals who may be eligible for a Medal
9 of Honor pursuant to the amendments made by this sec-
10 tion.

11 **SEC. 582. AUTHORIZATION FOR AWARD OF THE MEDAL OF**
12 **HONOR TO DAVID R. HALBRUNER FOR ACTS**
13 **OF VALOR ON SEPTEMBER 11-12, 2012.**

14 (a) AUTHORIZATION.—Notwithstanding the time lim-
15 itations specified in section 7274 of title 10, United States
16 Code, or any other time limitation with respect to the
17 awarding of certain medals to persons who served in the
18 Armed Forces, the President may award the Medal of
19 Honor under section 7272 of such title to David R.
20 Halbruner for the acts of valor described in the subsection
21 (b).

22 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
23 described in this subsection are the actions of David R.
24 Halbruner as a master sergeant in the Army on Sep-

1 tember 11-12, 2012, for which he was previously awarded
2 the Distinguished-Service Cross.

3 **SEC. 583. AUTHORIZATION FOR POSTHUMOUS AWARD OF**
4 **MEDAL OF HONOR TO MASTER SERGEANT**
5 **RODERICK W. EDMONDS FOR ACTS OF VALOR**
6 **DURING WORLD WAR II.**

7 (a) WAIVER OF TIME LIMITATIONS.—Notwith-
8 standing the time limitations specified in section 7274 of
9 title 10, United States Code, or any other time limitation
10 with respect to the awarding of certain medals to persons
11 who served in the Armed Forces, the President may award
12 the Medal of Honor posthumously under section 7271 of
13 such title to Master Sergeant Roderick W. Edmonds for
14 the acts of valor described in subsection (c).

15 (b) ACTS OF VALOR DESCRIBED.—The acts of valor
16 referred to in subsection (b) are the actions of Master Ser-
17 geant Roderick W. Edmonds on January 27, 1945, as a
18 prisoner of war and member of the Army serving in Ger-
19 many in support of the Battle of the Bulge, for which he
20 has never been recognized by the United States Army.

1 **Subtitle J—Miscellaneous Reports**
2 **and Other Matters**

3 **SEC. 591. ELECTRONIC NOTARIZATION FOR MEMBERS OF**
4 **THE ARMED FORCES.**

5 Section 1044a of title 10, United States Code, is
6 amended by adding at the end the following new sub-
7 section:

8 “(e)(1) A person named in subsection (b) may exer-
9 cise the powers described in subsection (a) through elec-
10 tronic means, including under circumstances where the in-
11 dividual with respect to whom such person is performing
12 the notarial act is not physically present in the same loca-
13 tion as such person.

14 “(2) A determination of the authenticity of a notarial
15 act authorized in this section shall be made without regard
16 to whether the notarial act was performed through elec-
17 tronic means.

18 “(3) A log or journal of a notarial act authorized in
19 this section shall be considered for evidentiary purposes
20 without regard to whether the log or journal is in elec-
21 tronic form.”.

22 **SEC. 592. DISINTERMENTS FROM NATIONAL CEMETERIES.**

23 (a) **APPLICABILITY OF AUTHORITY TO RECONSIDER**
24 **DECISIONS OF SECRETARY OF VETERANS AFFAIRS OR**

1 SECRETARY OF THE ARMY TO INTER THE REMAINS OR
2 MEMORIALIZE A PERSON IN A NATIONAL CEMETERY.—

3 (1) IN GENERAL.—Section 2(c) of the Alicia
4 Dawn Koehl Respect for National Cemeteries Act
5 (Public Law 113–65; 38 U.S.C. 2411 note) is
6 amended by striking “after the date of the enact-
7 ment of this Act” and inserting “after November 21,
8 1997”.

9 (2) CONGRESSIONAL NOTICES.—Upon becoming
10 aware of a covered interment or memorialization—

11 (A) the Secretary of Veterans Affairs shall
12 issue to the Committees on Veterans’ Affairs of
13 the Senate and House of Representatives writ-
14 ten notice of such covered interment or memori-
15 alization; and

16 (B) the Secretary of the Army, in the case
17 of a covered interment or memorialization in
18 Arlington National Cemetery, shall issue to the
19 Committees on Armed Services of the Senate
20 and House of Representatives and the Commit-
21 tees on Veterans’ Affairs of the Senate and
22 House of Representatives written notice of such
23 covered interment or memorialization.

24 (3) COVERED INTERMENT OR MEMORIALIZA-
25 TION DEFINED.—In this subsection, the term “cov-

1 ered interment or memorialization” means an inter-
2 ment or memorialization—

3 (A) in a national cemetery;

4 (B) between January 1, 1990 and Novem-
5 ber 21, 1997; and

6 (C) that would have been subject to section
7 2411 of title 38, United States Code, as amend-
8 ed by the Alicia Dawn Koehl Respect for Na-
9 tional Cemeteries Act if subsection 2(c) of such
10 Act were amended by striking “after the date
11 of the enactment of this Act” and inserting “on
12 or after January 1, 1990”.

13 (b) DISINTERMENT OF REMAINS OF ANDREW
14 CHABROL FROM ARLINGTON NATIONAL CEMETERY.—

15 (1) DISINTERMENT.—Not later than September
16 30, 2023, the Secretary of the Army shall disinter
17 the remains of Andrew Chabrol from Arlington Na-
18 tional Cemetery.

19 (2) NOTIFICATION.—The Secretary of the Army
20 may not carry out paragraph (1) until after noti-
21 fying the next of kin of Andrew Chabrol.

22 (3) DISPOSITION.—After carrying out para-
23 graph (1), the Secretary of the Army shall—

24 (A) relinquish the remains to the next of
25 kin described in paragraph (2); or

1 (B) if no such next of kin responds to noti-
2 fication under paragraph (2), arrange for dis-
3 position of the remains the Secretary of the
4 Army determines appropriate.

5 **SEC. 593. CLARIFICATION OF AUTHORITY OF NCMAF TO UP-**
6 **DATE CHAPLAINS HILL AT ARLINGTON NA-**
7 **TIONAL CEMETERY.**

8 Section 584(a) of the National Defense Authorization
9 Act for Fiscal Year 2022 (Public Law 117–81; 38 U.S.C.
10 2409 note) is amended by adding at the end the following
11 new paragraph:

12 “(4) AUTHORITY OF SECRETARY OF THE
13 ARMY.—The Secretary of the Army may permit
14 NCMAF to carry out any action authorized by this
15 subsection without regard to the time limitation
16 under section 2409(b)(2)(C) of title 38, United
17 States Code.”.

18 **SEC. 594. NOTIFICATIONS ON MANNING OF AFLOAT NAVAL**
19 **FORCES.**

20 Section 597(d)(3) of the National Defense Authoriza-
21 tion Act for Fiscal Year 2020 (Public Law 116–92; 10
22 U.S.C. 8013 note) is amended by inserting “or a commis-
23 sioned ship undergoing nuclear refueling or defueling and
24 any concurrent complex overhaul” after “Register”.

1 **SEC. 595. PILOT PROGRAM ON CAR SHARING ON MILITARY**
2 **INSTALLATIONS IN ALASKA.**

3 (a) ESTABLISHMENT.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary of
5 Defense shall seek to carry out a pilot program to allow
6 car sharing on military installations in Alaska.

7 (b) PROGRAM ELEMENTS.—To carry out a pilot pro-
8 gram under this section, the Secretary shall take steps in-
9 cluding the following:

10 (1) Seek to enter into an agreement with an en-
11 tity that—

12 (A) provides car sharing services; and

13 (B) is capable of serving all military instal-
14 lations in Alaska.

15 (2) Provide to members assigned to military in-
16 stallations in Alaska the resources the Secretary de-
17 termines necessary to participate in such pilot pro-
18 gram.

19 (3) Promote such pilot program to such mem-
20 bers.

21 (c) IMPLEMENTATION PLAN.—Not later than 90
22 days after the date the Secretary enters into an agreement
23 under subsection (b)(1), the Secretary shall submit to the
24 congressional defense committees a plan to carry out the
25 pilot program.

1 (d) DURATION.—A pilot program under this section
2 shall terminate two years after the Secretary commences
3 such pilot program.

4 (e) REPORT.—Upon the termination of a pilot pro-
5 gram under this section, the Secretary of Defense shall
6 submit to the congressional defense committees a report
7 containing the following information:

8 (1) The number of individuals who used car
9 sharing services offered pursuant to the pilot pro-
10 gram.

11 (2) The cost to the United States of the pilot
12 program.

13 (3) An analysis of the effect of the pilot pro-
14 gram on mental health and community connected-
15 ness of members described in subsection (b)(2).

16 (4) Other information the Secretary determines
17 appropriate.

18 (f) MILITARY INSTALLATION DEFINED.—In this sec-
19 tion, the term “military installation” has the meaning
20 given such term in section 2801 of title 10, United States
21 Code.

1 **SEC. 596. SUPPORT FOR MEMBERS WHO PERFORM DUTIES**
2 **REGARDING REMOTELY PILOTED AIRCRAFT:**
3 **STUDY; REPORT.**

4 (a) STUDY.—The Secretary of Defense (in consulta-
5 tion with the Secretary of Transportation and Adminis-
6 trator of the Federal Aviation Administration) shall con-
7 duct a study to identify opportunities to provide more sup-
8 port services to, and greater recognition of combat accom-
9 plishments of, RPA crew. Such study shall identify the
10 following with respect to each covered Armed Force:

11 (1) Safety policies applicable to crew of tradi-
12 tional aircraft that apply to RPA crew.

13 (2) Personnel policies, including crew staffing
14 and training practices, applicable to crew of tradi-
15 tional aircraft that apply to RPA crew.

16 (3) Metrics the Secretaries of the military de-
17 partments use to evaluate the health of RPA crew.

18 (4) Incentive pay, retention bonuses, promotion
19 rates, and career advancement opportunities for
20 RPA crew.

21 (5) Combat zone compensation available to
22 RPA crew.

23 (6) Decorations and awards for combat avail-
24 able to RPA crew.

1 (7) Mental health care available to crew of tra-
2 ditional aircraft and RPA crew who conduct combat
3 operations.

4 (8) Whether RPA crew receive post-separation
5 health (including mental health) care equivalent to
6 crew of traditional aircraft.

7 (9) An explanation of any difference under
8 paragraph (8).

9 (b) REPORT.—Not later than one year after the date
10 of the enactment of this Act, the Secretary of Defense
11 shall submit to the appropriate congressional committees
12 a report containing the results of the study conducted
13 under this section, including any policy recommendations
14 of the Secretary regarding such results.

15 (c) DEFINITIONS.—In this section:

16 (1) In this section, the term “appropriate con-
17 gressional committees” means the following:

18 (A) The Committees on Armed Services of
19 the Senate and House of Representatives.

20 (B) The Committees on Appropriations of
21 the Senate and House of Representatives.

22 (C) The Committee on Commerce, Science,
23 and Transportation of the Senate.

24 (D) The Committee on Transportation and
25 Infrastructure of the House of Representatives.

1 (2) The term “covered Armed Force” means an
2 Armed Force under the jurisdiction of the Secretary
3 of a military department.

4 (3) The term “RPA crew” means members of
5 covered Armed Forces who perform duties relating
6 to remotely piloted aircraft.

7 (4) The term “traditional aircraft” means fixed
8 or rotary wing aircraft operated by an onboard pilot.

9 **SEC. 597. REVIEW OF MARKETING AND RECRUITING OF**
10 **THE DEPARTMENT OF DEFENSE.**

11 (a) **IN GENERAL.**—Not later than September 30,
12 2023, the Secretary of Defense, in consultation with the
13 Comptroller General of the United States and experts de-
14 termined by the Secretary, shall evaluate the marketing
15 and recruiting efforts of the Department of Defense to de-
16 termine how to use social media and other technology plat-
17 forms to convey to young people the opportunities and
18 benefits of service in the covered Armed Forces.

19 (b) **COVERED ARMED FORCE DEFINED.**—In this sec-
20 tion, the term “covered Armed Force” means the fol-
21 lowing:

22 (1) The Army.

23 (2) The Navy.

24 (3) The Marine Corps.

25 (4) The Air Force.

1 (5) The Space Force.

2 **SEC. 598. REPORT ON RECRUITING EFFORTS OF THE ARMY.**

3 (a) REPORT REQUIRED.—Not later than 120 days
4 after the date of the enactment of this act, the Secretary
5 of the Army shall submit to the congressional defense com-
6 mittees a report on recruiting efforts of the Army. Such
7 report shall contain the following elements:

8 (1) A comparison of the number of active Army
9 enlistments from each region annually during fiscal
10 years 2018 through 2022, the number of recruiters
11 stationed in each region, and advertising dollars
12 spent in each region, including annual numbers and
13 averages.

14 (2) A comparison of the number of active Army
15 enlistments produced by each Army Recruiting Bat-
16 talion during fiscal years 2018 through 2022, the
17 number of recruiters stationed in each battalion, and
18 advertising dollars spent in support of each bat-
19 talion, including annual numbers and averages.

20 (3) An analysis of the geographic dispersion of
21 enlistments by military occupational specialty during
22 fiscal years 2018 through 2022.

23 (4) An analysis of the amount of Federal funds
24 spent on advertising per active duty enlistment by
25 Army Recruiting Battalion and region during fiscal

1 years 2018 through 2022, and a ranked list of those
2 battalions from most efficient to least efficient.

3 (5) A comparison of the race, religion, gender,
4 education levels, military occupational specialties,
5 and waivers for enlistment granted to enlistees by
6 region and Army Recruiting Battalion area of re-
7 sponsibility during fiscal years 2018 through 2022.

8 (b) FORMAT.—The report under this section shall
9 display data through infographics wherever possible.

10 (c) PUBLICATION.—Not later than 30 days after sub-
11 mitting the report under subsection (a), the Secretary of
12 the Army shall publish, on a publicly accessible website
13 of the Army, the report and the data sets (scrubbed of
14 all personally identifiable information) used to generate
15 the report.

16 (d) REGION DEFINED.—In this section, the term “re-
17 gion” means a region used for the 2020 decennial census.

1 **TITLE VI—COMPENSATION AND**
2 **OTHER PERSONNEL BENEFITS**
3 **Subtitle A—Basic Pay and**
4 **Allowances**

5 **SEC. 601. EXCLUSION OF BAH FROM GROSS HOUSEHOLD**
6 **INCOME FOR PURPOSES OF BASIC NEEDS AL-**
7 **LOWANCE.**

8 Section 402b(k)(1) of title 37, United States Code,
9 is amended by striking subparagraph (B) and inserting
10 the following:

11 “(B) the basic allowance for housing under
12 section 403 of this title paid to such member.”.

13 **SEC. 602. BASIC ALLOWANCE FOR HOUSING FOR A MEMBER**
14 **WITHOUT DEPENDENTS WHOSE RELOCATION**
15 **WOULD FINANCIALLY DISADVANTAGE SUCH**
16 **MEMBER.**

17 Section 403(o) of title 37, United States Code, is
18 amended—

19 (1) by inserting “(1)” before “In the case of a
20 member who is assigned”; and

21 (2) by adding at the end the following new
22 paragraph:

23 “(2) In the case of a member without dependents who
24 is assigned to a unit that undergoes a change of home
25 port or a change of permanent duty station, the Secretary

1 concerned may, if the Secretary concerned determines that
2 it would be inequitable to base the member's entitlement
3 to, and amount of, a basic allowance for housing on the
4 new home port or permanent duty station, treat such
5 member, for the purposes of this section, as if the unit
6 to which the member is assigned did not undergo such
7 a change.”.

8 **SEC. 603. TEMPORARY CONTINUATION OF RATE OF BASIC**
9 **ALLOWANCE FOR HOUSING FOR MEMBERS**
10 **OF THE ARMED FORCES WHOSE SOLE DE-**
11 **PENDENT DIES WHILE RESIDING WITH THE**
12 **MEMBER.**

13 (a) **AUTHORITY.**—Section 403 of title 37, United
14 States Code, as amended by section 602, is further amend-
15 ed by—

16 (1) redesignating subsections (m) through (p)
17 as subsections (n) through (q);

18 (2) by inserting after subsection (l) the fol-
19 lowing new subsection (m):

20 “(m) **TEMPORARY CONTINUATION OF RATE OF**
21 **BASIC ALLOWANCE FOR MEMBERS OF THE ARMED**
22 **FORCES WHOSE SOLE DEPENDENT DIES WHILE RESID-**
23 **ING WITH THE MEMBER.**—(1) Notwithstanding sub-
24 section (a)(2) or any other section of law, the Secretary
25 of Defense and or the Secretary of the Department in

1 which the Coast Guard is operating, may, after the death
2 of the sole dependent of a member of the armed forces,
3 continue to pay a basic allowance for housing to such
4 member at the rate paid to such member at the time of
5 the death of such sole dependent if—

6 “(A) such sole dependent dies—

7 “(i) while the member is on active duty;

8 and

9 “(ii) while residing with the member, un-
10 less separated by the necessity of military serv-
11 ice or to receive institutional care as a result of
12 disability or incapacitation or under such other
13 circumstances as the Secretary concerned may
14 by regulation prescribe; and

15 “(B) the member—

16 “(i) is not occupying a housing facility
17 under the jurisdiction of the Secretary con-
18 cerned on the date of the death of the sole de-
19 pendent; or

20 “(ii) is occupying such housing on a rental
21 basis on such date.

22 “(2) The continuation of the rate of an allowance
23 under this subsection shall terminate 365 days after the
24 date of the death of the sole dependent.”.

1 (b) CONFORMING AMENDMENT.—Section 2881a(c)
2 of title 10, United States Code, is amended by striking
3 “section 403(n)” and inserting “section 403(o)”.

4 **SEC. 604. ALLOWANCE FOR GYM MEMBERSHIP FOR CER-**
5 **TAIN MEMBERS OF THE ARMED FORCES WHO**
6 **RESIDE MORE THAN 10 MILES FROM A MILI-**
7 **TARY INSTALLATION.**

8 (a) ESTABLISHMENT.—Chapter 7 of title 37, United
9 States Code, is amended by inserting after section 425 the
10 following new section:

11 **“§ 426. Allowance for gym membership for certain**
12 **members of the armed forces who reside**
13 **more than 10 miles from a military instal-**
14 **lation**

15 “(a) ALLOWANCE AUTHORIZED.—The Secretary of
16 the military department concerned may pay, to a covered
17 member, a monthly allowance for a gym membership.

18 “(b) AMOUNT.—A monthly allowance to a covered
19 member under this section shall be in an amount deter-
20 mined by the Secretary of Defense based on the average
21 cost of a gym membership in the military housing area
22 in which the covered member resides.

23 “(c) DEFINITIONS.—In this section:

24 “(1) The term ‘covered armed force’ means the
25 following:

1 “(A) The Army.

2 “(B) The Navy.

3 “(C) The Marine Corps.

4 “(D) The Air Force.

5 “(E) The Space Force.

6 “(2) The term ‘covered member’ means a mem-
7 ber of a covered armed force—

8 “(A) who resides more than 10 miles from
9 a military installation; and

10 “(B) who furnishes to the Secretary of the
11 military department concerned receipts or other
12 evidence such member has a gym member-
13 ship.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of such chapter is amended by inserting
16 after the item relating to section 425 the following:

“426. Allowance for gym membership for certain members of the armed forces
who reside more than 10 miles from a military installation.”.

17 **SEC. 605. REVIVAL AND REDESIGNATION OF PROVISION ES-**
18 **TABLISHING BENEFITS FOR CERTAIN MEM-**
19 **BERS ASSIGNED TO THE DEFENSE INTEL-**
20 **LIGENCE AGENCY.**

21 (a) REVIVIAL.—Section 491 of title 37, United States
22 Code—

23 (1) is revived to read as it did immediately be-
24 fore its repeal under section 604 of the National De-

1 fense Authorization Act for Fiscal Year 2022 (Pub-
2 lic Law 117–81); and

3 (2) is redesignated as section 431 of such title.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of chapter 7 of such title is amended by
6 inserting, after the item relating to section 427, the fol-
7 lowing new item:

 “431. Benefits for certain members assigned to the Defense Intelligence Agen-
 cy.”.

8 **SEC. 606. REIMBURSEMENT OF CERTAIN CHILD CARE**
9 **COSTS INCIDENT TO A PERMANENT CHANGE**
10 **OF STATION OR ASSIGNMENT.**

11 (a) DESIGNATED CHILD CARE PROVIDER: DEFINI-
12 TION; INCLUSION AS AUTHORIZED TRAVELER.—Section
13 451(a) of title 37, United States Code, is amended—

14 (1) in paragraph (2)(C), by inserting “, or as
15 a designated child care provider if child care is not
16 available to a member of the armed forces at a mili-
17 tary child development center (as that term is de-
18 fined in section 1800 of title 10) at the permanent
19 duty location of such member not later than 30 days
20 after the member arrives at such location” before
21 the period; and

22 (2) by adding at the end the following new
23 paragraph:

1 “(4) The term ‘designated child care provider’
2 means an adult selected by a member of the armed
3 forces to provide child care to a dependent child of
4 such member.”.

5 (b) AUTHORIZATION OF REIMBURSEMENT.—Section
6 453 of title 37, United States Code, is amended by adding
7 at the end the following new subsection:

8 “(h) REIMBURSEMENT OF CERTAIN CHILD CARE
9 COSTS INCIDENT TO A MEMBER’S PERMANENT CHANGE
10 OF STATION OR ASSIGNMENT.—(1) From amounts other-
11 wise made available for a fiscal year to provide travel and
12 transportation allowances under this chapter, the Sec-
13 retary concerned may reimburse a member of the armed
14 forces for travel expenses for a designated child care pro-
15 vider when—

16 “(A) the member is reassigned, either as a per-
17 manent change of station or permanent change of
18 assignment, to a new duty station;

19 “(B) the movement of the member’s dependents
20 is authorized at the expense of the United States
21 under this section as part of the reassignment;

22 “(C) child care is not available at a military
23 child development center (as that term is defined in
24 section 1800 of title 10) at such duty station not

1 later than 30 days after the member arrives at such
2 duty station; and

3 “(D) the dependent child is on the wait list for
4 child care at such military child development center.

5 “(2) Reimbursement provided to a member under
6 this subsection may not exceed—

7 “(A) \$500 for a reassignment between duty sta-
8 tions within the continental United States; and

9 “(B) \$1,500 for a reassignment involving a
10 duty station outside of the continental United
11 States.

12 “(3) A member may not apply for reimbursement
13 under this subsection later than one year after a reassign-
14 ment described in paragraph (1).

15 “(4) In the event a household contains two or more
16 members eligible for reimbursement under this subsection,
17 reimbursement may be paid to one member among such
18 members as such members shall jointly elect.”.

19 **SEC. 607. ALLOWABLE TRAVEL AND TRANSPORTATION AL-**
20 **LOWANCES: COMPLEX OVERHAUL.**

21 Section 452(b) of title 37, United States Code, is
22 amended—

23 (1) by redesignating the second paragraph (18)
24 as paragraph (21); and

1 (2) by adding at the end the following new
2 paragraphs:

3 “(22) Permanent change of assignment to or
4 from a naval vessel undergoing nuclear refueling or
5 defueling and any concurrent complex overhaul, even
6 if such assignment is within the same area as the
7 current assignment of the member.

8 “(23) Current assignment to a naval vessel en-
9 tering or exiting nuclear refueling or defueling and
10 any concurrent complex overhaul.”.

11 **SEC. 608. EXPANSION OF AUTHORITY TO REIMBURSE A**
12 **MEMBER OF THE UNIFORMED SERVICES FOR**
13 **SPOUSAL BUSINESS COSTS ARISING FROM A**
14 **PERMANENT CHANGE OF STATION.**

15 Subsection (g) of section 453 of title 37, United
16 States Code, as amended by section 606, is further amend-
17 ed—

18 (1) in the heading, by inserting “OR BUSINESS
19 COSTS” after “RELICENSING COSTS”;

20 (2) in paragraph (1), by inserting “or qualified
21 business costs” after “qualified relicensing costs”;

22 (3) in paragraph (2)—

23 (A) by inserting “(A)” before “Reimburse-
24 ment”;

1 (B) by inserting “for qualified relicensing
2 costs” after “subsection”;

3 (C) by striking “\$1000” and inserting
4 “\$1,000”; and

5 (D) by adding at the end the following new
6 subparagraph:

7 “(B) Reimbursement provided to a member under
8 this subsection for qualified business costs may not exceed
9 \$2,000 in connection with each reassignment described in
10 paragraph (1).”;

11 (4) in paragraph (3), by inserting “or qualified
12 business costs” after “qualified relicensing costs”;

13 (5) in paragraph (4)—

14 (A) in the matter preceding subparagraph
15 (A), by inserting “business license, permit,”
16 after “courses,”;

17 (B) in subparagraph (A)—

18 (i) by inserting “, or owned a busi-
19 ness,” before “during”;

20 (ii) by inserting “professional” before
21 “license”; and

22 (iii) by inserting “, or business license
23 or permit,” after “certification”; and

24 (C) in subparagraph (B)—

1 (i) by inserting “professional” before
2 “license”; and

3 (ii) by inserting “, or business license
4 or permit,” after “certification”; and

5 (6) by adding at the end the following new
6 paragraph:

7 “(5) In this subsection, the term ‘qualified business
8 costs’ means costs, including moving services for equip-
9 ment, equipment removal, new equipment purchases, in-
10 formation technology expenses, and inspection fees, in-
11 curred by the spouse of a member if—

12 “(A) the spouse owned a business during the
13 member’s previous duty assignment and the costs re-
14 sult from a movement described in paragraph (1)(B)
15 in connection with the member’s change in duty lo-
16 cation pursuant to reassignment described in para-
17 graph (1)(A); and

18 “(B) the costs were incurred or paid to move
19 such business to a new location in connection with
20 such reassignment.”.

1 **SEC. 609. PERMANENT AUTHORITY TO REIMBURSE MEM-**
2 **BERS FOR SPOUSE RELICENSING COSTS PUR-**
3 **SUANT TO A PERMANENT CHANGE OF STA-**
4 **TION.**

5 Subsection (g) of section 453 of title 37, United
6 States Code, as amended by sections 606 and 608, is fur-
7 ther amended by striking paragraph (3) and redesignating
8 paragraph (4) as paragraph (3).

9 **SEC. 609A. TRAVEL AND TRANSPORTATION ALLOWANCES**
10 **FOR CERTAIN MEMBERS OF THE ARMED**
11 **FORCES WHO ATTEND A PROFESSIONAL**
12 **MILITARY EDUCATION INSTITUTION OR**
13 **TRAINING CLASSES.**

14 Section 453 of title 37, United States Code, as
15 amended by sections 606, 608, and 609, is further amend-
16 ed by adding at the end the following new subsection:

17 “(i) ATTENDANCE AT PROFESSIONAL MILITARY
18 EDUCATION INSTITUTION OR TRAINING CLASSES.—

19 “(1) The Secretary of the military department
20 concerned may authorize temporary duty status, and
21 travel and transportation allowances payable to a
22 member in such status, for a member under the ju-
23 risdiction of such Secretary who is reassigned—

24 “(A) between duty stations located within
25 the United States;

1 “(B) for a period of not more than one
2 year;

3 “(C) for the purpose of participating in
4 professional military education or training
5 classes,

6 “(D) with orders to return to the duty sta-
7 tion where the member maintains primary resi-
8 dence and the dependents of such member re-
9 side.

10 “(2) If the Secretary of the military department
11 concerned assigns permanent duty status to a mem-
12 ber described in paragraph (1), such member shall
13 be eligible for travel and transportation allowances
14 including the following:

15 “(A) Transportation, including mileage at
16 the same rate paid for a permanent change of
17 station.

18 “(B) Per diem while traveling between the
19 permanent duty station and professional mili-
20 tary education institution or training site.

21 “(C) Per diem paid in the same manner
22 and amount as temporary lodging expenses.

23 “(D) Per diem equal to the amount of the
24 basic allowance for housing under section 403
25 of this title paid to a member—

- 1 “(i) in the grade of such member;
- 2 “(ii) without dependents;
- 3 “(iii) who resides in the military hous-
- 4 ing area in which the professional military
- 5 education institution or training site is lo-
- 6 cated.
- 7 “(E) Movement of household goods in an
- 8 amount determined under applicable regula-
- 9 tions.”.

10 **SEC. 609B. ESTABLISHMENT OF ALLOWANCE FOR CERTAIN**

11 **RELOCATIONS OF PETS OF MEMBERS OF THE**

12 **UNIFORMED SERVICES.**

13 (a) ESTABLISHMENT.—Section 453 of title 37,

14 United States Code, as amended by sections 606, 608,

15 609, and 609A, is further amended by adding at the end

16 the following new subsection:

- 17 “(j) PET RELOCATION ARISING FROM A PERMANENT
- 18 CHANGE OF DUTY STATION TO OR FROM A LOCATION
- 19 OUTSIDE THE CONTINENTAL UNITED STATES.—(1) The
- 20 Secretary concerned shall reimburse a member for costs—
- 21 “(A) to move a pet of the member; and
- 22 “(B) arising from a permanent change of duty
- 23 station of such member to or from a location outside
- 24 the continental United States.

1 “(2) Reimbursement provided to a member under
2 this subsection may not exceed \$2,000 in connection with
3 each permanent change of duty station described in para-
4 graph (1).

5 “(3) In this subsection, the term ‘pet’ has the mean-
6 ing given such term in section 2266 of title 18.”

7 (b) **EFFECTIVE DATE.**—The amendment made by
8 this section takes effect on the day that is 180 days after
9 the date of the enactment of this Act and applies to the
10 relocation of a member of the uniformed services on or
11 after such day.

12 **SEC. 609C. EXTENSION OF ONE-TIME UNIFORM ALLOW-**
13 **ANCE FOR OFFICERS WHO TRANSFER TO THE**
14 **SPACE FORCE.**

15 Subsection (d)(1) of section 606 of the William M.
16 (Mac) Thornberry National Defense Authorization Act for
17 Fiscal Year 2021 (Public Law 116–283; 134 Stat. 3672;
18 37 U.S.C. 416 note) is amended by striking “September
19 30, 2022” and inserting “September 30, 2023”.

20 **SEC. 609D. OCONUS COST OF LIVING ALLOWANCE: ADJUST-**
21 **MENTS; NOTICE TO CERTAIN CONGRES-**
22 **SIONAL COMMITTEES.**

23 (a) **ADJUSTMENTS.**—

24 (1) **REDUCTIONS: LIMITATION.**—The Secretary
25 of Defense and the Secretary of the Department in

1 which the Coast Guard is operating may not reduce
2 the cost-of-living allowance for a member of the
3 Armed Forces assigned to a duty station located
4 outside the United States except in connection with
5 a permanent change of station for such member.

6 (2) INCREASES.—The Secretary of Defense and
7 the Secretary of the Department in which the Coast
8 Guard is operating may increase the allowance de-
9 scribed in paragraph (1) for a member of the Armed
10 Forces at any time.

11 (b) NOTICE TO CERTAIN CONGRESSIONAL COMMIT-
12 TEES.—The Secretary of Defense shall notify the appro-
13 priate congressional committees not less than 180 days be-
14 fore modifying a table used to calculate the living allow-
15 ance described in subsection (a).

16 (c) BRIEFING.—Not later than March 1, 2023, the
17 Secretary of Defense shall brief the Committees on Armed
18 Services of the Senate and House of Representatives re-
19 garding effects of this section on the allowance described
20 in subsection (a).

21 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means the following:

24 (1) The Committee on Armed Services of the
25 Senate.

1 (2) The Committees on Armed Services of the
2 House of Representatives.

3 (3) The Committee on Commerce, Science, and
4 Transportation of the Senate.

5 (4) The Committee on Transportation and In-
6 frastructure of the House of Representatives.

7 **SEC. 609E. PAY FOR DOD AND COAST GUARD CHILD CARE**

8 **PROVIDERS: STUDIES; ADJUSTMENT.**

9 (a) DOD CHILD CARE EMPLOYEE COMPENSATION
10 REVIEW.—

11 (1) REVIEW REQUIRED.—The Secretary of De-
12 fense shall, for each geographic area in which the
13 Secretary of a military department operates a mili-
14 tary child development center, conduct a study—

15 (A) comparing the total compensation, in-
16 cluding all pay and benefits, of child care em-
17 ployees of each military child development cen-
18 ter in the geographic area to the total com-
19 pensation of similarly credentialed employees of
20 public elementary schools in such geographic
21 area; and

22 (B) estimating the difference in average
23 pay and the difference in average benefits be-
24 tween such child care employees and such em-
25 ployees of public elementary schools.

1 (2) SCHEDULE.—The Secretary of Defense
2 shall complete the studies required under paragraph
3 (1)—

4 (A) for the geographic areas containing the
5 military installations with the 25 longest wait
6 lists for child care services at military child de-
7 velopment centers, not later than one year after
8 the date of the enactment of this Act; and

9 (B) for geographic areas other than geo-
10 graphic areas described in subparagraph (A),
11 not later than two years after the date of the
12 enactment of this Act.

13 (3) REPORTS.—

14 (A) INTERIM REPORT.—Not later than one
15 year after the date of the enactment of this Act,
16 the Secretary of Defense shall submit to the
17 congressional defense committees and the Coast
18 Guard committees a report summarizing the re-
19 sults of the studies required under paragraph
20 (1) that have been completed as of the date of
21 the submission of such report.

22 (B) FINAL REPORT.—Not later than 120
23 days after the completion of all the studies re-
24 quired under paragraph (1), the Secretary shall
25 submit to the congressional defense committees

1 and the Coast Guard committees a report sum-
2 marizing the results of such studies.

3 (b) COAST GUARD CHILD DEVELOPMENT CENTER
4 EMPLOYEE COMPENSATION REVIEW.—

5 (1) REVIEW REQUIRED.—The Secretary of
6 Homeland Security shall, for each geographic area
7 in which the Secretary operates a Coast Guard child
8 development center, conduct a study—

9 (A) comparing the total compensation (in-
10 cluding all pay and benefits) of child develop-
11 ment center employees of each Coast Guard
12 child development center in such geographic
13 area, to the total compensation of similarly
14 credentialed employees of public elementary
15 schools in such geographic area; and

16 (B) estimating the difference in average
17 pay and the difference in average benefits be-
18 tween such child development center employees
19 and such employees of public elementary
20 schools.

21 (2) SCHEDULE.—The Secretary of Homeland
22 Security shall complete the studies required under
23 paragraph (1)—

24 (A) for the geographic areas containing the
25 Coast Guard installations with the 10 longest

1 wait lists for child development services at
2 Coast Guard child development centers, not
3 later than one year after the date of the enact-
4 ment of this Act; and

5 (B) for geographic areas other than geo-
6 graphic areas described in subparagraph (A),
7 not later than two years after the date of the
8 enactment of this Act.

9 (3) REPORTS.—

10 (A) INTERIM REPORT.—Not later than one
11 year after the date of the enactment of this Act,
12 the Secretary of Homeland Security shall sub-
13 mit to the Coast Guard committees and the
14 congressional defense committees a report sum-
15 marizing the results of the respective studies re-
16 quired under paragraph (1) that the Secretary
17 has completed as of the date of the submission
18 of such report.

19 (B) FINAL REPORT.—Not later than 120
20 days after the completion of all respective stud-
21 ies required under paragraph (1), the Secretary
22 of Homeland Security shall submit to the Coast
23 Guard committees and the congressional de-
24 fense committees a report summarizing the re-
25 sults of such studies.

1 (c) COMPENSATION ADJUSTMENT.—

2 (1) IN GENERAL.—

3 (A) DEPARTMENT OF DEFENSE.—Not
4 later than 90 days after the date on which the
5 Secretary of Defense completes the study for a
6 geographic area under subsection (a), the Sec-
7 retary of each military department that oper-
8 ates a military child development center in such
9 geographic area shall ensure that the dollar
10 value of the total compensation, including the
11 pay and benefits, of child care employees is not
12 less than the average dollar value of the total
13 compensation of similarly credentialed employ-
14 ees of public elementary schools in such geo-
15 graphic area.

16 (B) COAST GUARD.—Not later than 90
17 days after the date on which the Secretary of
18 Homeland Security completes the study for a
19 geographic area under subsection (b), the Com-
20 mandant of the Coast Guard shall ensure that
21 the dollar value of the total compensation, in-
22 cluding the pay and benefits, of child develop-
23 ment center employees in such geographic area
24 is not less than the average dollar value of the
25 total compensation of similarly credentialed em-

1 employees of public elementary schools in such ge-
2 ographic area.

3 (2) ADJUSTMENT LIMIT.—No child care em-
4 ployee or child development center employee may
5 have his or her pay or benefits decreased pursuant
6 to paragraph (1).

7 (3) REPORTS.—

8 (A) DEPARTMENT OF DEFENSE.—Not
9 later than one year after the date of the enact-
10 ment of this Act, and annually thereafter for
11 five years, each Secretary of a military depart-
12 ment shall submit to the congressional defense
13 committees and the Coast Guard committees a
14 report detailing the effects of changes in the
15 total compensation under this subsection, in-
16 cluding the effects on the hiring and retention
17 of child care employees and on the number of
18 children for which military child development
19 centers provide child care services.

20 (B) COAST GUARD.—Not later than one
21 year after the date of the enactment of this Act,
22 and annually thereafter for five years, the Com-
23 mandant of the Coast Guard shall submit to
24 the Coast Guard committees and the congress-
25 sional defense committees a report detailing the

1 effects of changes in the total compensation
2 under this subsection, including the effects on
3 the hiring and retention of child development
4 center employees and on the number of children
5 for which Coast Guard child development cen-
6 ters provide child development services.

7 (d) DEFINITIONS.—In this section:

8 (1) The term “benefits” includes—

9 (A) retirement benefits;

10 (B) any insurance premiums paid by an
11 employer;

12 (C) education benefits, including tuition re-
13 imbursement and student loan repayment; and

14 (D) any other compensation an employer
15 provides to an employee for service performed
16 as an employee (other than pay), as determined
17 appropriate by the Secretary of Defense or Sec-
18 retary of Homeland Security, as applicable.

19 (2) The terms “child care employee” and “mili-
20 tary child development center” have the meanings
21 given such terms in section 1800 of title 10, United
22 States Code.

23 (3) The terms “child development center em-
24 ployee” and “Coast Guard child development center”

1 have the meanings given such terms in section 2921
2 of title 14, United States Code.

3 (4) The term “Coast Guard committees”
4 means—

5 (A) the Committee on Commerce, Science,
6 and Transportation of the Senate;

7 (B) the Committee on Transportation and
8 Infrastructure of the House of Representatives;
9 and

10 (C) the Committees on Appropriations of
11 the Senate and the House of Representatives.

12 (5) The term “congressional defense commit-
13 tees” has the meaning given such term in section
14 101 of title 10, United States Code.

15 (6) The term “elementary school” means a day
16 or residential school which provides elementary edu-
17 cation, as determined under State law.

18 (7) The term “pay” includes the basic rate of
19 pay of an employee and any additional payments an
20 employer pays to an employee for service performed
21 as an employee.

1 **Subtitle B—Bonus and Incentive**
2 **Pays**

3 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**
4 **BONUS AND SPECIAL PAY AUTHORITIES.**

5 (a) AUTHORITIES RELATING TO RESERVE
6 FORCES.—Section 910(g) of title 37, United States Code,
7 relating to income replacement payments for reserve com-
8 ponent members experiencing extended and frequent mo-
9 bilization for active duty service, is amended by striking
10 “December 31, 2022” and inserting “December 31,
11 2023”.

12 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH
13 CARE PROFESSIONALS.—The following sections of title
14 10, United States Code, are amended by striking “Decem-
15 ber 31, 2022” and inserting “December 31, 2023”:

16 (1) Section 2130a(a)(1), relating to nurse offi-
17 cer candidate accession program.

18 (2) Section 16302(d), relating to repayment of
19 education loans for certain health professionals who
20 serve in the Selected Reserve.

21 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-
22 CERS.—Section 333(i) of title 37, United States Code, is
23 amended by striking “December 31, 2022” and inserting
24 “December 31, 2023”.

1 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-
2 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-
3 THORITIES.—The following sections of title 37, United
4 States Code, are amended by striking “December 31,
5 2022” and inserting “December 31, 2023”:

6 (1) Section 331(h), relating to general bonus
7 authority for enlisted members.

8 (2) Section 332(g), relating to general bonus
9 authority for officers.

10 (3) Section 334(i), relating to special aviation
11 incentive pay and bonus authorities for officers.

12 (4) Section 335(k), relating to special bonus
13 and incentive pay authorities for officers in health
14 professions.

15 (5) Section 336(g), relating to contracting
16 bonus for cadets and midshipmen enrolled in the
17 Senior Reserve Officers’ Training Corps.

18 (6) Section 351(h), relating to hazardous duty
19 pay.

20 (7) Section 352(g), relating to assignment pay
21 or special duty pay.

22 (8) Section 353(i), relating to skill incentive
23 pay or proficiency bonus.

1 (9) Section 355(h), relating to retention incen-
2 tives for members qualified in critical military skills
3 or assigned to high priority units.

4 (e) **AUTHORITY TO PROVIDE TEMPORARY INCREASE**
5 **IN RATES OF BASIC ALLOWANCE FOR HOUSING.**—Section
6 403(b) of title 37, United States Code, is amended—

7 (1) in paragraph (7)(E), by striking “December
8 31, 2022” and inserting “December 31, 2023”; and

9 (2) in paragraph (8)(C), by striking “Sep-
10 tember 30, 2022” and inserting “December 31,
11 2023”.

12 **SEC. 612. INCREASE TO MAXIMUM AMOUNTS OF CERTAIN**
13 **BONUS AND SPECIAL PAY AUTHORITIES.**

14 (a) **GENERAL BONUS AUTHORITY FOR ENLISTED**
15 **MEMBERS.**—Section 331(c)(1) of title 37, United States
16 Code, is amended—

17 (1) in subparagraph (A), by striking “\$50,000”
18 and inserting “\$75,000”; and

19 (2) in subparagraph (B), by striking “\$30,000”
20 and inserting “\$50,000”.

21 (b) **SPECIAL BONUS AND INCENTIVE PAY AUTHORI-**
22 **TIES FOR NUCLEAR OFFICERS.**—Section 333(d)(1)(A) of
23 title 37, United States Code, is amended by striking
24 “\$50,000” and inserting “\$75,000”.

1 (c) SPECIAL AVIATION INCENTIVE PAY AND BONUS
2 AUTHORITIES FOR OFFICERS.—Section 334(c)(1) of title
3 37, United States Code, is amended—

4 (1) in subparagraph (A), by striking “\$1,000”
5 and inserting “\$1,500”; and

6 (2) in subparagraph (B), by striking “\$35,000”
7 and inserting “\$75,000”.

8 (d) SKILL INCENTIVE PAY OR PROFICIENCY
9 BONUS.—Section 353(c)(1)(A) of title 37, United States
10 Code, is amended by striking “\$1,000” and inserting
11 “\$1,750”.

12 **SEC. 613. SPECIAL PAY AND ALLOWANCES FOR MEMBERS**
13 **OF THE ARMED FORCES ASSIGNED TO COLD**
14 **WEATHER OPERATIONS.**

15 (a) SPECIAL PAY.—

16 (1) ESTABLISHMENT.—Subchapter II of chap-
17 ter 5 of title 37, United States Code, is amended by
18 inserting after section 336 the following new section:

19 **“§ 337. Special pay: members of the armed forces as-**
20 **signed to cold weather operations**

21 **“(a) SPECIAL PAY AUTHORIZED.—The Secretary**
22 **concerned shall pay monthly special pay (to be known as**
23 **‘arctic pay’) to a member of the armed forces—**

24 **“(1) assigned to perform cold weather oper-**
25 **ations; or**

1 “(2) required to maintain proficiency through
2 frequent operations in cold weather.

3 “(b) AMOUNT OF PAY.—Special pay under this sec-
4 tion shall equal \$300 per month.

5 “(c) RELATIONSHIP TO OTHER PAY OR ALLOW-
6 ANCES.—Special pay under this section is in addition to
7 any other pay or allowance to which a member is entitled.

8 “(d) SUNSET.—No special pay may be paid under
9 this section after December 31, 2023.”.

10 (2) CLERICAL AMENDMENT.—The table of sec-
11 tions at the beginning of such chapter is amended
12 by inserting after the item relating to section 336
13 the following:

“337. Special pay: members of the armed forces assigned to permanent duty
stations in Alaska.”.

14 (3) REGULATIONS.—The Secretary of Defense
15 shall prescribe regulations for the payment of arctic
16 pay under section 337 of such title, as added by sub-
17 section (a).

18 (b) PILOT ALLOWANCE FOR BROADBAND.—

19 (1) ESTABLISHMENT.—Chapter 7 of title 37,
20 United States Code, is amended by inserting after
21 section 425 the following new section:

1 **“§ 426. Allowance for broadband for members of the**
2 **armed forces assigned to permanent duty**
3 **stations in Alaska**

4 “(a) ALLOWANCE AUTHORIZED.—The Secretary con-
5 cerned shall pay, to a member of the armed forces as-
6 signed to a permanent duty station in Alaska, a monthly
7 allowance for broadband.

8 “(b) AMOUNT.—The monthly allowance to a member
9 under this section shall be—

10 “(1) \$125 during calendar year 2023; and

11 “(2) in subsequent calendar years, an amount
12 determined by the Secretary of Defense based on the
13 difference between the average costs of unlimited
14 broadband plans in Alaska and in the continental
15 United States.

16 “(c) SUNSET.—No allowance may be paid under this
17 section after December 31, 2028.”

18 (2) CLERICAL AMENDMENT.—The table of sec-
19 tions at the beginning of such chapter is amended
20 by inserting after the item relating to section 425
21 the following:

“426. Allowance for broadband for members of the armed forces assigned to
permanent duty stations in Alaska.”

22 (3) EFFECTIVE DATE.—Section 426 of such
23 title, as added by this subsection, shall take effect on

1 the day the Secretary of Defense prescribes regula-
2 tions under paragraph (4).

3 (4) REGULATIONS.—Not later than six months
4 after the date of the enactment of this Act, the Sec-
5 retary of Defense shall prescribe regulations to carry
6 out section 426 of such title, as added by this sub-
7 section.

8 (5) REPORT.—Not later than December 31,
9 2027, the Secretary of Defense shall submit to the
10 Committees on Armed Services of the Senate and
11 House of Representatives a report containing—

12 (A) the evaluation of the Secretary of the
13 allowance under section 426 of such title, as
14 added by this subsection; and

15 (B) any recommendation of the Secretary
16 regarding whether such allowance should be
17 amended, extended, or made permanent.

18 (c) TRAVEL AND TRANSPORTATION ALLOWANCE.—

19 (1) ENTITLEMENT.—Not later than 90 days
20 after the date of the enactment of this Act, the Sec-
21 retary of Defense shall prescribe regulations and
22 guidance that entitle a member of the Armed
23 Forces, assigned to a permanent duty station in
24 Alaska, to a one-time allowance for air travel for the
25 member and dependents of such member.

1 (2) AMOUNTS.—If the air travel is to the per-
2 manent residence of the member, the amount of the
3 allowance shall equal the total costs of such air trav-
4 el. If such air travel is to another destination within
5 the United States, amount of the allowance shall be
6 equal to the lesser of the following:

7 (A) The rate for such air travel under the
8 City Pair Program of the General Services Ad-
9 ministration (or successor program) in effect at
10 the time of such air travel.

11 (B) The actual costs of such air travel.

12 (3) TIMING.—Air travel reimbursed under such
13 regulation may not commence later than 30 months
14 after the member is assigned to a permanent duty
15 station in Alaska.

16 (4) ADDITIONAL AUTHORIZATION.—The Sec-
17 retary concerned may authorize an additional allow-
18 ance for a member who has used the allowance to
19 which such member is entitled under this subsection.

1 **SEC. 614. AUTHORIZATION OF INCENTIVE PAY TO A MEM-**
2 **BER OF THE ARMED FORCES WHOSE DISCLO-**
3 **SURE OF FRAUD, WASTE, OR MISMANAGE-**
4 **MENT RESULTS IN COST SAVINGS TO THE**
5 **MILITARY DEPARTMENT CONCERNED.**

6 (a) **AUTHORITY.**—Subchapter II of chapter 5 of title
7 37, United States Code, is amended by adding at the end
8 the following new section:

9 **“§ 358. Incentive pay for cost savings disclosures**

10 “(a) **AUTHORITY.**—The Secretary concerned may pay
11 an incentive pay to a member of the Armed Forces whose
12 disclosure of fraud, waste, or mismanagement to a covered
13 official, results in cost savings for the military department
14 concerned. The amount of an award under this section
15 may not exceed the lesser of—

16 “(1) \$10,000; or

17 “(2) an amount equal to 1 percent of the cost
18 savings that the covered official determines to be the
19 total savings attributable to such disclosure.

20 “(b) **CALCULATION.**—For purposes of subsection
21 (a)(2), the covered official may take into account cost sav-
22 ings projected for subsequent fiscal years that will be at-
23 tributable to such disclosure.

24 “(c) **COVERED OFFICIAL DEFINED.**—In this section,
25 the term ‘covered official’ includes the following:

26 “(1) The Secretary concerned.

1 “(2) The Inspector General concerned.”.

2 (b) CLERICAL AMENDMENT.—The table of sections
3 at the beginning of such chapter is amended by inserting
4 after the item relating to section 357 the following:

“358. Incentive pay for cost savings disclosures.”.

5 **SEC. 615. INFLATION BONUS PAY.**

6 (a) BONUS PAY.—Beginning on January 1, 2023, the
7 Secretary concerned shall pay a bonus to each eligible
8 member under the jurisdiction of such Secretary con-
9 cerned.

10 (b) PAYMENT.—Bonus pay under this section shall
11 be paid to an eligible member on a monthly basis.

12 (c) AMOUNT OF PAY.—Each bonus payment under
13 this section shall be in an amount equal to 2.4 percent
14 of the rate—

15 (1) in effect on January 1, 2023; and

16 (2) of, for an eligible member—

17 (A) pay under section 204 of title 37,
18 United States Code; or

19 (B) compensation under section 206 of
20 title 37, United States Code.

21 (d) RELATIONSHIP TO OTHER PAY AND ALLOW-
22 ANCES.—Bonus pay paid to an eligible member under this
23 section is in addition to any other pay and allowances to
24 which the eligible member is entitled.

1 (e) TERMINATION.—No bonus may be paid under
2 this section after December 31, 2023.

3 (f) ELIGIBLE MEMBER DEFINED.—In this section,
4 the term “eligible member” means a member of the uni-
5 formed services—

6 (1) who is entitled to pay or compensation de-
7 scribed in subsection (c)(2); and

8 (2) whose basic pay for 2023 is less than
9 \$45,000.

10 **SEC. 616. ESTABLISHING COMPLEX OVERHAUL PAY.**

11 (a) ESTABLISHMENT.—Not later than six months
12 after the date of the enactment of this Act, the Secretary
13 of Defense shall prescribe regulations under section 352
14 of title 37, United States Code, for the payment of special
15 monthly pay (to be known as “complex overhaul pay”) to
16 a member of the Armed Forces assigned to a naval vessel
17 undergoing nuclear refueling or defueling and any concur-
18 rent complex overhaul.

19 (b) AMOUNT OF PAY.—Complex overhaul pay shall
20 equal \$200 per month.

21 (c) RELATIONSHIP TO OTHER PAY OR ALLOW-
22 ANCES.—Complex overhaul pay is in addition to any other
23 pay or allowance to which a member is entitled.

1 **SEC. 617. AIR FORCE RATED OFFICER RETENTION DEM-**
2 **ONSTRATION PROGRAM.**

3 (a) PROGRAM REQUIREMENT.—The Secretary shall
4 establish and carry out within the Department of the Air
5 Force a demonstration program to assess and improve re-
6 tention on active duty in the Air Force of rated officers
7 described in subsection (b).

8 (b) RATED OFFICERS DESCRIBED.—Rated officers
9 described in this subsection are rated officers serving on
10 active duty in the Air Force, excluding rated officers with
11 a reserve appointment in the Air National Guard or Air
12 Force Reserve—

13 (1) whose continued service on active duty
14 would be in the best interest of the Department of
15 the Air Force, as determined by the Secretary; and

16 (2) who have not more than three years and not
17 less than one year remaining on an active duty serv-
18 ice obligation under section 653 of title 10, United
19 States Code.

20 (c) WRITTEN AGREEMENT.—

21 (1) IN GENERAL.—Under the demonstration
22 program required under subsection (a), the Sec-
23 retary shall offer retention incentives under sub-
24 section (d) to a rated officer described in subsection
25 (b) who executes a written agreement to remain on
26 active duty in a regular component of the Air Force

1 for not less than four years after the completion of
2 the active duty service obligation of the officer under
3 section 653 of title 10, United States Code.

4 (2) EXCEPTION.—If the Secretary of the Air
5 Force determines that an assignment previously
6 guaranteed under subsection (d)(1) to a rated officer
7 described in subsection (b) cannot be fulfilled, the
8 agreement of the officer under paragraph (1) to re-
9 main on active duty shall expire not later than one
10 year after that determination.

11 (d) RETENTION INCENTIVES.—

12 (1) GUARANTEE OF FUTURE ASSIGNMENT LO-
13 CATION.—Under the demonstration program re-
14 quired under subsection (a), the Secretary may offer
15 to a rated officer described in subsection (b) a guar-
16 antee of future assignment locations based on the
17 preference of the officer.

18 (2) AVIATION BONUS.—Under the demonstra-
19 tion program required under subsection (a), notwith-
20 standing section 334(c) of title 37, United States
21 Code, the Secretary may pay to a rated officer de-
22 scribed in subsection (b) an aviation bonus not to
23 exceed an average annual amount of \$50,000 (sub-
24 ject to paragraph (3)(B)).

1 (3) COMBINATION OF INCENTIVES.—The Sec-
2 retary may offer to a rated officer described in sub-
3 section (b) a combination of incentives under para-
4 graphs (1) and (2).

5 (4) VARIATIONS; LIMITATIONS.—The Secretary
6 may vary or limit the total number of available con-
7 tracts and the combination of incentives within such
8 contracts to target certain Air Force specialty codes,
9 ensure required assignments locations are filled, and
10 readiness is not negatively affected. The Secretary
11 shall determine the criteria for such variations or
12 limitations and include such criteria in the annual
13 briefing under subsection (e).

14 (e) ANNUAL BRIEFING.—Not later than December
15 31, 2023, and annually thereafter until the termination
16 of the demonstration program required under subsection
17 (a), the Secretary shall provide to the Committees on
18 Armed Services of the Senate and the House of Represent-
19 atives a briefing describing the use of such demonstration
20 program and its effects on the retention on active duty
21 in the Air Force of rated officers described in subsection
22 (b).

23 (f) DEFINITIONS.—In this section:

1 (1) RATED OFFICER.—The term “rated officer”
2 means an officer specified in section 9253 of title
3 10, United States Code.

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of the Air Force.

6 (g) TERMINATION.—This section shall terminate on
7 December 31, 2028.

8 **Subtitle C—Family and Survivor** 9 **Benefits**

10 **SEC. 621. EXPANDED ELIGIBILITY FOR BEREAVEMENT** 11 **LEAVE FOR MEMBERS OF THE ARMED** 12 **FORCES.**

13 (a) EXPANSION.—Section 701(m) of title 10, United
14 States Code, is amended in paragraph (3) by striking sub-
15 paragraphs (A) and (B) and inserting the following:

16 “(A) a spouse;

17 “(B) a son or daughter; or

18 “(C) a parent.

19 “(4) In this section, the term ‘son or daughter’
20 means—

21 “(A) a biological, adopted, step, or foster son or
22 daughter of the individual;

23 “(B) a person who is a legal ward of the mem-
24 ber, or was a legal ward of the individual when the

1 person was a minor or otherwise required a legal
2 guardian; or

3 “(C) a person for whom the member stands in
4 loco parentis or stood in loco parentis when the per-
5 son was a minor or otherwise required the individual
6 to stand in loco parentis.

7 “(5) In this section, the term ‘parent’ means—

8 “(A) a biological, adoptive, step, or foster par-
9 ent of the individual, or a person who was a foster
10 parent of the individual when the individual was a
11 minor;

12 “(B) a legal guardian of the individual, or per-
13 son who was a legal guardian of the individual when
14 the individual was a minor or otherwise required a
15 legal guardian; or

16 “(C) a person who stands in loco parentis to
17 the member or stood in loco parentis when the indi-
18 vidual was a minor or otherwise required a person
19 to stand in loco parentis.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on the latter of July 3,
22 2022, and the date of the enactment of this Act.

1 **SEC. 622. CLAIMS RELATING TO THE RETURN OF PER-**
2 **SONAL EFFECTS OF A DECEASED MEMBER**
3 **OF THE ARMED FORCES.**

4 Section 1482(a) of title 10, United States Code, is
5 amended by adding at the end the following new para-
6 graph:

7 “(11)(A) Delivery of personal effects of a dece-
8 dent to the next of kin or other appropriate person.

9 “(B) If the Secretary concerned enters into an
10 agreement with an entity to carry out subparagraph
11 (A), the Secretary concerned shall pursue a claim
12 against such entity that arises from the failure of
13 such entity to substantially perform such subpara-
14 graph.

15 “(C) If an entity described in subparagraph (B)
16 fails to substantially perform subparagraph (A) by
17 damaging, losing, or destroying the personal effects
18 of a decedent, the Secretary concerned shall reim-
19 burse the person designated under subsection (c) the
20 greater of \$1,000 or the fair market value of such
21 damage, loss, or destruction. The Secretary con-
22 cerned may request from, the person designated
23 under subsection (c), proof of fair market value and
24 ownership of the personal effects.”.

1 **SEC. 623. EXPANSION OF AUTHORIZED ASSISTANCE FOR**
2 **PROVIDERS OF CHILD CARE SERVICES TO**
3 **MEMBERS OF THE ARMED FORCES.**

4 (a) **EXPANSION.**—Section 1798 of title 10, United
5 States Code, is amended—

6 (1) by striking “financial assistance” each place
7 it appears and inserting “covered assistance”; and

8 (2) by adding at the end the following new sub-
9 section:

10 “(d) **COVERED ASSISTANCE DEFINED.**—In this sec-
11 tion, the term ‘covered assistance’ includes—

12 “(1) financial assistance; and

13 “(2) free or reduced-cost child care services fur-
14 nished by the Secretary.”.

15 (b) **TECHNCIAL AND CONFORMING AMENDMENTS.**—

16 (1) **SECTION HEADING.**—The heading of such
17 section is amended by striking “**financial**”.

18 (2) **TABLE OF SECTIONS.**—The table of sections
19 at the beginning of subchapter II of chapter 88 of
20 such title is amended by striking the item relating
21 to section 1798 and inserting the following:

“1798. Child care services and youth program services for dependents: assist-
ance for providers.”.

1 **SEC. 624. SURVIVOR BENEFIT PLAN OPEN ENROLLMENT**
2 **PERIOD.**

3 (a) PERSONS NOT CURRENTLY PARTICIPATING IN
4 SURVIVOR BENEFIT PLAN.—

5 (1) ELECTION OF SBP COVERAGE.—An eligible
6 retired or former member may elect to participate in
7 the Survivor Benefit Plan during the open enroll-
8 ment period specified in paragraph (4).

9 (2) ELIGIBLE RETIRED OR FORMER MEMBER.—
10 For purposes of subparagraph (A), an eligible re-
11 tired or former member is a member or former
12 member of the uniformed services who, on the day
13 before the first day of the open enrollment period,
14 discontinued participation in the Survivor Benefit
15 Plan under section 1452(g) of title 10, United
16 States Code, and—

17 (A) is entitled to retired pay; or

18 (B) would be entitled to retired pay under
19 chapter of title 10, United States Code (or
20 chapter 67 of such title as in effect before Octo-
21 ber 5, 1994), but for the fact that such member
22 or former member is under 60 years of age.

23 (3) STATUS UNDER SBP OF PERSONS MAKING
24 ELECTIONS.—

25 (A) STANDARD ANNUITY.—A person mak-
26 ing an election under subparagraph (A) by rea-

1 son of eligibility under subparagraph (B)(i)
2 shall be treated for all purposes as providing a
3 standard annuity under the Survivor Benefit
4 Plan.

5 (B) RESERVE-COMPONENT ANNUITY.—A
6 person making an election under subparagraph
7 (A) by reason of eligibility under subparagraph
8 (B)(ii) shall be treated for all purposes as pro-
9 viding a reserve-component annuity under the
10 Survivor Benefit Plan.

11 (b) MANNER OF MAKING ELECTIONS.—

12 (1) IN GENERAL.—An election under this sub-
13 section must be made in writing, signed by the per-
14 son making the election, and received by the Sec-
15 retary concerned before the end of the open enroll-
16 ment period. Except as provided in subparagraph
17 (B), any such election shall be made subject to the
18 same conditions, and with the same opportunities for
19 designation of beneficiaries and specification of base
20 amount, that apply under the Survivor Benefit Plan.
21 A person making an election under paragraph (1) to
22 provide a reserve-component annuity shall make a
23 designation described in section 1448(e) of title 10,
24 United States Code.

1 (2) ELECTION MUST BE VOLUNTARY.—An elec-
2 tion under this subsection is not effective unless the
3 person making the election declares the election to
4 be voluntary. An election to participate in the Sur-
5 vivor Benefit Plan under this subsection may not be
6 required by any court. An election to participate or
7 not to participate in the Survivor Benefit Plan is not
8 subject to the concurrence of a spouse or former
9 spouse of the person.

10 (c) EFFECTIVE DATE FOR ELECTIONS.—Any such
11 election shall be effective as of the first day of the first
12 calendar month following the month in which the election
13 is received by the Secretary concerned.

14 (d) OPEN ENROLLMENT PERIOD DEFINED.—The
15 open enrollment period is the period beginning on the date
16 of the enactment of this Act and ending on January 1,
17 2024.

18 (e) APPLICABILITY OF CERTAIN PROVISIONS OF
19 LAW.—The provisions of sections 1449, 1453, and 1454
20 of title 10, United States Code, are applicable to a person
21 making an election, and to an election, under this sub-
22 section in the same manner as if the election were made
23 under the Survivor Benefit Plan.

24 (f) PREMIUMS FOR OPEN ENROLLMENT ELEC-
25 TION.—

1 (1) PREMIUMS TO BE CHARGED.—The Sec-
2 retary of Defense shall prescribe in regulations pre-
3 miums which a person electing under this subsection
4 shall be required to pay for participating in the Sur-
5 vivor Benefit Plan pursuant to the election. The
6 total amount of the premiums to be paid by a person
7 under the regulations shall be equal to the sum of—

8 (A) the total amount by which the retired
9 pay of the person would have been reduced be-
10 fore the effective date of the election if the per-
11 son had elected to participate in the Survivor
12 Benefit Plan (for the same base amount speci-
13 fied in the election) at the first opportunity that
14 was afforded the member to participate under
15 chapter 73 of title 10, United States Code;

16 (B) interest on the amounts by which the
17 retired pay of the person would have been so re-
18 duced, computed from the dates on which the
19 retired pay would have been so reduced at such
20 rate or rates and according to such method-
21 ology as the Secretary of Defense determines
22 reasonable; and

23 (C) any additional amount that the Sec-
24 retary determines necessary to protect the actu-
25 arial soundness of the Department of Defense

1 Military Retirement Fund against any increased
2 risk for the fund that is associated with the
3 election.

4 (2) PREMIUMS TO BE CREDITED TO RETIRE-
5 MENT FUND.—Premiums paid under the regulations
6 shall be credited to the Department of Defense Mili-
7 tary Retirement Fund.

8 (g) DEFINITIONS.—In this subsection:

9 (1) The term “Survivor Benefit Plan” means
10 the program established under subchapter II of
11 chapter 73 of title 10, United States Code.

12 (2) The term “retired pay” includes retainer
13 pay paid under section 8330 of title 10, United
14 States Code.

15 (3) The terms “uniformed services” and “Sec-
16 retary concerned” have the meanings given those
17 terms in section 101 of title 37, United States Code.

18 (4) The term “Department of Defense Military
19 Retirement Fund” means the Department of De-
20 fense Military Retirement Fund established under
21 section 1461(a) of title 10, United States Code.

22 **SEC. 625. STUDY AND REPORT ON MILITARY INSTALLA-**
23 **TIONS WITH LIMITED CHILD CARE.**

24 (a) STUDY.—

1 (1) IN GENERAL.—The Secretary of Defense
2 shall conduct a study regarding child care at mili-
3 tary installations of the covered Armed Forces—

4 (A) that are not served by a military child
5 development center; or

6 (B) where the military child development
7 center has few available spots.

8 (2) ELEMENTS.—The study shall identify the
9 following with regards to each military installation
10 described in paragraph (1):

11 (A) The current and maximum possible en-
12 rollment at the military child development cen-
13 ter (if one exists).

14 (B) Plans of the Secretary to expand an
15 existing, or construct a new, military child de-
16 velopment center.

17 (C) The resulting capacity of each military
18 child development center described in subpara-
19 graph (B).

20 (D) The median cost of services at accred-
21 ited child care facilities located near such mili-
22 tary installation compared to the amount of as-
23 sistance provided by the Secretary of the mili-
24 tary department concerned to members for
25 child care services.

1 (b) REPORT.—Not later than one year after the date
2 of the enactment of this Act, the Secretary shall submit
3 to the congressional defense committees a report con-
4 taining the results of the study conducted under this sec-
5 tion, including any policy recommendations of the Sec-
6 retary to address the rising cost of child care near military
7 installations and the rates of child care fee assistance pro-
8 vided to members of the covered Armed Forces.

9 (c) DEFINITIONS.—In this section:

10 (1) The term “covered Armed Force” means
11 the following:

12 (A) The Army.

13 (B) The Navy.

14 (C) The Marine Corps.

15 (D) The Air Force.

16 (E) The Space Force.

17 (2) The term “military child development cen-
18 ter” has the meaning given such term in section
19 1800 of title 10, United States Code.

20 **Subtitle D—Defense Resale Matters**

21 **SEC. 631. PROHIBITION ON SALE OF CHINESE GOODS IN** 22 **COMMISSARY STORES AND MILITARY EX-** 23 **CHANGES.**

24 The Secretary of Defense shall prohibit the sale, at
25 a commissary store or military exchange, of goods—

- 1 (1) manufactured in China;
2 (2) assembled in China; or
3 (3) imported into the United States from
4 China.

5 **Subtitle E—Miscellaneous Rights,**
6 **Benefits, and Reports**

7 **SEC. 641. TRANSITIONAL COMPENSATION AND BENEFITS**
8 **FOR THE FORMER SPOUSE OF A MEMBER OF**
9 **THE ARMED FORCES WHO ALLEGEDLY COM-**
10 **MITTED A DEPENDENT-ABUSE OFFENSE DUR-**
11 **ING MARRIAGE.**

12 (a) IN GENERAL.—Section 1059 of title 10, United
13 States Code, is amended—

14 (1) in the heading—

15 (A) by striking “**separated for**” and in-
16 sserting “**who commit**”; and

17 (B) by inserting “**; health care**” after
18 “**exchange benefits**”;

19 (2) in subsection (b)—

20 (A) in the heading, by striking “PUNITIVE
21 AND OTHER ADVERSE ACTIONS COVERED” and
22 inserting “COVERED MEMBERS”;

23 (B) in paragraph (2), by striking “of-
24 fense.” and inserting “offense; or”; and

1 (C) by adding at the end the following new
2 paragraph:

3 “(3) who is not described in paragraph (1) or
4 (2) and whose former spouse alleges that the mem-
5 ber committed a dependent-abuse offense—

6 “(A) during the marriage to the former
7 spouse;

8 “(B) for which the applicable statute of
9 limitations has not lapsed; and

10 “(C) that an incident determination com-
11 mittee determines meets the criteria for
12 abuse.”;

13 (3) in subsection (e)(1)—

14 (A) in subparagraph (A)(ii), by striking “;
15 and” and inserting a semicolon;

16 (B) in subparagraph (B), by striking the
17 period at the end and inserting “; and”; and

18 (C) by adding at the end the following new
19 subparagraph:

20 “(C) in the case of a member described in sub-
21 section (b)(3), shall commence upon the date of the
22 final decree of divorce, dissolution, or annulment of
23 that member from the former spouse described in
24 such subsection.”; and

1 (4) by adding at the end the following new sub-
2 section:

3 “(n) **HEALTH CARE FOR CERTAIN FORMER**
4 **SPOUSES.**—The Secretary concerned shall treat a former
5 spouse described in subsection (b)(3) as an abused de-
6 pendent described in section 1076(e) of this title.”.

7 (b) **TECHNICAL AMENDMENT.**—The table of sections
8 at the beginning of chapter 53 of such title is amended
9 by striking the item relating to section 1059 and inserting
10 the following:

“1059. Dependents of members who commit dependent abuse: transitional com-
pensation; commissary and exchange benefits; health care.”.

11 (c) **EFFECTIVE DATE.**—The amendments made by
12 this Act shall apply to a former spouse described in sub-
13 section (b)(3) of such section 1059, as added by subsection
14 (a)(2) of this section, whose final decree of divorce, dis-
15 solution, or annulment described in subsection (e)(1)(C)
16 of such section 1059, as added by subsection (a)(3) of this
17 section, is issued on or after the date of the enactment
18 of this Act.

19 **SEC. 642. AUTHORIZATION OF PERMISSIVE TEMPORARY**
20 **DUTY FOR WELLNESS.**

21 In order to reduce the rate of suicides in the Armed
22 Forces, the Secretary of each military department may
23 prescribe regulations that authorize a member of an
24 Armed Force under the jurisdiction of such Secretary to

1 take not more than two weeks of permissive temporary
2 duty each year to attend a seminar, retreat, workshop, or
3 outdoor recreational therapy event—

4 (1) hosted by a non-profit organization; and

5 (2) that focuses on psychological, physical, spir-
6 itual, or social wellness.

7 **SEC. 643. STUDY ON BASIC PAY.**

8 (a) IN GENERAL.—The Secretary of Defense shall
9 seek to enter into an agreement with a nonprofit entity
10 or a federally funded research and development center to
11 conduct research and analysis on the value of basic pay
12 for members of the Armed Forces. The Secretary may in-
13 clude such research and analysis in the next quadrennial
14 review of military compensation.

15 (b) ELEMENTS.—The research and analysis con-
16 ducted under subsection (a) shall include the following:

17 (1) An assessment of the model used to deter-
18 mine the basic pay in the current basic pay tables,
19 including—

20 (A) an analysis of whether to update the
21 current model to meet the needs of the 2023
22 employment market;

23 (B) a historical understanding of when the
24 current model was established and how fre-
25 quently it has been during the last 10 years;

1 (C) an understanding of the assumptions
2 on which the model is based and how such as-
3 sumptions are validated;

4 (D) an analysis of time-in-grade require-
5 ments and how they may affect retention and
6 promotion; and

7 (E) an assessment of how recruiting and
8 retention information is used to adjust the
9 model.

10 (2) An assessment of whether to modify current
11 basic pay tables to consider higher rates of pay for
12 specialties the Secretary determines are in critical
13 need of personnel.

14 (3) An analysis of—

15 (A) how basic pay has compared with civil-
16 ian pay since the 70th percentile benchmark for
17 basic pay was established; and

18 (B) whether to change the 70th percentile
19 benchmark.

20 (4) An assessment of whether—

21 (A) to adjust the annual increase in basic
22 pay, currently guided by changes in the Em-
23 ployment Cost Index as a measure of the
24 growth in private-sector employment costs; or

1 (B) to use a different index, such as the
2 Defense Employment Cost Index.

3 (5) Legislative and policy recommendations re-
4 garding basic pay table based on analyses and as-
5 sessments under paragraphs (1) through (4).

6 (c) BRIEFINGS AND PROGRESS REPORT.—

7 (1) INTERIM BRIEFING.—Not later than April
8 1, 2023, the Secretary shall provide to the appro-
9 priate congressional committees an interim briefing
10 on the elements described in subsection (b).

11 (2) PROGRESS REPORT.—Not later than one
12 year after the date of the enactment of this Act, the
13 Secretary shall submit to the appropriate congress-
14 sional committees a progress report on the study
15 under this section.

16 (3) FINAL BRIEFING.—Not later than two years
17 after the date of the enactment of this Act, the Sec-
18 retary shall submit to the appropriate congressional
19 committees a final briefing on the study under this
20 section.

21 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
22 DEFINED.—In this section, the term “appropriate con-
23 gressional committees” means the following:

24 (1) The Committee on Armed Services of the
25 House of Representatives.

1 (2) The Committee on Armed Services of the
2 Senate.

3 (3) The Committee on Transportation and In-
4 frastructure of the House of Representatives.

5 (4) The Committee on Commerce, Science, and
6 Transportation of the Senate.

7 **SEC. 644. REPORT ON ACCURACY OF BASIC ALLOWANCE**
8 **FOR HOUSING.**

9 (a) REPORT; ELEMENTS.—Not later than one year
10 after the date of the enactment of this Act, the Secretary
11 of Defense, in consultation with the Secretary of the de-
12 partment in which the Coast Guard is operating, shall pre-
13 pare and submit to the appropriate congressional commit-
14 tees a report on BAH. Such report shall contain the fol-
15 lowing elements:

16 (1) The evaluation of the Secretary—

17 (A) of the efficiency and accuracy of the
18 current system used to calculate BAH;

19 (B) the appropriateness of using mean and
20 median housing costs in such calculation;

21 (C) of existing MHAs, in relation to
22 choices in, and availability of, housing to
23 servicemembers;

24 (D) of the suitability of the six standard
25 housing profiles in relation to the average fam-

1 ily sizes of servicemembers, disaggregated by
2 uniformed service, rank, and MHA;

3 (E) of the flexibility of BAH to respond to
4 changes in real estate markets; and

5 (F) of residential real estate processes to
6 determine rental rates.

7 (2) The recommendation of the Secretary—

8 (A) regarding the feasibility of including
9 information, furnished by Federal entities, re-
10 garding school districts, in calculating BAH;

11 (B) whether to calculate BAH more fre-
12 quently, including in response to a sudden
13 change in the housing market;

14 (C) whether to enter into an agreement
15 with a covered entity, to compile data and de-
16 velop an enterprise grade, objective, data-driven
17 algorithm to calculate BAH;

18 (D) whether to publish the methods used
19 by the Secretary to calculate BAH on a publicly
20 accessible website of the Department of De-
21 fense; and

22 (E) whether BAH calculations appro-
23 priately account for increased housing costs as-
24 sociated with Coast Guard facilities.

25 (b) DEFINITIONS.—In this section:

1 (1) The term “appropriate congressional com-
2 mittees” means the following:

3 (A) The Committee on Armed Services of
4 the House of Representatives.

5 (B) The Committee on Armed Services of
6 the Senate.

7 (C) The Committee on Transportation and
8 Infrastructure of the House of Representatives.

9 (D) The Committee on Commerce, Science,
10 and Transportation of the Senate.

11 (2) The term “BAH” means the basic allow-
12 ance for housing for members of the uniformed serv-
13 ices under section 403 of title 37, United States
14 Code.

15 (3) The term “covered entity” means a nation-
16 ally recognized entity in the field of commercial real
17 estate that has data on local rental rates in real es-
18 tate markets across the United States.

19 (4) The term “MHA” means military housing
20 area.

21 (5) The term “servicemember” has the meaning
22 given such term in section 101 of the
23 Servicemembers Civil Relief Act (50 U.S.C. 3911).

1 **SEC. 645. STUDY AND REPORT ON BARRIERS TO HOME**
2 **OWNERSHIP FOR MEMBERS OF THE ARMED**
3 **FORCES.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Secretary of Defense
6 shall seek to enter into an agreement with a federally
7 funded research and development center or non-profit en-
8 tity to conduct a study on the barriers to home ownership
9 for members of the Armed Forces. At the conclusion of
10 such study, the Secretary shall submit, to the appropriate
11 congressional committees, a report containing the fol-
12 lowing elements:

13 (1) Potential barriers to such home ownership,
14 including down payments, concerns about home
15 maintenance, and challenges in selling a home.

16 (2) The percentage of members who use the
17 basic allowance for housing to pay for a mortgage,
18 disaggregated by Armed Force, rank, and military
19 housing area.

20 (3) Any identified differences in home owner-
21 ship rates among members correlated with race or
22 gender.

23 (4) What percentage of members own a home
24 before separating from the Armed Forces.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means the following:

4 (1) The Committee on Armed Services of the
5 House of Representatives.

6 (2) The Committee on Armed Services of the
7 Senate.

8 (3) The Committee on Transportation and In-
9 frastructure of the House of Representatives.

10 (4) The Committee on Commerce, Science, and
11 Transportation of the Senate.

12 **TITLE VII—HEALTH CARE**
13 **PROVISIONS**

14 **Subtitle A—TRICARE and Other**
15 **Health Care Benefits**

16 **SEC. 701. CLARIFICATION OF COVERAGE OF ARTIFICIAL**
17 **REPRODUCTIVE SERVICES FOR CERTAIN**
18 **TRICARE BENEFICIARIES.**

19 Section 1074(c)(4) of title 10, United States Code,
20 is amended by adding at the end the following new sub-
21 paragraphs:

22 “(C) In providing for the coverage under this sub-
23 section of artificial reproductive services to any member
24 of a covered armed force who incurs a serious injury or
25 illness on active duty as specified in subparagraph (A),

1 the Secretary of Defense shall ensure that the coverage
2 of such services, including gamete donation and surrogacy
3 services, is provided without regard to whether the mem-
4 ber is married to a spouse of the same gender, married
5 to a spouse of the opposite gender, or unmarried.

6 “(D) In this paragraph, the term ‘covered armed
7 force’ means the following:

8 “(i) The Army.

9 “(ii) The Navy.

10 “(iii) The Marine Corps.

11 “(iv) The Air Force.

12 “(v) The Space Force.”.

13 **SEC. 702. CLARIFICATION OF COVERAGE OF CERTAIN**
14 **AREOLAR NIPPLE TATTOOING PROCEDURES**
15 **UNDER TRICARE PROGRAM.**

16 (a) **COVERAGE UNDER TRICARE PROGRAM.**—Sec-
17 tion 1079(a)(11)(A) of title 10, United States Code, is
18 amended by inserting “(including two-dimensional and
19 three-dimensional areolar nipple tattooing)” after “breast
20 reconstructive surgery”.

21 (b) **APPLICABILITY.**—The amendments made by sub-
22 section (a) shall apply with respect to breast reconstruc-
23 tive surgeries provided on or after the date of the enact-
24 ment of this Act.

1 **SEC. 703. TRICARE DENTAL FOR SELECTED RESERVE.**

2 Section 1076a of title 10, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1)—

6 (i) in the header, by striking “selected
7 reserve and”; and

8 (ii) by striking “for members of the
9 Selected Reserve of the Ready Reserve
10 and”;

11 (B) in paragraph (2), in the header, by in-
12 serting “individual ready” after “other”; and

13 (C) by adding at the end the following new
14 paragraph:

15 “(5) PLAN FOR SELECTED RESERVE.—A dental
16 benefits plan for members of the Selected Reserve of
17 the Ready Reserve.”;

18 (2) in subsection (d)—

19 (A) by redesignating paragraph (3) as
20 paragraph (4); and

21 (B) by inserting after paragraph (2) the
22 following new paragraph:

23 “(3) NO PREMIUM PLANS.—(A) The dental in-
24 surance plan established under subsection (a)(5) is
25 a no premium plan.

1 “(B) Members enrolled in a no premium plan
2 may not be charged a premium for benefits provided
3 under the plan.”;

4 (3) in subsection (e)(2)(A), by striking “a mem-
5 ber of the Selected Reserve of the Ready Reserve
6 or”;

7 (4) by redesignating subsections (f) through (k)
8 as subsections (g) through (l), respectively;

9 (5) by inserting after subsection (e) the fol-
10 lowing new subsection (f):

11 “(f) COPAYMENTS UNDER NO PREMIUM PLANS.—A
12 member who receives dental care under a no premium plan
13 referred to in subsection (d)(3) shall pay no charge for
14 any care described in subsection (e).”; and

15 (6) in subsection (i), as redesignated by para-
16 graph (4), by striking “subsection (k)(2)” and in-
17 serting “subsection (l)(2)”.

18 **SEC. 704. REPORT REQUIREMENT FOR CERTAIN CON-**
19 **TRACTS UNDER TRICARE PROGRAM.**

20 (a) GAO REPORT UPON AWARD OF CERTAIN CON-
21 TRACTS.—Chapter 55 of title 10, United States Code, is
22 amended by inserting after section 1097d the following
23 new section (and conforming the table of sections at the
24 beginning of such chapter accordingly):

1 **“§ 1097e. TRICARE program: report requirement for**
2 **certain contracts**

3 “(a) GAO REPORT.—Not later than 180 days after
4 the date on which the Secretary of Defense enters into
5 a major military health care contract, the Comptroller
6 General of the United States shall submit to the congres-
7 sional defense committees a report on the contract.

8 “(b) MATTERS.—Each report under subsection (a)
9 shall include, with respect to the contract for which the
10 report is submitted, a review of the process used in award-
11 ing the contract.

12 “(c) MAJOR MILITARY HEALTH CARE CONTRACT
13 DEFINED.—In this section, the term ‘major military
14 health care contract’ means a contract the Secretary de-
15 termines is a managed care support contract for the ad-
16 ministration of the TRICARE program (including the ad-
17 ministration of medical and dental care services under
18 such program) and is estimated by the Secretary to re-
19 quire an eventual total expenditure of more than
20 \$1,000,000,000.”.

21 (b) SUBMISSION OF CRITERIA TO CONGRESS.—Not
22 later than 180 days after the date of the enactment of
23 this Act, the Secretary of Defense shall develop specific
24 criteria for the determination of a contract as a “major
25 military health care contract” pursuant to section
26 1097e(c) of title 10, United States Code, as added by sub-

1 section (a), and submit to the congressional defense com-
2 mittees a detailed list of such criteria.

3 **SEC. 705. TEMPORARY REQUIREMENT FOR CONTRACEP-**
4 **TION COVERAGE PARITY UNDER THE**
5 **TRICARE PROGRAM.**

6 (a) IN GENERAL.—The Secretary of Defense shall
7 ensure that, during the one-year period beginning on the
8 date that is 30 days after the date of the enactment of
9 the Act, the imposition or collection of cost-sharing for
10 certain services is prohibited as follows:

11 (1) PHARMACY BENEFITS PROGRAM.—Notwith-
12 standing subparagraphs (A), (B), and (C), of section
13 1074g(a)(6) of title 10, United States Code, cost-
14 sharing may not be imposed or collected with respect
15 to any eligible covered beneficiary for any prescrip-
16 tion contraceptive on the uniform formulary pro-
17 vided through a retail pharmacy described in section
18 1074(a)(2)(E)(ii) of such title or through the na-
19 tional mail-order pharmacy program of the
20 TRICARE Program.

21 (2) TRICARE SELECT.—Notwithstanding any
22 provision under section 1075 of title 10, United
23 States Code, cost-sharing may not be imposed or
24 collected with respect to any beneficiary under such

1 section for a covered service that is provided by a
2 network provider under the TRICARE program.

3 (3) TRICARE PRIME.—Notwithstanding sub-
4 sections (a), (b), and (c) of section 1075a of title 10,
5 United States Code, cost-sharing may not be im-
6 posed or collected with respect to any beneficiary
7 under such section for a covered service that is pro-
8 vided under TRICARE Prime.

9 (b) DEFINITIONS.—In this section:

10 (1) The term “covered service” means any
11 method of contraception approved by the Food and
12 Drug Administration, any contraceptive care (includ-
13 ing with respect to insertion, removal, and follow
14 up), any sterilization procedure, or any patient edu-
15 cation or counseling service provided in connection
16 with any such method, care, or procedure.

17 (2) The term “eligible covered beneficiary” has
18 the meaning given such term in section 1074g of
19 title 10, United States Code.

20 (3) The terms “TRICARE Program” and
21 “TRICARE Prime” have the meaning given such
22 terms in section 1072 of title 10, United States
23 Code.

1 **SEC. 706. RATES OF REIMBURSEMENT FOR PROVIDERS OF**
2 **APPLIED BEHAVIOR ANALYSIS.**

3 (a) IN GENERAL.—In furnishing applied behavior
4 analysis under the TRICARE program to individuals de-
5 scribed in subsection (b) during the period beginning on
6 the date of the enactment of this Act and ending on De-
7 cember 31, 2023, the Secretary of Defense shall ensure
8 that the reimbursement rates for providers of applied be-
9 havior analysis are not less than the rates that were in
10 effect on April 30, 2022.

11 (b) INDIVIDUALS DESCRIBED.—Individuals described
12 in this subsection are individuals who are covered bene-
13 ficiaries by reason of being a member or former member
14 of the Army, Navy, Air Force, Space Force, or Marine
15 Corps, including the reserve components thereof, or a de-
16 pendent of such a member or former member.

17 (c) DEFINITIONS.—In this section, the terms “cov-
18 ered beneficiary” and “TRICARE program” have the
19 meaning given those terms in section 1072 of title 10,
20 United States Code.

21 **SEC. 707. MEDICAL TESTING AND RELATED SERVICES FOR**
22 **FIREFIGHTERS OF DEPARTMENT OF DE-**
23 **FENSE.**

24 (a) PROVISION OF SERVICES.—During the annual
25 periodic health assessment of each firefighter of the De-
26 partment of Defense, or at such other intervals as may

1 be indicated in this subsection, the Secretary shall provide
2 to the firefighter (at no cost to the firefighter) appropriate
3 medical testing and related services to detect, document
4 the presence or absence of, and prevent, certain cancers.
5 Such services shall meet, at a minimum, the following cri-
6 teria:

7 (1) BREAST CANCER.—With respect to the
8 breast cancer screening, if the firefighter is a female
9 firefighter—

10 (A) such services shall include the provi-
11 sion of a mammogram to the firefighter—

12 (i) on at least a biannual basis if the
13 firefighter is 40 years old to 49 years old
14 (inclusive);

15 (ii) on at least an annual basis if the
16 firefighter is at least 50 years old; and

17 (iii) as clinically indicated (without re-
18 gard to age); and

19 (B) in connection with such provision, a li-
20 censed radiologist shall review the most recent
21 mammogram provided to the firefighter, as
22 compared to prior mammograms so provided,
23 and provide to the firefighter the results of such
24 review.

1 (2) COLON CANCER.—With respect to colon
2 cancer screening—

3 (A) if the firefighter is at least 40 years
4 old, and as otherwise clinically indicated, such
5 services shall include the communication to the
6 firefighter of the risks and benefits of stool-
7 based blood testing;

8 (B) if the firefighter is at least 45 years
9 old, and as clinically indicated (without regard
10 to age), such services shall include the provi-
11 sion, at regular intervals, of visual examinations
12 (such as a colonoscopy, CT colonoscopy, or
13 flexible sigmoidoscopy) or stool-based blood
14 testing; and

15 (C) in connection with such provision, a li-
16 censed physician shall review and provide to the
17 firefighter the results of such examination or
18 testing, as the case may be.

19 (3) PROSTATE CANCER.—With respect to pros-
20 tate cancer screening, if the firefighter is a male
21 firefighter, the communication to the firefighter of
22 the risks and benefits of prostate cancer screenings
23 and the provision to the firefighter of a prostate-spe-
24 cific antigen test—

1 (A) on an annual basis, if the firefighter is
2 at least 50 years old;

3 (B) on an annual basis, if the firefighter is
4 at least 40 years old and is a high-risk indi-
5 vidual; and

6 (C) as clinically indicated (without regard
7 to age).

8 (4) OTHER CANCERS.—Such services shall in-
9 clude routine screenings for any other cancer the
10 risk or occurrence of which the Director of the Cen-
11 ters for Disease Control and Prevention has identi-
12 fied as higher among firefighters than among the
13 general public, the provision of which shall be car-
14 ried out during the annual periodic health assess-
15 ment of the firefighter.

16 (b) OPTIONAL NATURE.—A firefighter of the Depart-
17 ment of Defense may opt out of the receipt of a medical
18 testing or related service provided under subsection (a).

19 (c) USE OF CONSENSUS TECHNICAL STANDARDS.—
20 In providing medical testing and related services under
21 subsection (a), the Secretary shall use consensus technical
22 standards in accordance with section 12(d) of the National
23 Technology Transfer and Advancement Act of 1995 (15
24 U.S.C. 272 note).

25 (d) DOCUMENTATION.—

1 (1) IN GENERAL.—In providing medical testing
2 and related services under subsection (a), the Sec-
3 retary—

4 (A) shall document the acceptance rates of
5 such tests offered and the rates of such tests
6 performed;

7 (B) shall document tests results, to iden-
8 tify trends in the rates of cancer occurrences
9 among firefighters; and

10 (C) may collect and maintain additional in-
11 formation from the recipients of such tests and
12 other services, to allow for appropriate scientific
13 analysis.

14 (2) PRIVACY.—In analyzing any information of
15 an individual documented, collected, or maintained
16 under paragraph (1), in addition to complying with
17 other applicable privacy laws, the Secretary shall en-
18 sure the name, and any other personally identifiable
19 information, of the individual is removed from such
20 information prior to the analysis.

21 (3) SHARING WITH CENTERS FOR DISEASE
22 CONTROL AND PREVENTION.—The Secretary may
23 share data from any tests performed under sub-
24 section (a) with the Director of the Centers for Dis-
25 ease Control and Prevention, as appropriate, to in-

1 crease the knowledge and understanding of cancer
2 occurrences among firefighters.

3 (e) DEFINITIONS.—In this section:

4 (1) The term “firefighter” has the meaning
5 given that term in section 707 of the National De-
6 fense Authorization Act for Fiscal Year 2020 (Pub-
7 lic Law 116–92; 133 Stat. 1441; 10 U.S.C. 1074m
8 note).

9 (2) The term “high-risk individual” means an
10 individual who—

11 (A) is African American;

12 (B) has at least one first-degree relative
13 who has been diagnosed with prostate cancer at
14 an early age; or

15 (C) is otherwise determined by the Sec-
16 retary to be high-risk with respect to prostate
17 cancer.

18 **SEC. 708. AUDIT OF BEHAVIORAL HEALTH CARE NETWORK**

19 **PROVIDERS LISTED IN TRICARE DIRECTORY.**

20 (a) AUDIT REQUIRED.—The Secretary of Defense
21 shall conduct an audit of the behavioral health care pro-
22 viders listed in the TRICARE directory.

23 (b) REPORT.—Not later than one year after the date
24 of the enactment of this Act, the Secretary shall submit
25 to the congressional defense committees a report on the

1 findings of the audit under subsection (a). Such report
2 shall include the following:

3 (1) An identification of the following,
4 disaggregated by provider specialty and TRICARE
5 region:

6 (A) The number of such behavioral health
7 care providers with respect to which there are
8 duplicate listings in the TRICARE directory.

9 (B) The number of such behavioral health
10 care providers that, as of the commencement of
11 the audit, were listed in the TRICARE direc-
12 tory as available and accepting new TRICARE
13 patients.

14 (C) The number of such behavioral health
15 care providers that, as a result of the audit, the
16 Secretary determines are no longer available or
17 accepting new TRICARE patients.

18 (D) The number of such behavioral health
19 care providers that were not previously listed in
20 the TRICARE directory as available and ac-
21 cepting new TRICARE patients but that, as a
22 result of the audit, the Secretary determines
23 are so available and accepting.

1 (E) The number of behavioral health care
2 providers listed in the TRICARE directory that
3 are no longer practicing.

4 (F) The number of behavioral health care
5 providers that, in conducting the audit, the Sec-
6 retary of Defense could not reach for purposes
7 of verifying information relating to availability
8 or status.

9 (2) An identification of the number of
10 TRICARE beneficiaries in each TRICARE region,
11 disaggregated by beneficiary category.

12 (3) A description of the methods by which the
13 Secretary measures the following:

14 (A) The accessibility and accuracy of the
15 TRICARE directory, with respect to behavioral
16 health care providers listed therein.

17 (B) The adequacy of behavioral health care
18 providers under the TRICARE program.

19 (4) A description of the efforts of the Secretary
20 to recruit and retain behavioral health care pro-
21 viders.

22 (5) Recommendations by the Secretary, based
23 on the findings of the audit, on how to improve the
24 availability of behavioral health care providers that
25 are network providers under the TRICARE pro-

1 gram, including through the inclusion of specific re-
2 quirements in the next generation of TRICARE con-
3 tracts.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “TRICARE directory” means the
6 directory of network providers under the TRICARE
7 program.

8 (2) The term “TRICARE program” has the
9 meaning given such term in section 1072 of title 10,
10 United States Code.

11 **SEC. 709. INDEPENDENT ANALYSIS OF QUALITY AND PA-**
12 **TIENT SAFETY REVIEW PROCESS UNDER DI-**
13 **RECT CARE COMPONENT OF TRICARE PRO-**
14 **GRAM.**

15 (a) AGREEMENT.—

16 (1) IN GENERAL.—The Secretary of Defense
17 shall seek to enter into an agreement with the Na-
18 tional Academies of Sciences, Engineering, and Med-
19 icine (in this section referred to as the “National
20 Academies”) for the National Academies to carry
21 out the activities described in subsections (b) and
22 (c).

23 (2) TIMING.—The Secretary shall seek to enter
24 into the agreement described in paragraph (1) not

1 later than 60 days after the date of the enactment
2 of this Act.

3 (b) ANALYSIS BY THE NATIONAL ACADEMIES.—

4 (1) ANALYSIS.—Under an agreement between
5 the Secretary and the National Academies entered
6 into pursuant to subsection (a), the National Acad-
7 emies shall conduct an analysis of the quality and
8 patient safety review process for health care pro-
9 vided under the direct care component of the
10 TRICARE program and develop recommendations
11 for the Secretary based on such analysis.

12 (2) ELEMENTS.—The analysis conducted and
13 recommendations developed under paragraph (1)
14 shall include, with respect to the direct care compo-
15 nent, the following:

16 (A) An assessment of the procedures under
17 such component regarding credentialing and
18 privileging for health care providers (and an as-
19 sessment of compliance with such procedures).

20 (B) An assessment of the processes under
21 such component for quality assurance, standard
22 of care, and incident review (and an assessment
23 of compliance with such processes).

24 (C) An assessment of the accountability
25 processes under such component for health care

1 providers who are found to have not met a re-
2 quired standard of care.

3 (3) INFORMATION ACCESS AND PRIVACY.—

4 (A) ACCESS TO RECORDS.—Notwith-
5 standing section 1102 of title 10, United States
6 Code, the Secretary shall provide the National
7 Academies with access to such records of the
8 Department of Defense as the Secretary may
9 determine necessary for purposes of the Na-
10 tional Academies conducting the analysis and
11 developing the recommendations under para-
12 graph (1).

13 (B) PRIVACY OF INFORMATION.—In con-
14 ducting the analysis and developing the rec-
15 ommendations under paragraph (1), the Na-
16 tional Academies—

17 (i) shall maintain any personally iden-
18 tifiable information in records accessed by
19 the National Academies pursuant to sub-
20 paragraph (A) in accordance with applica-
21 ble laws, protections, and best practices re-
22 garding the privacy of information; and

23 (ii) may not permit access to such in-
24 formation by any individual or entity not

1 engaged in conducting such analysis or de-
2 veloping such recommendations.

3 (c) REPORT.—Under an agreement entered into be-
4 tween the Secretary and the National Academies under
5 subsection (a), the National Academies, not later than one
6 year after the date of the execution of the agreement,
7 shall—

8 (1) submit to the congressional defense commit-
9 tees and (with respect to any findings concerning the
10 Coast Guard when it is not operating as a service
11 in the Department of the Navy) the Committee on
12 Transportation and Infrastructure of the House of
13 Representatives and the Committee on Commerce,
14 Science, and Transportation of the Senate a report
15 on the findings of the National Academies with re-
16 spect to the analysis conducted and recommenda-
17 tions developed under subsection (b); and

18 (2) make such report available on a public
19 website in unclassified form.

20 (d) TRICARE PROGRAM DEFINED.—In this section,
21 the term “TRICARE program” has the meaning given
22 such term in section 1072 of title 10, United States Code.

1 **Subtitle B—Health Care**
2 **Administration**

3 **SEC. 721. CONGRESSIONAL NOTIFICATION REQUIREMENT**
4 **TO MODIFY SCOPE OF SERVICES PROVIDED**
5 **AT MILITARY MEDICAL TREATMENT FACILI-**
6 **TIES.**

7 Section 1073e(a) of title 10, United States Code, is
8 amended by adding at the end the following new para-
9 graph:

10 “(7)(A) The Secretary of Defense may not modify the
11 scope of medical care provided at a military medical treat-
12 ment facility pursuant to paragraph (2)(C) (including by
13 modifying the staff, types of services available, or bene-
14 ficiary population served, at the facility), unless—

15 “(i) the Secretary submits to the Committees
16 on Armed Services of the House of Representatives
17 and the Senate a notification of the proposed modi-
18 fication in scope;

19 “(ii) a period of 180 days has elapsed following
20 the date on which the Secretary submits such notifi-
21 cation; and

22 “(iii) if the proposed modification in scope in-
23 volves the termination or reduction of inpatient ca-
24 pabilities at a military medical treatment facility lo-
25 cated outside the United States, the Secretary has

1 provided to each member of the armed forces or cov-
2 ered beneficiary receiving services at such facility a
3 transition plan for the continuity of health care for
4 such member or covered beneficiary and an oppor-
5 tunity to participate in at least two public forums
6 convened by the Secretary, to discuss the transition
7 plan and any related concerns.

8 “(B) Each notification under subparagraph (A) shall
9 contain information demonstrating, with respect to the
10 military medical treatment facility for which the modifica-
11 tion in scope has been proposed, the extent to which the
12 commander of the military installation at which the facil-
13 ity is located has been consulted regarding such modifica-
14 tion, to ensure that the proposed modification in scope
15 would have no impact on the operational plan for such
16 installation.”.

17 **SEC. 722. MODIFICATION OF CERTAIN DEADLINE AND RE-**
18 **QUIREMENT TO TRANSFER RESEARCH AND**
19 **DEVELOPMENT FUNCTIONS TO DEFENSE**
20 **HEALTH AGENCY.**

21 Section 1073c of title 10, United States Code, is
22 amended—

23 (1) in subsection (e)—

1 (A) in the matter preceding paragraph (1),
2 by striking “September 30, 2022” and inserting
3 “September 30, 2023”; and

4 (B) in paragraph (1)(B), by striking “the
5 Army Medical Research and Materiel Com-
6 mand” and inserting “such elements and func-
7 tions of the Army Medical Research and Mate-
8 riel Command as the Secretary determines ap-
9 propriate”;

10 (2) by redesignating subsections (g) and (h) as
11 subsections (h) and (i); and

12 (3) by inserting after subsection (f) the fol-
13 lowing new subsection:

14 “(g) REPORT REQUIREMENT.—The Secretary of De-
15 fense may not take any action to exclude an element or
16 function of the Army Medical Research and Materiel Com-
17 mand from organization under or transfer to the Defense
18 Health Agency Research and Development pursuant to a
19 determination referred to in subsection (e)(1)(B) unless—

20 “(1) the Secretary submits to the Committees
21 on Armed Services of the House of Representatives
22 and the Senate a report containing an explanation of
23 the determination and a plan for the proposed exclu-
24 sion; and

1 “(2) a period of 90 days has elapsed following
2 the date on which the Secretary submits such re-
3 port.”.

4 **SEC. 723. MODIFICATION OF REQUIREMENT TO TRANSFER**
5 **PUBLIC HEALTH FUNCTIONS TO DEFENSE**
6 **HEALTH AGENCY.**

7 Section 1073c(e)(2) of title 10, United States Code,
8 is amended—

9 (1) in the matter preceding subparagraph (A),
10 by striking “A subordinate” and inserting “(A) A
11 subordinate”;

12 (2) by redesignating subparagraphs (A) and
13 (B) as clauses (i) and (ii);

14 (3) in clause (ii), as so redesignated—

15 (A) by striking “comprised of” and insert-
16 ing “except as provided in subparagraph (B),
17 comprised of”; and

18 (B) by striking “Command” each place it
19 appears and inserting “Center”; and

20 (4) by adding at the end the following new sub-
21 paragraph:

22 “(B) At the discretion of the Secretary of De-
23 fense, the Secretary of a military department may
24 retain an element or function that would otherwise
25 be organized under or transferred to the Defense

1 Health Agency Public Health pursuant to subpara-
2 graph (A)(ii) if the Secretary of Defense determines
3 such element or function—

4 “(i) addresses a need that is unique to that
5 military department; and

6 “(ii) is in direct support of operating
7 forces and necessary to implement national se-
8 curity or defense strategies.

9 “(C) The Secretary of a military department
10 may not take any action to retain an element or
11 function pursuant to a determination by the Sec-
12 retary of Defense referred to in subparagraph (B)
13 unless—

14 “(i) the Secretary of Defense submits to
15 the Committees on Armed Services of the
16 House of Representatives and the Senate a re-
17 port containing an explanation of such deter-
18 mination and a plan for the proposed retention;
19 and

20 “(ii) a period of 90 days has elapsed fol-
21 lowing the date on which the Secretary submits
22 such report.”.

1 **SEC. 724. OTHER TRANSACTION AUTHORITY FOR STUDIES**
2 **AND DEMONSTRATION PROJECTS RELATING**
3 **TO DELIVERY OF HEALTH AND MEDICAL**
4 **CARE.**

5 Section 1092(b) of title 10, United States Code, is
6 amended by inserting “or transactions (other than con-
7 tracts, cooperative agreements, and grants)” after “con-
8 tracts”.

9 **SEC. 725. LICENSURE REQUIREMENT FOR CERTAIN**
10 **HEALTH-CARE PROFESSIONALS PROVIDING**
11 **SERVICES AS PART OF MISSION RELATING TO**
12 **EMERGENCY, HUMANITARIAN, OR REFUGEE**
13 **ASSISTANCE.**

14 Section 1094(d)(2) of title 10, United States Code,
15 is amended by inserting “ contractor not covered under
16 section 1091 of this title who is providing medical treat-
17 ment as part of a mission relating to emergency, humani-
18 tarian, or refugee assistance,” after “section 1091 of this
19 title,”.

20 **SEC. 726. IMPROVEMENTS RELATING TO MEDICAL OFFICER**
21 **OF THE MARINE CORPS POSITION.**

22 (a) IN GENERAL.—Chapter 806 of title 10, United
23 States Code, is amended by adding at the end the fol-
24 lowing new section (and conforming the table of sections
25 at the beginning of such chapter accordingly):

1 **“§ 8048. Medical Officer of the Marine Corps**

2 “(a) There is a Medical Officer of the Marine Corps
3 who shall be appointed from among flag officers of the
4 Navy.

5 “(b) The Medical Officer of the Marine Corps, while
6 so serving, shall hold the grade of rear admiral (lower
7 half).”.

8 (b) EXCLUSION FROM CERTAIN DISTRIBUTION LIM-
9 TATIONS.—Section 525 of such title is amended—

10 (1) by redesignating subsection (g) as sub-
11 section (h); and

12 (2) by inserting after subsection (f) the fol-
13 lowing new subsection:

14 “(g) A naval officer while serving as the Medical Offi-
15 cer of the Marine Corps is in addition to the number that
16 would otherwise be permitted for the Navy for officers
17 serving on active duty in the grade of rear admiral (lower
18 half) under subsection (a).”.

19 (c) EXCLUSION FROM ACTIVE DUTY STRENGTH LIM-
20 ITATIONS PRIOR TO DECEMBER 31, 2022.—Section 526
21 of such title is amended—

22 (1) by redesignating subsection (k) as sub-
23 section (l); and

24 (2) by inserting after subsection (j) the fol-
25 lowing new subsection:

1 “(k) EXCLUSION OF MEDICAL OFFICER OF MARINE
2 CORPS.—The limitations of this section do not apply to
3 the flag officer who is serving as the Medical Officer of
4 the Marine Corps.”.

5 (d) EXCLUSION FROM ACTIVE DUTY STRENGTH
6 LIMITATIONS AFTER DECEMBER 31, 2022.—Section
7 526a of such title is amended—

8 (1) by redesignating subsections (h) through (k)
9 as subsections (i) through (l), respectively; and

10 (2) by inserting after subsection (g) the fol-
11 lowing new subsection:

12 “(h) EXCLUSION OF MEDICAL OFFICER OF MARINE
13 CORPS.—The limitations of this section do not apply to
14 the flag officer who is serving as the Medical Officer of
15 the Marine Corps.”.

16 **SEC. 727. AUTHORITY FOR DEPARTMENT OF DEFENSE PRO-**
17 **GRAM TO PROMOTE EARLY LITERACY**
18 **AMONG CERTAIN YOUNG CHILDREN AS PART**
19 **OF PEDIATRIC PRIMARY CARE.**

20 (a) PROGRAM.—Chapter 55 of title 10, United States
21 Code, is amended by inserting after section 1109 the fol-
22 lowing new section (and conforming the table of sections
23 at the beginning of such chapter accordingly):

1 **“§ 1109A. Authority for program to promote early lit-**
2 **eracy among certain young children as**
3 **part of pediatric primary care**

4 “(a) **AUTHORITY.**—The Secretary of Defense may
5 carry out a program to promote early literacy among
6 young children the caregivers of whom are members of the
7 armed forces as part of the pediatric primary care of such
8 children.

9 “(b) **ACTIVITIES.**—Activities under the program
10 under subsection (a) shall be evidence-informed and in-
11 clude the following:

12 “(1) The provision to pediatric primary care
13 providers and other appropriate personnel of the De-
14 partment of training on early literacy promotion.

15 “(2) The purchase and distribution of age-ap-
16 propriate books to covered caregivers.

17 “(3) The modification of waiting rooms in mili-
18 tary medical treatment facilities, including in spe-
19 cific clinics within such facilities, to ensure such
20 waiting rooms include materials that reinforce lan-
21 guage-rich interactions between young children and
22 their covered caregivers, including a full selection of
23 literature for young children.

24 “(4) The dissemination to covered caregivers of
25 education materials on pediatric early literacy.

1 “(5) Such other activities as the Secretary de-
2 termines appropriate.

3 “(c) LOCATIONS.—In carrying out the program
4 under subsection (a), the Secretary may conduct the ac-
5 tivities under subsection (b) at any military medical treat-
6 ment facility.

7 “(d) DEFINITIONS.—In this section:

8 “(1) The term ‘covered caregiver’ means a
9 member of the armed forces who is a caregiver of a
10 young child.

11 “(2) The term ‘young child’ means any child
12 from birth to the age of five years old, inclusive.”.

13 (b) REPORT.—Not later than one year after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to the Committees on Armed Services of the
16 House of Representatives and the Senate a report on the
17 extent to which the authority under section 1109A(a) of
18 title 10, United States Code, (as added by subsection (a))
19 is used, including a description of any activities carried
20 out under the program so authorized.

21 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion, or the amendments made by this section, shall be
23 construed as requiring that a child have more than one
24 caregiver as a condition of receiving services under, or oth-

1 erwise participating in, the program authorized under
2 such section 1109A.

3 **SEC. 728. ACCOUNTABILITY FOR WOUNDED WARRIORS UN-**
4 **DERGOING DISABILITY EVALUATION.**

5 (a) IN GENERAL.—Not later than April 1, 2023, the
6 Secretary of Defense, in consultation with the Secretaries
7 concerned, shall establish a policy to ensure accountability
8 for actions taken under the authorities of the Defense
9 Health Agency and the Armed Forces, respectively, con-
10 cerning wounded, ill, and injured members of the Armed
11 Forces during the integrated disability evaluation system
12 process. Such policy shall include the following:

13 (1) A requirement that a determination of fit-
14 ness for duty under chapter 61 of title 10, United
15 States Code, of a member of the Armed Forces falls
16 under the jurisdiction of the Secretary concerned.

17 (2) A description of the role of the Director of
18 the Defense Health Organization in supporting the
19 Secretaries concerned in carrying out determinations
20 of fitness for duty as specified in paragraph (1).

21 (3) A requirement that a medical evaluation
22 provided under the authority of the Defense Health
23 Agency under section 1073c of title 10, United
24 States Code, shall comply with applicable law and
25 Department of Defense regulations and shall be con-

1 sidered by the Secretary concerned in determining
2 fitness for duty under such chapter.

3 (4) A description of how the Director of the De-
4 fense Health Agency adheres to the medical evalua-
5 tion processes of the Armed Forces, including an
6 identification of each applicable regulation or policy
7 the Director is required to adhere to.

8 (5) A requirement that wounded, ill, and in-
9 jured members of the Armed Forces shall not be de-
10 nied the protections, privileges, or right to due proc-
11 ess afforded under applicable law and regulations of
12 the Department of Defense and the Armed Forces.

13 (6) A description of the types of due process
14 protections, privileges, and rights afforded to mem-
15 bers of the Armed Forces pursuant to paragraph
16 (5), including an identification of each such due
17 process protection.

18 (b) CLARIFICATION OF RESPONSIBILITIES REGARD-
19 ING MEDICAL EVALUATION BOARDS.—Section 1073c of
20 title 10, United States Code, is amended by redesignating
21 subsection (h) as subsection (i); and by inserting after
22 subsection (g) the following new subsection (h):

23 “(h) AUTHORITIES RESERVED TO THE SECRETARIES
24 CONCERNED REGARDING THE DISABILITY EVALUATION
25 SYSTEM.—Notwithstanding the responsibilities and au-

1 thorties of the Defense Health Agency with respect to the
2 administration of military medical treatment facilities as
3 set forth in this section, including medical evaluations of
4 members of the armed forces, the Secretary concerned
5 shall maintain personnel authority over and responsibility
6 for any member of the armed forces while the member
7 is being considered by a medical evaluation board. Such
8 responsibility shall include the following:

9 “(1) Responsibility for administering the morale
10 and welfare of the member.

11 “(2) Responsibility for determinations of fitness
12 for duty of the member under chapter 61 of this
13 title.”.

14 (c) BRIEFING.—Not later than February 1, 2023, the
15 Secretary of Defense shall provide to the appropriate con-
16 gressional committees a briefing on the status of the im-
17 plementation of subsections (a) and (b).

18 (d) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Armed Services and
22 the Committee on Transportation and Infra-
23 structure of the House of Representatives; and

1 (B) the Committee on Armed Services and
2 the Committee on Commerce, Science, and
3 Transportation of the Senate.

4 (2) The term “Secretary concerned” has the
5 meaning given that term in section 101 of title 10,
6 United States Code.

7 **SEC. 729. INCENTIVE PAYMENTS FOR RETENTION OF CER-**
8 **TAIN BEHAVIORAL HEALTH PROVIDERS.**

9 (a) INCENTIVE PAYMENTS FOR CERTAIN BEHAV-
10 IORAL HEALTH PROVIDERS.—

11 (1) INCENTIVE PAYMENTS.—The Secretary of
12 Defense, using authorities available to the Secretary,
13 shall increase the use of incentive payments paid to
14 individuals described in paragraph (2) for the pur-
15 pose of retaining such employees.

16 (2) ELIGIBLE RECIPIENTS.—Individuals de-
17 scribed in this paragraph are covered civilian behav-
18 ioral health providers in the following professions:

19 (A) Clinical psychologists.

20 (B) Social workers.

21 (C) Counselors.

22 (3) PRIORITIZATION.—In increasing the use of
23 incentive payments under paragraph (1), the Sec-
24 retary of Defense shall give priority for such an in-
25 centive payment to an individual described in para-

1 graph (2) who is stationed at a remote installation
2 or an installation with a higher-than-average turn-
3 over of covered civilian behavioral health providers,
4 as determined by the Secretary.

5 (4) REPORTS.—Not later than February 1 of
6 each of calendar years 2023, 2024, 2025, and 2026,
7 the Secretary of Defense shall submit to the con-
8 gressional defense committees a report that includes
9 the following:

10 (A) The number of covered civilian behav-
11 ioral health providers as of the end of the fiscal
12 year preceding the year in which the report is
13 submitted, disaggregated by the professions
14 specified in paragraph (2) and by whether the
15 covered civilian behavioral health provider is
16 stationed at a remote installation.

17 (B) Of such covered civilian behavioral
18 health providers, the number who, during such
19 preceding fiscal year, received an incentive pay-
20 ment referred to in paragraph (1),
21 disaggregated by the professions specified in
22 paragraph (2) and by whether the covered civil-
23 ian behavioral health provider is stationed at a
24 remote installation.

1 (C) With respect to such covered civilian
2 behavioral health providers who so received an
3 incentive payment, the median and mean incen-
4 tive payment amount so received, disaggregated
5 by the professions specified in paragraph (2)
6 and by whether the covered civilian behavioral
7 health provider is stationed at a remote instal-
8 lations.

9 (D) For the five fiscal years preceding the
10 year in which the report is submitted, the ag-
11 gregate amount of incentive payments referred
12 to in paragraph (1) paid to covered civilian be-
13 havioral health providers.

14 (E) A summary of the actions taken by the
15 Secretary to implement the requirements of this
16 section.

17 (F) An assessment of the effectiveness of
18 increasing the use of incentive payments under
19 paragraph (1) for improved retention of covered
20 civilian behavioral health providers.

21 (G) Any recommendations by the Secretary
22 for additional authorities, or modifications to
23 authorities already available to the Secretary, to
24 further improve the retention of covered civilian
25 behavioral health providers.

1 (b) DEFINITIONS.—In this section:

2 (1) The term “behavioral health” includes clin-
3 ical psychology, social work, counseling, and related
4 fields.

5 (2) The term “civilian behavioral health pro-
6 vider” means a behavioral health provider who is a
7 civilian employee of the Department of Defense.

8 (3) The term “counselor” means an individual
9 who holds—

10 (A) a master’s or doctoral degree from an
11 accredited graduate program in—

12 (i) marriage and family therapy; or

13 (ii) clinical mental health counseling;

14 and

15 (B) a current license or certification from
16 a State that grants the individual the authority
17 to provide counseling services as an independent
18 practitioner in the respective field of the indi-
19 vidual.

20 (4) The term “covered civilian behavioral health
21 provider” means a civilian behavioral health provider
22 whose employment by the Secretary of Defense in-
23 volves the provision of behavioral health services at
24 a military medical treatment facility.

1 (5) The term “military installation” has the
2 meaning given that term in section 2801 of title 10,
3 United States Code.

4 (6) The term “remote installation” means a
5 military installation that the Secretary determines to
6 be in a remote location.

7 **SEC. 730. CLARIFICATION OF LICENSE PORTABILITY FOR**
8 **HEALTH CARE PROVIDERS PROVIDING SERV-**
9 **ICES UNDER RESERVE HEALTH READINESS**
10 **PROGRAM.**

11 For purposes of license portability under paragraph
12 (1) of section 1094(d) of title 10, United States Code, a
13 health care provider who provides medical or dental serv-
14 ices under the Reserve Health Readiness program of the
15 Department of Defense (or any successor program) and
16 meets the requirements specified in subparagraphs (A)
17 and (B) of paragraph (2) of such section shall be consid-
18 ered a health-care professional described in such para-
19 graph.

20 **SEC. 731. POLICY OF DEFENSE HEALTH AGENCY ON EX-**
21 **PANDED RECOGNITION OF BOARD CERTIFI-**
22 **CATIONS FOR PHYSICIANS.**

23 Not later than 180 days after the date of the enact-
24 ment of this Act, the Director of the Defense Health
25 Agency shall revise the policy of the Defense Health Agen-

1 cy relating to credentialing and privileging under the mili-
2 tary health system, to expand the recognition of board cer-
3 tifications for physicians under such policy to a wide range
4 of additional board certifications.

5 **Subtitle C—Studies and Reports**

6 **SEC. 741. GAO STUDY ON COVERAGE OF MENTAL HEALTH** 7 **DISORDERS UNDER TRICARE PROGRAM AND** 8 **RELATIONSHIP TO CERTAIN MENTAL** 9 **HEALTH PARITY LAWS.**

10 (a) STUDY AND REPORT REQUIRED.—Not later than
11 180 days after the date of the enactment of this Act, the
12 Comptroller General of the United States shall—

13 (1) conduct a study to identify and assess the
14 similarities and differences with respect to coverage
15 of mental health disorders under the TRICARE pro-
16 gram and coverage requirements under mental
17 health parity laws; and

18 (2) submit to the Secretary of Defense, the con-
19 gressional defense committees, and (with respect to
20 any findings concerning the Coast Guard when it is
21 not operating as a service in the Department of the
22 Navy), the Secretary of Homeland Security, the
23 Committee on Transportation and Infrastructure of
24 the House of Representatives, and the Committee on

1 Commerce, Science, and Transportation of the Sen-
2 ate a report containing the findings of such study.

3 (b) MATTERS.—The report under subsection (a) shall
4 include the following:

5 (1) A description of any overlaps or gaps be-
6 tween coverage requirements under the TRICARE
7 program and under the mental health parity laws,
8 with respect to treatment for the continuum of men-
9 tal health disorders (including substance use dis-
10 order).

11 (2) An identification of any existing or antici-
12 pated effects of any such overlaps or gaps on access
13 to care by TRICARE beneficiaries.

14 (3) An identification of denial rates under the
15 TRICARE program for requests by TRICARE bene-
16 ficiaries for coverage of mental or behavioral health
17 care services, and the overturn rates of appeals for
18 such requests, disaggregated by type of health care
19 service.

20 (4) A list of each mental or behavioral health
21 care provider type that is not an authorized provider
22 type under the TRICARE program.

23 (5) An identification of any anticipated effects
24 of modifying coverage requirements under the
25 TRICARE program to bring such requirements into

1 conformity with mental health parity laws, including
2 an assessment of the following:

3 (A) Potential costs to the Department of
4 Defense, the Department of Homeland Security
5 (with respect to matters concerning the Coast
6 Guard when it is not operating as a service in
7 the Department of the Navy), and TRICARE
8 beneficiaries as a result of such modification.

9 (B) The adequacy of the TRICARE pro-
10 gram network to support such modification.

11 (C) Potential effects of such modification
12 on access to care by TRICARE beneficiaries.

13 (D) Such other matters as may be deter-
14 mined appropriate by the Comptroller General.

15 (e) BRIEFING.—Not later than 90 days after the date
16 on which the Secretaries receives the report submitted
17 under subsection (a), the Secretaries shall provide to the
18 congressional defense committees a briefing on any statu-
19 tory changes the Secretaries determine necessary to close
20 gaps in the coverage of mental health disorders under the
21 TRICARE program, including any such gaps identified in
22 the report, to bring such coverage into conformity with
23 requirements under mental health parity laws.

24 (d) DEFINITIONS.—In this section:

1 (1) The term “mental health parity laws”
2 means—

3 (A) section 2726 of the Public Health
4 Service Act (42 U.S.C. 300gg-26);

5 (B) section 712 of the Employee Retirement
6 Income Security Act of 1974 (29 U.S.C.
7 1185a);

8 (C) section 9812 of the Internal Revenue
9 Code of 1986 (26 U.S.C. 9812); or

10 (D) any other Federal law that applies the
11 requirements under any of the sections de-
12 scribed in subparagraph (A), (B), or (C), or re-
13 quirements that are substantially similar to
14 those provided under any such section, as deter-
15 mined by the Comptroller General.

16 (2) The term “TRICARE program” has the
17 meaning given such term in section 1072 of title 10,
18 United States Code.

19 **SEC. 742. FEASIBILITY STUDY ON ESTABLISHMENT OF NEW**
20 **COMMAND ON DEFENSE HEALTH.**

21 (a) **STUDY.**—The Secretary of Defense shall conduct
22 a feasibility study regarding the establishment of a new
23 defense health command under which the Defense Health
24 Agency would be a joint component. In conducting such

1 study, the Secretary shall consider for the new command
2 each of the following potential structures:

3 (1) A unified combatant command.

4 (2) A specified combatant command.

5 (3) Any other defense health command struc-
6 ture the Secretary determines appropriate.

7 (b) MATTERS.—The study under subsection (a) shall
8 include, with respect to the new command specified in
9 such subsection, the following:

10 (1) An assessment of the organizational struc-
11 ture required to establish the new command with the
12 following responsibilities and duties:

13 (A) The conduct of health operations
14 among operational units of the Armed Forces.

15 (B) The administration of military medical
16 treatment facilities.

17 (C) The administration of the TRICARE
18 program.

19 (D) Serving as the element of the Armed
20 Forces with the primary responsibility for the
21 following:

22 (i) Medical treatment, advanced trau-
23 ma management, emergency surgery, and
24 resuscitative care.

1 (ii) Emergency and specialty surgery,
2 intensive care, medical specialty care, and
3 related services.

4 (iii) Preventive, acute, restorative, cu-
5 rative, rehabilitative, and convalescent
6 care.

7 (E) Collaboration with medical facilities
8 participating in the National Disaster Medical
9 System established pursuant to section 2812 of
10 the Public Health Service Act (42 U.S.C.
11 300hh–11), the Veterans Health Administra-
12 tion, and such other Federal departments and
13 agencies and nongovernmental organizations as
14 may be determined appropriate, including with
15 respect to the care services specified in subpara-
16 graph (D)(iii).

17 (F) The conduct of existing research and
18 education activities of the Department of De-
19 fense in the field of health sciences.

20 (G) The conduct of public health and glob-
21 al health activities not otherwise assigned to the
22 Armed Forces.

23 (H) The administration of the Defense
24 Health Program Account under section 1100 of
25 title 10, United States Code.

1 (2) A description of the potential reporting rela-
2 tionship between the commander of the new com-
3 mand, the Assistant Secretary of Defense for Health
4 Affairs, and the Under Secretary of Defense for Per-
5 sonnel and Readiness.

6 (3) A description of the roles of the Surgeons
7 General of the Army, Navy and Air Force, with re-
8 spect to the commander of the new command.

9 (4) A description of the additional legislative
10 authorities, if any, necessary to establish the new
11 command.

12 (c) BRIEFING; REPORT.—Not later than September
13 30, 2023, the Secretary of Defense shall—

14 (1) provide to the Committees of Armed Serv-
15 ices of the House of Representatives and the Senate
16 briefing on the results of the study under subsection
17 (a); and

18 (2) submit to the Committees of Armed Serv-
19 ices of the House of Representatives and the Senate
20 briefing and report on the results of such study.

1 **SEC. 743. STUDY AND AWARENESS INITIATIVE REGARDING**
2 **USE OF MEDICINAL CANNABIS TO TREAT**
3 **CERTAIN MEMBERS OF THE ARMED FORCES**
4 **ON TERMINAL LEAVE.**

5 (a) **STUDY.**—The Secretary of Defense shall conduct
6 a study on the use of medicinal cannabis as an alternative
7 to prescription opioids in the treatment of members of the
8 Armed Forces on terminal leave preceding separation, re-
9 tirement, or release from active duty.

10 (b) **PARTICIPANTS.**—The Secretary shall select par-
11 ticipants in the study under subsection (a) from among
12 members of the Armed Forces on terminal leave—

13 (1) who have been diagnosed with post trau-
14 matic stress disorder, a traumatic brain injury, or
15 any other condition involving severe pain, as deter-
16 mined by the Secretary for purposes of this section;

17 (2) who but for such participation, would be
18 prescribed opioid medications in connection with the
19 treatment of such condition; and

20 (3) who elect to participate in the study (includ-
21 ing in the post-study monitoring under subsection
22 (c)).

23 (c) **POST-STUDY MONITORING.**—Following the con-
24 clusion of the study under subsection (a), the Secretary
25 shall monitor the effects of such study on the health of
26 former participants by conducting assessments of such

1 former participants, and shall submit to the congressional
2 defense committees reports on the results of such moni-
3 toring, at the following intervals:

4 (1) One year after the date of such conclusion.

5 (2) Three years after the date of such conclu-
6 sion.

7 (d) EFFECT ON OTHER BENEFITS.—The eligibility
8 or entitlement of a member of the Armed Forces to any
9 other benefit under the laws administered by the Secretary
10 shall not be affected by the participation of the member
11 in the study under this section (including by participation
12 in the post-study monitoring under subsection (c)).

13 (e) REPORT.—Not later than one year after the date
14 of the enactment of this Act, the Secretary of Defense
15 shall submit to the appropriate congressional committees
16 a report on the findings of the study under subsection (a).
17 Such report shall include—

18 (1) a description of any such findings relating
19 to the benefits or other effects of using medicinal
20 cannabis as an alternative to prescription opioids
21 under the study; and

22 (2) any recommendations of the Secretary
23 based on such findings.

24 (f) EDUCATION INITIATIVE.—The Secretary shall
25 carry out an education initiative regarding the use of me-

1 dicinal cannabis for the treatment of the conditions re-
2 ferred to in subsection (b)(1). In carrying out such initia-
3 tive, the Secretary shall take into consideration—

4 (1) to the extent practicable, the findings of the
5 study under subsection (a);

6 (2) the specific vulnerability to opioid abuse and
7 substance abuse disorder of individuals transitioning
8 from serving on active duty in the Armed Forces;
9 and

10 (3) best practices for reducing the stigmatiza-
11 tion of medicinal cannabis.

12 (g) DEFINITIONS.—In this section:

13 (1) The terms “active duty” and “Armed
14 Forces” have the meaning given those terms in sec-
15 tion 101 of title 10, United States Code.

16 (2) The term “appropriate congressional com-
17 mittees” means—

18 (A) the congressional defense committees;

19 (B) the Committee on Energy and Com-
20 merce of the House of Representatives; and

21 (C) the Committee on Commerce, Science,
22 and Transportation of the Senate.

1 **SEC. 744. REPORT ON COMPOSITION OF MEDICAL PER-**
2 **SONNEL OF EACH MILITARY DEPARTMENT**
3 **AND RELATED MATTERS.**

4 (a) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, and annually thereafter for
6 five years, the Secretary of Defense, in coordination with
7 the Secretaries of the military departments, shall submit
8 to the Committees on Armed Services of the House of
9 Representatives and the Senate a report on the composi-
10 tion of the medical personnel of each military department
11 and related matters.

12 (b) MATTERS.—The report under subsection (a) shall
13 include the following:

14 (1) With respect to each military department,
15 the following:

16 (A) An identification of the total number
17 of medical personnel of the military depart-
18 ment.

19 (B) An identification of the number of
20 such medical personnel who are officers in a
21 grade above O–6.

22 (C) An identification of the number of
23 such medical personnel who are officers in a
24 grade below O–7.

1 (D) An identification of the number of
2 such medical personnel who are enlisted mem-
3 bers.

4 (E) An assessment of potential issues re-
5 lating to the composition of such medical per-
6 sonnel.

7 (F) A description of any plans of the Sec-
8 retary to—

9 (i) reduce the total number of such
10 medical personnel; or

11 (ii) eliminate any covered position for
12 such medical personnel.

13 (G) A recommendation by the Secretary
14 for the number of covered positions for such
15 medical personnel that should be required for
16 purposes of maximizing medical readiness
17 (without regard to current statutory limitations,
18 or potential future statutory limitations, on
19 such number), presented as a total number for
20 each military department and disaggregated by
21 grade.

22 (2) An assessment of the advisability of estab-
23 lishing within the Department of the Air Force, by
24 not later than five years after the date of the enact-
25 ment of this Act, a position of the Medical Officer

1 of the Space Force with the responsibilities of advis-
2 ing the Chief of Space Operations on all matters re-
3 lating to health care for members of the Space Force
4 and serving as the expert on such matters in work-
5 ing with the heads of other Federal departments and
6 agencies on related issues.

7 (3) An assessment of the necessity of maintain-
8 ing the position of the Medical Officer of the Marine
9 Corps, including—

10 (A) a comparison of the effects of filling
11 such position with an officer in the grade of O-
12 6 versus an officer in the grade of O-7;

13 (B) an assessment of potential issues asso-
14 ciated with the elimination of such position; and

15 (C) a description of any potential effects of
16 such elimination with respect to medical readi-
17 ness.

18 (c) DISAGGREGATION OF CERTAIN DATA.—The data
19 specified in subparagraphs (A) through (D) of subsection
20 (b)(1) shall be presented as a total number and
21 disaggregated by each medical component of the respective
22 military department.

23 (d) CONSIDERATIONS IN ASSESSING CERTAIN SPACE
24 FORCE MATTER.—In conducting the assessment pursuant
25 to subsection (b)(2), the Secretary of Defense shall take

1 into consideration the tasks, operations, and specific
2 health care considerations that accompany the space
3 warfighting mission of the Space Force.

4 (e) DEFINITIONS.—In this section:

5 (1) The term “covered position” means a posi-
6 tion for an officer in a grade above O–6.

7 (2) The terms “enlisted member” and “officer”
8 have the meanings given those terms in section
9 101(b) of title 10, United States Code.

10 (3) The term “medical component” means—

11 (A) in the case of the Army, the Medical
12 Corps, Dental Corps, Nurse Corps, Medical
13 Service Corps, Veterinary Corps, and Army
14 Medical Specialist Corps;

15 (B) in the case of the Air Force, members
16 designated as medical officers, dental officers,
17 Air Force nurses, medical service officers, and
18 biomedical science officers; and

19 (C) in the case of the Navy, the Medical
20 Corps, Dental Corps, Nurse Corps, and Medical
21 Service Corps.

22 (4) The term “medical personnel” has the
23 meaning given such term in section 115a(e) of title
24 10, United States Code.

1 (5) The term “military department” has the
2 meaning given that term in section 101(a) of such
3 title.

4 **SEC. 745. BRIEFING AND REPORT ON REDUCTION OR RE-**
5 **ALIGNMENT OF MILITARY MEDICAL MAN-**
6 **NING AND MEDICAL BILLETS.**

7 Section 731(a)(2)(A) of the National Defense Au-
8 thorization Act for Fiscal Year 2022 (Public Law 117–
9 81) is amended to read as follows:

10 “(A) BRIEFING; REPORT.—The Comp-
11 troller General shall submit to the Committees
12 on Armed Services of the House of Representa-
13 tives and the Senate—

14 “(i) a briefing on preliminary observa-
15 tions regarding the analyses used to sup-
16 port any reduction or realignment of mili-
17 tary medical manning, including any re-
18 duction or realignment of medical billets of
19 the military departments, not later than
20 December 27, 2022; and

21 “(ii) a report on such analyses not
22 later than May 31, 2023.”.

1 **Subtitle D—Other Matters**
2 **SEC. 761. INCLUSION OF EXPOSURE TO PERFLUOROALKYL**
3 **AND POLYFLUOROALKYL SUBSTANCES AS**
4 **COMPONENT OF PERIODIC HEALTH ASSESS-**
5 **MENTS.**

6 (a) PERIODIC HEALTH ASSESSMENT.—Each Sec-
7 retary concerned shall ensure that any periodic health as-
8 sessment provided to a member of the Armed Forces in-
9 cludes an evaluation of whether the member has been—

10 (1) based or stationed at a military installation
11 identified by the Secretary concerned as a location
12 with a known or suspected release of perfluoroalkyl
13 substances or polyfluoroalkyl substances during the
14 period in which the member was based or stationed
15 at the military installation; or

16 (2) exposed to such substances, including by
17 evaluating any information in the health record of
18 the member.

19 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
20 TIONS.—Section 1145(a)(5) of title 10, United States
21 Code is amended by adding at the end the following new
22 subparagraph:

23 “(D) The Secretary concerned shall ensure that each
24 physical examination of a member under subparagraph
25 (A) includes an assessment of whether the member was—

1 “(i) based or stationed at a military installation
2 identified by the Secretary concerned as a location
3 with a known or suspected release of perfluoroalkyl
4 substances or polyfluoroalkyl substances during the
5 period in which the member was based or stationed
6 at the military installation; or

7 “(ii) exposed to such substances, including by
8 assessing any information in the health record of the
9 member.”.

10 (c) DEPLOYMENT ASSESSMENTS.—Section
11 1074f(b)(2) of title 10, United States Code, is amended
12 by adding at the end the following new subparagraph:

13 “(E) An assessment of whether the member
14 was—

15 “(i) based or stationed at a military instal-
16 lation identified by the Secretary concerned as
17 a location with a known or suspected release of
18 perfluoroalkyl substances or polyfluoroalkyl sub-
19 stances during the period in which the member
20 was based or stationed at the military installa-
21 tion; or

22 “(ii) exposed to such substances, including
23 by assessing any information in the health
24 record of the member.”

1 (d) PROVISION OF BLOOD TESTING TO DETERMINE
2 EXPOSURE TO PERFLUOROALKYL SUBSTANCES OR
3 POLYFLUOROALKYL SUBSTANCES.—

4 (1) PROVISION OF BLOOD TESTING.—

5 (A) IN GENERAL.—If a covered evaluation
6 of a member of the Armed Forces results in a
7 positive determination of potential exposure to
8 perfluoroalkyl substances or polyfluoroalkyl sub-
9 stances, the Secretary concerned shall provide
10 to that member, during the covered evaluation,
11 blood testing to determine and document poten-
12 tial exposure to such substances.

13 (B) INCLUSION IN HEALTH RECORD.—The
14 results of blood testing of a member of the
15 Armed Forces conducted under subparagraph
16 (A) shall be included in the health record of the
17 member.

18 (2) ANALYSIS OF BLOOD TESTING RESULTS.—

19 (A) PLAN.—Not later than one year after
20 the date of the enactment of this Act, the Sec-
21 retary of Defense shall submit to the Commit-
22 tees on Armed Services of the House of Rep-
23 resentatives and the Senate a plan, consistent
24 with Department of Defense Instruction
25 6055.05 (or such successor instruction), to

1 track and analyze, including through the identi-
2 fication and analysis of trends, the results of
3 blood testing results provided pursuant to the
4 paragraph (1) or under section 707 of the Na-
5 tional Defense Authorization Act for Fiscal
6 Year 2020 (Public Law 116–92; 133 Stat.
7 1441; 10 U.S.C. 1074m note).

8 (B) ANNUAL REPORTS.—Not later than
9 two years after the date of the enactment of
10 this Act, and annually thereafter, the Secretary
11 shall submit to the Committees on Armed Serv-
12 ices of the House of Representatives and the
13 Senate a report containing a summary of the
14 results of blood testing provided pursuant to
15 paragraph (1), at a Department of Defense-
16 wide level.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “covered evaluation” means—

19 (A) a periodic health assessment conducted
20 in accordance with subsection (a);

21 (B) a separation history and physical ex-
22 amination conducted under section 1145(a)(5)
23 of title 10, United States Code, as amended by
24 subsection (b); or

1 (C) a deployment assessment conducted
2 under section 1074f(b)(2) of such title, as
3 amended by subsection (c).

4 (2) The term “Secretary concerned” has the
5 meaning given such term in section 101 of title 10,
6 United States Code.

7 **SEC. 762. MANDATORY TRAINING ON HEALTH EFFECTS OF**
8 **PERFLUOROALKYL OR POLYFLUOROALKYL**
9 **SUBSTANCES.**

10 The Secretary of Defense shall provide to each med-
11 ical provider of the Department of Defense mandatory
12 training with respect to the potential health effects of
13 perfluoroalkyl or polyfluoroalkyl substances.

14 **SEC. 763. NON-MEDICAL COUNSELING SERVICES FOR MILI-**
15 **TARY FAMILIES.**

16 Section 1781 of title 10, United States Code, is
17 amended by adding at the end the following new sub-
18 sections:

19 “(d) NON-MEDICAL COUNSELING SERVICES.—(1) In
20 carrying out the duties of the Office under subsection (b),
21 the Director of Military Family Readiness Policy may co-
22 ordinate programs and activities for the provision of non-
23 medical counseling services to military families through
24 the Military and Family Counseling Program.

1 “(2) Notwithstanding any law regarding the licensure
2 or certification of mental health professionals, a mental
3 health professional described in paragraph (3) may pro-
4 vide non-medical counseling services through the Military
5 and Family Counseling Program at any location in a
6 State, the District of Columbia, or a Commonwealth, terri-
7 tory or possession of the United States, without regard
8 to where the provider or recipient of such services is lo-
9 cated or the mode of the delivery of such services, if the
10 provision of such services is within the scope of the author-
11 ized Federal duties of the professional.

12 “(3) A mental health professional described in this
13 paragraph is an individual who is—

14 “(A) a mental health professional who holds a
15 current license or certification that is—

16 “(i) issued by a State, the District of Co-
17 lumbia, or a Commonwealth, territory, or pos-
18 session of the United States; and

19 “(ii) recognized by the Secretary of De-
20 fense;

21 “(B) a member of the uniformed services, a ci-
22 vilian employee of the Department of Defense, or a
23 contractor designated by the Secretary of Defense;
24 and

1 “(C) performing authorized duties for the De-
2 partment of Defense under a program or as part of
3 an activity referred to in paragraph (1).

4 “(e) DEFINITIONS.—In this section:

5 “(1) The term ‘Military and Family Counseling
6 Program’ means the Military and Family Counseling
7 Program of the Department of Defense, or any suc-
8 cessor program.

9 “(2) The term ‘non-medical counseling services’
10 means mental health care services that—

11 “(A) are non-clinical, short-term, and solu-
12 tion-focused; and

13 “(B) address topics related to personal
14 growth, development, and positive func-
15 tioning.”.

16 **SEC. 764. CLARIFICATIONS RELATING TO ANALYSIS OF DE-**
17 **PARTMENT OF DEFENSE COMPREHENSIVE**
18 **AUTISM DEMONSTRATION PROGRAM BY NA-**
19 **TIONAL ACADEMIES.**

20 (a) CLARIFICATIONS.—Section 737 of the National
21 Defense Authorization Act for Fiscal Year 2022 (Public
22 Law 117–81; 135 Stat. 1800) is amended—

23 (1) in subsection (b)(2)—

24 (A) in subparagraph (A), by inserting
25 “broadly” after “disorder”;

1 (B) in subparagraph (C), by inserting “pa-
2 rental involvement in applied behavior analysis
3 treatment, and” after “including”;

4 (C) by amending subparagraph (D) to read
5 as follows:

6 “(D) A review of the health outcomes, in-
7 cluding mental health outcomes, for individuals
8 who have received applied behavioral analysis
9 treatments over time.”;

10 (D) in subparagraph (E), by inserting “,
11 since the inception of such program,” after
12 “demonstration program”;

13 (E) in subparagraph (F), by striking “ef-
14 fectiveness” and inserting “cost effectiveness,
15 program effectiveness, and clinical effective-
16 ness”;

17 (F) in subparagraph (G), by inserting
18 “than in the general population” after “military
19 families”;

20 (G) by redesignating subparagraph (H) as
21 subparagraph (I); and

22 (H) by inserting after subparagraph (G),
23 as amended by subparagraph (F) of this para-
24 graph, the following new subparagraph:

1 “(H) An analysis on whether the diagnosis
2 and treatment of autism is more prevalent
3 among the children of military families than in
4 the general population.”; and

5 (2) in subsection (c), by striking “nine months”
6 and inserting “two years and seven months”.

7 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
8 Such section is further amended by striking “demonstra-
9 tion project” each place it appears and inserting “dem-
10 onstration program”.

11 **SEC. 765. CLARIFICATION OF ELIGIBILITY FOR MEMBER-**
12 **SHIP TO INDEPENDENT SUICIDE PREVEN-**
13 **TION AND RESPONSE REVIEW COMMITTEE.**

14 Section 738(b)(3) of the National Defense Authoriza-
15 tion Act for Fiscal Year 2022 (Public Law 117–81; 135
16 Stat. 1801) is amended by inserting “, unless the indi-
17 vidual is a retired member of the Armed Forces or a
18 former civilian employee of the Department, or the indi-
19 vidual is hired for the purpose of serving on such com-
20 mittee” after “Department of Defense”.

21 **SEC. 766. IMPROVEMENT TO WOUNDED WARRIOR SERVICE**
22 **DOG PROGRAM.**

23 Section 745 of the William M. (Mac) Thornberry Na-
24 tional Defense Authorization Act for Fiscal Year 2021

1 (134 Stat. 3710; Public Law 10 U.S.C. 1071 note) is
2 amended—

3 (1) by redesignating subsection (b) as sub-
4 section (c); and

5 (2) by inserting after subsection (a) the fol-
6 lowing new subsection:

7 “(b) GRANTS.—

8 “(1) IN GENERAL.—In carrying out the Wound-
9 ed Warrior Service Dog Program, the Secretary of
10 Defense may award grants to nonprofit organiza-
11 tions to provide assistance dogs under such program.

12 “(2) APPLICATIONS.—An applicant for a grant
13 under paragraph (1) shall submit an application at
14 such time, in such manner, and containing such in-
15 formation as the Secretary determines.

16 “(3) SELECTION.—The Secretary shall select
17 nonprofit organizations that submit applications for
18 the award of grants under the Wounded Warrior
19 Service Dog Program using a competitive process.

20 “(4) CONSIDERATIONS FOR GRANT AMOUNT.—
21 In determining the amount of a grant to award to
22 a nonprofit organization selected under paragraph
23 (3), the Secretary shall consider the following:

24 “(A) The merits of the application sub-
25 mitted by the nonprofit organization.

1 “(B) Whether, and to what extent, there is
2 demand by covered members or covered vet-
3 erans for assistance dogs provided by the non-
4 profit organization.

5 “(C) The capacity and capability of the
6 nonprofit organization to raise and train assist-
7 ance dogs to meet such demand.

8 “(D) Such other factors as the Secretary
9 may determine appropriate.

10 “(5) LIMITATION ON GRANT AMOUNTS.—The
11 amount of a grant awarded to a nonprofit organiza-
12 tion selected under paragraph (3) may not exceed
13 \$2,000,000.”.

14 **SEC. 767. IMPROVEMENTS RELATING TO BEHAVIORAL**
15 **HEALTH CARE AVAILABLE UNDER MILITARY**
16 **HEALTH SYSTEM.**

17 (a) EXPANSION OF CERTAIN BEHAVIORAL HEALTH
18 PROGRAMS AT THE UNIFORMED SERVICES UNIVERSITY
19 OF THE HEALTH SCIENCES.—

20 (1) ESTABLISHMENT OF GRADUATE PRO-
21 GRAMS.—The Secretary of Defense shall establish
22 graduate degree-granting programs in counseling
23 and social work at the Uniformed Services Univer-
24 sity of the Health Sciences.

1 (2) EXPANSION OF CLINICAL PSYCHOLOGY
2 GRADUATE PROGRAM.—The Secretary of Defense
3 shall take such steps as may be necessary to expand
4 the clinical psychology graduate program of the Uni-
5 formed Services University of the Health Sciences.

6 (3) POST-AWARD EMPLOYMENT OBLIGATION.—

7 (A) AGREEMENT WITH SECRETARY.—Sub-
8 ject to subparagraph (B), as a condition of en-
9 rolling in a degree-granting program in clinical
10 psychology, social work, or counseling at the
11 Uniformed Services University of the Health
12 Sciences, a civilian student shall enter into an
13 agreement with the Secretary of Defense pursu-
14 ant to which the student agrees that, if the stu-
15 dent does not become a member of a uniformed
16 service upon graduating such program, the stu-
17 dent shall work on a full-time basis as a covered
18 civilian behavioral health provider for a period
19 of a duration that is at least equivalent to the
20 period during which the student was enrolled in
21 such program.

22 (B) OTHER TERMS AND CONDITIONS.—An
23 agreement entered into pursuant to subpara-
24 graph (A) may include such other terms and
25 conditions as the Secretary of Defense may de-

1 termine necessary to protect the interests of the
2 United States or otherwise appropriate for pur-
3 poses of this section, including terms and condi-
4 tions providing for limited exceptions from the
5 employment obligation specified in such sub-
6 paragraph.

7 (C) REPAYMENT.—A civilian graduate who
8 does not complete the employment obligation
9 required under the agreement entered into pur-
10 suant to subparagraph (A) shall repay to the
11 Secretary of Defense a prorated portion of the
12 student's costs of attendance in the program
13 described in such paragraph. The amount of
14 such prorated portion shall be determined by
15 the Secretary.

16 (D) APPLICABILITY.—This subsection shall
17 apply to civilian students who enroll in the first
18 year of a degree-granting program in clinical
19 psychology, social work, or counseling at the
20 Uniformed Services University of the Health
21 Sciences on or after the date of the enactment
22 of this Act.

23 (4) IMPLEMENTATION PLAN.—Not later than
24 one year after the date of the enactment of this Act,
25 the Secretary shall submit to the congressional de-

1 fense committees a plan for the implementation of
2 this subsection. Such plan shall include—

3 (A) a determination as to the resources for
4 personnel and facilities required for such imple-
5 mentation;

6 (B) estimated timelines for such implemen-
7 tation; and

8 (C) a projection of the number of grad-
9 uates from the programs specified in paragraph
10 (1) upon the completion of such implementa-
11 tion.

12 (b) SCHOLARSHIP-FOR-SERVICE PROGRAM FOR CI-
13 VILIAN BEHAVIORAL HEALTH PROVIDERS.—

14 (1) IN GENERAL.—Beginning not later than
15 two years after the date of the enactment of this
16 Act, the Secretary of Defense shall carry out a pro-
17 gram under which—

18 (A) the Secretary may provide—

19 (i) direct grants to cover tuition, fees,
20 living expenses, and other costs of attend-
21 ance at an institution of higher education
22 to an individual enrolled in a program of
23 study leading to a graduate degree in clin-
24 ical psychology, social work, counseling, or

1 a related field (as determined by the Sec-
2 retary); and

3 (ii) student loan repayment assistance
4 to a credentialed behavioral health provider
5 who has a graduate degree in clinical psy-
6 chology, social work, counseling, or a re-
7 lated field (as determined by the Sec-
8 retary); and

9 (B) in exchange for such assistance, the
10 recipient shall commit to work as a covered ci-
11 vilian behavioral health provider in accordance
12 with paragraph (2).

13 (2) POST-AWARD EMPLOYMENT OBLIGA-
14 TIONS.—

15 (A) IN GENERAL.—Subject to subpara-
16 graph (B), as a condition of receiving assistance
17 under paragraph (1), the recipient of such as-
18 sistance shall enter into an agreement with the
19 Secretary of Defense pursuant to which the re-
20 cipient agrees to work on a full-time basis as a
21 covered civilian behavioral health provider for a
22 period of a duration that is at least equivalent
23 to the period during which the recipient re-
24 ceived assistance under such paragraph.

1 (B) OTHER TERMS AND CONDITIONS.—An
2 agreement entered into pursuant to subpara-
3 graph (A) may include such other terms and
4 conditions as the Secretary of Defense may de-
5 termine necessary to protect the interests of the
6 United States or otherwise appropriate for pur-
7 poses of this section, including terms and condi-
8 tions providing for limited exceptions from the
9 post-award employment obligation specified in
10 such subparagraph.

11 (3) REPAYMENT.—An individual who receives
12 assistance under paragraph (1) and does not com-
13 plete the employment obligation required under the
14 agreement entered into pursuant to paragraph (2)
15 shall repay to the Secretary of Defense a prorated
16 portion of the financial assistance received by the in-
17 dividual under paragraph (1). The amount of such
18 prorated portion shall be determined by the Sec-
19 retary.

20 (4) IMPLEMENTATION PLAN.—Not later than
21 one year after the date of the enactment of this Act,
22 the Secretary of Defense shall submit to the con-
23 gressional defense committees a plan for the imple-
24 mentation of this subsection. Such plan shall in-
25 clude—

1 (A) a determination as to the resources re-
2 quired for such implementation;

3 (B) estimated timelines for such implemen-
4 tation; and

5 (C) a projection of the number of recipi-
6 ents of assistance under paragraph (1) upon
7 the completion of such implementation.

8 (c) REPORT ON BEHAVIORAL HEALTH WORK-
9 FORCE.—

10 (1) REPORT.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of
12 Defense shall conduct an analysis of the behavioral
13 health workforce under the direct care component of
14 the TRICARE program and submit to the congres-
15 sional defense committees a report containing the re-
16 sults of such analysis. Such report shall include,
17 with respect to such workforce, the following:

18 (A) The number of positions authorized for
19 military behavioral health providers within such
20 workforce, and the number of such positions
21 filled, disaggregated by the professions de-
22 scribed in paragraph (2).

23 (B) The number of positions authorized for
24 civilian behavioral health providers within such
25 workforce, and the number of such positions

1 filled, disaggregated by the professions de-
2 scribed in paragraph (2).

3 (C) For each military department, the
4 ratio of military behavioral health providers as-
5 signed to military medical treatment facilities
6 compared to civilian behavioral health providers
7 so assigned, disaggregated by the professions
8 described in paragraph (2).

9 (D) For each military department, the
10 number of military behavioral health providers
11 authorized to be embedded within an oper-
12 ational unit, and the number of such positions
13 filled, disaggregated by the professions de-
14 scribed in paragraph (2).

15 (E) Data on the historical demand for be-
16 havioral health services by members of the
17 Armed Forces.

18 (F) An estimate of the number of health
19 care providers necessary to meet the demand by
20 such members for behavioral health care serv-
21 ices under the direct care component of the
22 TRICARE program, disaggregated by provider
23 type.

24 (G) An identification of any shortfall be-
25 tween the estimated number under subpara-

1 graph (F) and the total number of positions for
2 behavioral health providers filled within such
3 workforce.

4 (H) Such other information as the Sec-
5 retary may determine appropriate.

6 (2) PROVIDER TYPES.—The professions de-
7 scribed in this paragraph are as follows:

8 (A) Clinical psychologists.

9 (B) Social workers.

10 (C) Counselors.

11 (D) Such other professions as the Sec-
12 retary may determine appropriate.

13 (3) BEHAVIORAL WORKFORCE AT REMOTE LO-
14 CATIONS.—In conducting the analysis of the behav-
15 ioral health workforce under paragraph (1), the Sec-
16 retary of Defense shall ensure such behavioral health
17 workforce at remote locations (including Guam and
18 Hawaii) and any shortfalls thereof, is taken into ac-
19 count.

20 (d) PLAN TO ADDRESS SHORTFALLS IN BEHAVIORAL
21 HEALTH WORKFORCE.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary shall sub-
23 mit to the congressional defense committees a plan to ad-
24 dress any shortfall of the behavioral health workforce iden-

1 tified under subsection (c)(1)(G). Such plan shall address
2 the following:

3 (1) With respect to any such shortfall of mili-
4 tary behavioral health providers (addressed sepa-
5 rately with respect to such providers assigned to
6 military medical treatment facilities and such pro-
7 viders assigned to be embedded within operational
8 units), the recruitment, accession, retention, special
9 pay and other aspects of compensation, workload,
10 role of the Uniformed Services University of the
11 Health Sciences and the Armed Forces Health Pro-
12 fessions Scholarship Program under chapter 105 of
13 title 10, United States Code, any additional authori-
14 ties or resources necessary for the Secretary to in-
15 crease the number of such providers, and such other
16 considerations as the Secretary may consider appro-
17 priate.

18 (2) With respect to addressing any such short-
19 fall of civilian behavioral health providers, the re-
20 cruitment, hiring, retention, pay and benefits, work-
21 load, educational scholarship programs, any addi-
22 tional authorities or resources necessary for the Sec-
23 retary to increase the number of such providers, and
24 such other considerations as the Secretary may con-
25 sider appropriate.

1 (3) A recommendation as to whether the num-
2 ber of military behavioral health providers in each
3 military department should be increased, and if so,
4 by how many.

5 (4) A plan to ensure that remote installations
6 are prioritized for the assignment of military behav-
7 ioral health providers.

8 (5) Updated access standards for behavioral
9 health care under the military health system, taking
10 into account—

11 (A) the duration of time between a patient
12 receiving a referral for such care and the pa-
13 tient receiving individualized treatment (fol-
14 lowing an initial intake assessment) from a be-
15 havioral health provider; and

16 (B) the frequency of regular follow-up ap-
17 pointments subsequent to the first appointment
18 at which a patient receives such individualized
19 treatment.

20 (6) A plan to expand access to behavioral
21 health care under the military health system using
22 telehealth.

23 (e) DEFINITIONS.—In this section:

1 (1) The term “behavioral health” includes psy-
2 chiatry, clinical psychology, social work, counseling,
3 and related fields.

4 (2) The term “civilian behavioral health pro-
5 vider” means a behavioral health provider who is a
6 civilian employee of the Department of Defense.

7 (3) The term “cost of attendance” has the
8 meaning given that term in section 472 of the High-
9 er Education Act of 1965 (20 U.S.C. 1087ll).

10 (4) The term “counselor” means an individual
11 who holds—

12 (A) a master’s or doctoral degree from an
13 accredited graduate program in—

14 (i) marriage and family therapy; or

15 (ii) clinical mental health counseling;

16 and

17 (B) a current license or certification from
18 a State that grants the individual the authority
19 to provide counseling services as an independent
20 practitioner in the respective field of the indi-
21 vidual.

22 (5) The term “covered civilian behavioral health
23 provider” means a civilian behavioral health provider
24 whose employment by the Secretary of Defense in-

1 volves the provision of behavioral health services at
2 a military medical treatment facility.

3 (6) The term “institution of higher education”
4 has the meaning given that term in section 101 of
5 the Higher Education Act of 1965 (20 U.S.C.
6 1001).

7 (7) The term “military behavioral health pro-
8 vider” means a behavioral health provider who is a
9 member of the Armed Forces.

10 (8) The term “military installation” has the
11 meaning given that term in section 2801 of title 10,
12 United States Code.

13 (9) The term “military medical treatment facil-
14 ity” means a facility specified in section 1073d of
15 such title.

16 (10) The term “remote installation” means a
17 military installation that the Secretary determines to
18 be in a remote location.

19 (11) The term “State” means each of the sev-
20 eral States, the District of Columbia, and each com-
21 monwealth, territory or possession of the United
22 States.

23 (12) The term “TRICARE program” has the
24 meaning given that term in section 1072 of title 10,
25 United States Code.

1 **SEC. 768. ASSIGNMENT OF BEHAVIORAL HEALTH PRO-**
2 **VIDERS AND TECHNICIANS TO AIRCRAFT**
3 **CARRIERS.**

4 (a) ASSIGNMENT.—Beginning not later than Decem-
5 ber 31, 2023, the Secretary of the Navy shall ensure there
6 is assigned to each aircraft carrier not fewer than two
7 military behavioral health providers and not fewer than
8 two behavioral health technicians.

9 (b) DEFINITIONS.—In this section:

10 (1) The term “behavioral health” includes clin-
11 ical psychology, social work, counseling, and related
12 fields.

13 (2) The term “behavioral health technician”
14 means an enlisted member of the Armed Forces who
15 is trained to perform clinical activities in support of
16 a licensed behavioral health provider.

17 (3) The term “military behavioral health pro-
18 vider” means a behavioral health provider who is a
19 member of the Armed Forces.

20 **SEC. 769. DEPARTMENT OF DEFENSE INTERNSHIP PRO-**
21 **GRAMS RELATING TO CIVILIAN BEHAVIORAL**
22 **HEALTH PROVIDERS.**

23 (a) INTERNSHIP PROGRAMS FOR CIVILIAN BEHAV-
24 IORAL HEALTH.—

25 (1) ESTABLISHMENT OF PROGRAMS.—The Sec-
26 retary of Defense shall establish paid pre-doctoral

1 and post-doctoral internship programs for the pur-
2 pose of training clinical psychologists to work as cov-
3 ered civilian behavioral health providers.

4 (2) EMPLOYMENT OBLIGATION.—

5 (A) IN GENERAL.—Subject to subpara-
6 graph (B), as a condition of participating in an
7 internship program under paragraph (1), the
8 participant shall enter into an agreement with
9 the Secretary of Defense pursuant to which the
10 participant agrees to work on a full-time basis
11 as a covered civilian behavioral health provider
12 for a period of a duration that is at least equiv-
13 alent to the period of participation in such in-
14 ternship program.

15 (B) OTHER TERMS AND CONDITIONS.—An
16 agreement entered into pursuant to subpara-
17 graph (A) may include such other terms and
18 conditions as the Secretary of Defense may de-
19 termine necessary to protect the interests of the
20 United States or otherwise appropriate for pur-
21 poses of this section, including terms and condi-
22 tions providing for limited exceptions from the
23 employment obligation specified in such sub-
24 paragraph.

1 (3) REPAYMENT.—An individual who partici-
2 pates in an internship program under paragraph (1)
3 and does not complete the employment obligation re-
4 quired under the agreement entered into pursuant to
5 paragraph (2) shall repay to the Secretary of De-
6 fense a prorated portion of the cost of administering
7 such program with respect to such individual and of
8 any payment received by the individual under such
9 program. The amount of such prorated portion shall
10 be determined by the Secretary.

11 (4) IMPLEMENTATION PLAN.—Not later than
12 one year after the date of the enactment of this Act,
13 the Secretary of Defense shall submit to the con-
14 gressional defense committees a plan for the imple-
15 mentation of this subsection. Such plan shall include
16 an explanation of how the Secretary will adjust the
17 workload and staffing of behavioral health providers
18 in military medical treatment facilities to ensure suf-
19 ficient capacity to supervise participants in the in-
20 ternship programs under paragraph (1).

21 (b) DEFINITIONS.—In this section:

22 (1) The term “behavioral health” includes psy-
23 chiatry, clinical psychology, social work, counseling,
24 and related fields.

1 (2) The term “covered civilian behavioral health
2 provider” means a civilian behavioral health provider
3 whose employment by the Secretary of Defense in-
4 volves the provision of behavioral health services at
5 a military medical treatment facility.

6 (3) The term “civilian behavioral health pro-
7 vider” means a behavioral health provider who is a
8 civilian employee of the Department of Defense.

9 (4) The term “military medical treatment facil-
10 ity” means a facility specified in section 1073d of
11 such title.

12 **SEC. 770. BRAIN HEALTH INITIATIVE OF DEPARTMENT OF**
13 **DEFENSE.**

14 (a) **IN GENERAL.**—The Secretary of Defense, in con-
15 sultation with the Secretaries concerned, shall establish a
16 comprehensive initiative for brain health to be known as
17 the “Warfighter Brain Health Initiative” (in this section
18 referred to as the “Initiative”) for the purpose of unifying
19 efforts and programs across the Department of Defense
20 to improve the cognitive performance and brain health of
21 members of the Armed Forces.

22 (b) **OBJECTIVES.**—The objectives of the Initiative
23 shall be the following:

24 (1) To enhance, maintain, and restore the cog-
25 nitive performance of members of the Armed Forces

1 through education, training, prevention, protection,
2 monitoring, detection, diagnosis, treatment, and re-
3 habilitation, including through the following activi-
4 ties:

5 (A) The establishment of a program to
6 monitor cognitive brain health across the De-
7 partment of Defense, beginning upon the acces-
8 sion of a member to the Armed Forces and re-
9 peated at regular intervals thereafter, with the
10 goal of detecting any need for cognitive en-
11 hancement or restoration resulting from poten-
12 tial brain exposures of the member, to mitigate
13 possible evolution of injury or disease progres-
14 sion.

15 (B) The identification and dissemination of
16 thresholds for blast pressure safety and associ-
17 ated emerging scientific evidence.

18 (C) The modification of high-risk training
19 and operational activities to mitigate the nega-
20 tive effects of repetitive blast exposure.

21 (D) The identification of individuals who
22 perform high-risk training or occupational ac-
23 tivities, for purposes of increased monitoring of
24 the brain health of such individuals.

1 (E) The development and operational field-
2 ing of non-invasive, portable, point-of-care med-
3 ical devices, to inform the diagnosis and treat-
4 ment of traumatic brain injury.

5 (F) The establishment of a standardized
6 monitoring program that documents and ana-
7 lyzes blast exposures that may affect the brain
8 health of members of the Armed Forces.

9 (G) The development of a resource that
10 would set forth specific criteria used in the
11 awarding of potential grants for research
12 projects relating to the direct correlation of en-
13 vironmental exposures and brain injuries to the
14 brain health of members of the Armed Forces.

15 (H) The incorporation of the findings and
16 recommendations of the report of the National
17 Academies of Science, Engineering, and Medi-
18 cine titled “Traumatic Brain Injury: A Road-
19 map for Accelerating Progress” and published
20 in 2022 (relating to the acceleration of progress
21 in traumatic brain injury research and care), or
22 any successor report, into activities of the De-
23 partment relating to brain health, as applicable.

24 (2) To harmonize and prioritize the efforts of
25 the Department of Defense into a single approach to

1 brain health, to produce more efficient and effective
2 results.

3 (c) STRATEGY AND IMPLEMENTATION PLAN.—Not
4 later than one year after the date of the enactment of this
5 Act, the Secretary of Defense shall submit to the congress-
6 sional defense committees a report setting forth a strategy
7 and implementation plan of the Department of Defense
8 to achieve the objectives of the Initiative under subsection
9 (b).

10 (d) ANNUAL BUDGET JUSTIFICATION DOCU-
11 MENTS.—In the budget justification materials submitted
12 to Congress in support of the Department of Defense
13 budget for each of fiscal years 2025 through 2029 (as sub-
14 mitted with the budget of the President under section
15 1105(a) of title 31, United States Code), the Secretary
16 of Defense shall include a budget justification display that
17 includes all activities of the Department relating to the
18 Initiative.

19 (e) ANNUAL REPORTS.—Not later than January 31,
20 2024, and annually thereafter until January 31, 2030, the
21 Secretary of Defense shall submit to the congressional de-
22 fense committees a report on the Initiative that includes
23 the following:

1 (1) A description of the activities taken under
2 the Initiative and resources expended under the Ini-
3 tiative during the prior fiscal year.

4 (2) A summary of the progress made during the
5 prior fiscal year with respect to the objectives of the
6 Initiative under subsection (b).

7 (f) SECRETARY CONCERNED DEFINED.—In this sec-
8 tion, the term “Secretary concerned” has the meaning
9 given that term in section 101 of title 10, United States
10 Code.

11 **SEC. 771. AUTHORITY TO CONDUCT PILOT PROGRAM RE-**
12 **LATING TO MONITORING OF BLAST OVER-**
13 **PRESSURE EXPOSURE.**

14 (a) AUTHORITY.—The Director of the Defense
15 Health Agency may conduct, as part of the initiative of
16 the Department of Defense known as the “Warfighter
17 Brain Initiative” (or any successor initiative), a pilot pro-
18 gram under which the Director shall monitor blast over-
19 pressure exposure through the use of commercially avail-
20 able, off-the-shelf, wearable sensors, and document and
21 evaluate data collected as a result of such monitoring.

22 (b) LOCATIONS.—Monitoring activities under a pilot
23 program conducted pursuant to subsection (a) shall be
24 carried out in each training environment that the Director
25 determines poses a risk for blast overpressure exposure.

1 (c) DOCUMENTATION AND SHARING OF DATA.—If
2 the Director conducts a pilot program pursuant to sub-
3 section (a), the Director shall—

4 (1) ensure that any data collected pursuant to
5 such pilot program that is related to the health ef-
6 fects of the blast overpressure exposure of a member
7 of the Armed Forces who participated in the pilot
8 program is documented and maintained by the Sec-
9 retary of Defense in an electronic health record for
10 the member; and

11 (2) to the extent practicable, and in accordance
12 with applicable provisions of law relating to data pri-
13 vacy, make data collected pursuant to such pilot pro-
14 gram available to other academic and medical re-
15 searchers for the purpose of informing future re-
16 search and treatment options.

17 **SEC. 772. STANDARDIZATION ACROSS DEPARTMENT OF DE-**

18 **FENSE OF POLICIES RELATING TO SERVICE**

19 **BY INDIVIDUALS DIAGNOSED WITH HBV.**

20 (a) IN GENERAL.—The Secretary of Defense, in co-
21 ordination with the Secretaries concerned, shall—

22 (1) review regulations, establish policies, and
23 issue guidance relating to service by individuals di-
24 agnosed with HBV, consistent with the health care

1 standards and clinical guidelines of the Department
2 of Defense; and

3 (2) identify areas where regulations, policies,
4 and guidance of the Department relating to individ-
5 uals diagnosed with HBV (including with respect to
6 enlistments, assignments, deployments, and reten-
7 tion standards) may be standardized across the
8 Armed Forces.

9 (b) AWARENESS, EDUCATION, AND TRAINING.—

10 (1) REVIEWS AND RECOMMENDATIONS.—The
11 Secretary of Defense shall—

12 (A) conduct a review of the education,
13 training, and resources furnished to members of
14 the Armed Forces regarding the regulations
15 and policies of the Department of Defense that
16 govern the screening, documentation, treatment,
17 management, and practice standards for indi-
18 viduals diagnosed with HBV, including a review
19 of the awareness and understanding of such
20 policies within clinical settings;

21 (B) conduct a review of the resources and
22 support services furnished to members of the
23 Armed Forces diagnosed with HBV, including
24 any resources containing information on—

1 (i) the health care options of the
2 member; or

3 (ii) regulations or policies of the De-
4 partment relating to such diagnosed mem-
5 bers; and

6 (C) identify recommendations, based on
7 the findings of the reviews conducted under
8 subsections (A) and (B), to improve the aware-
9 ness and understanding of regulations and poli-
10 cies of the Department for individuals diag-
11 nosed with HBV.

12 (2) PROVISION OF EDUCATION, TRAINING, RE-
13 SOURCES, AND SUPPORT.—The Secretary of De-
14 fense, taking into account the recommendations
15 under paragraph (1)(C), shall provide to members of
16 the Armed Forces—

17 (A) education, training, and resources to
18 increase awareness and understanding of the
19 regulations and policies of the Department of
20 Defense that govern the screening, documenta-
21 tion, treatment, management, and practice
22 standards for individuals diagnosed with HBV,
23 including in health care settings; and

24 (B) in the case of members of the Armed
25 Forces diagnosed with HBV, education, re-

1 sources, and support services regarding the reg-
2 ulations and policies of the Department relating
3 to such diagnosed members, including with re-
4 spect to enlistments, assignments, deployments,
5 retention standards, and health care services
6 available to such members.

7 (c) DEFINITIONS.—In this section:

8 (1) The term “HBV” means the Hepatitis B
9 Virus.

10 (2) The term “Secretary concerned” has the
11 meaning given that term in section 101 of title 10,
12 United States Code.

13 **SEC. 773. CERTIFICATION PROGRAM IN PROVISION OF**
14 **MENTAL HEALTH SERVICES TO MEMBERS OF**
15 **THE ARMED FORCES, VETERANS, AND MILI-**
16 **TARY FAMILIES.**

17 (a) IN GENERAL.—The Secretary of Defense, in con-
18 sultation with the Secretary of Veterans Affairs and the
19 President of the Uniformed Services University of the
20 Health Sciences, shall develop a curriculum and certifi-
21 cation program to provide civilian mental health profes-
22 sionals and students in mental health-related disciplines
23 with the specialized knowledge and skills necessary to ad-
24 dress the unique mental health needs of members of the
25 Armed Forces, veterans, and military families.

1 (b) IMPLEMENTATION.—Not later than 90 days after
2 completing the development of the curriculum and certifi-
3 cation program under subsection (a), the Secretary of De-
4 fense shall implement such curriculum and certification
5 program in the Uniformed Services University of the
6 Health Sciences.

7 (c) AUTHORITY TO DISSEMINATE BEST PRAC-
8 TICES.—The Secretary of Defense may disseminate best
9 practices based on the curriculum and certification pro-
10 gram developed and implemented under this section to
11 other institutions of higher education.

12 (d) TERMINATION.—The authority to carry out the
13 curriculum and certification program under this section
14 shall terminate on the date that is five years after the date
15 of the enactment of this Act.

16 (e) REPORT.—Not later than 180 days after the ter-
17 mination date specified in subsection (d), the Secretary
18 of Defense shall submit to the appropriate congressional
19 committees a report on the results of the curriculum and
20 certification program developed and implemented under
21 this section.

22 (f) DEFINITIONS.—In this section:

23 (1) The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Armed Services and
2 the Committee on Energy and Commerce of the
3 House of Representatives; and

4 (B) the Committee on Armed Services and
5 the Committee on Health, Education, Labor,
6 and Pensions of the Senate.

7 (2) The term “institution of higher education”
8 has the meaning given that term in section 102 of
9 the Higher Education Act of 1965 (20 U.S.C.
10 1002).

11 **SEC. 774. PILOT PROGRAM ON CRYOPRESERVATION AND**
12 **STORAGE.**

13 (a) PILOT PROGRAM.—The Secretary of Defense
14 shall establish a pilot program to provide not more than
15 1,000 members of the Armed Forces serving on active
16 duty with the opportunity to cryopreserve and store their
17 gametes prior to deployment in support of combat or spe-
18 cial operations.

19 (b) PERIOD.—

20 (1) IN GENERAL.—The Secretary shall provide
21 for the cryopreservation and storage of gametes of
22 a participating member of the Armed Forces under
23 subsection (a), at no cost to the member, in a facil-
24 ity of the Department of Defense or at a private en-
25 tity pursuant to an agreement under subsection (d)

1 until the date that is one year after the retirement,
2 separation, or release of the member from the
3 Armed Forces.

4 (2) CONTINUED CRYOPRESERVATION AND
5 STORAGE.—At the end of the one-year period speci-
6 fied in paragraph (1), the Secretary shall authorize
7 an individual whose gametes were cryopreserved and
8 stored in a facility of the Department as described
9 in such paragraph to select, including pursuant to
10 an advance medical directive or military testa-
11 mentary instrument completed under subsection (c),
12 one of the following options:

13 (A) To continue such cryopreservation and
14 storage in such facility with the cost of such
15 cryopreservation and storage borne by the indi-
16 vidual.

17 (B) To transfer the gametes to a private
18 cryopreservation and storage facility selected by
19 the individual.

20 (C) To authorize the Secretary to dispose
21 of the gametes of the individual not earlier than
22 the date that is 90 days after the end of the
23 one-year period specified in paragraph (1) with
24 respect to the individual.

1 (c) ADVANCE MEDICAL DIRECTIVE AND MILITARY
2 TESTAMENTARY INSTRUMENT.—A member of the Armed
3 Forces who elects to cryopreserve and store their gametes
4 under this section shall complete an advance medical di-
5 rective described in section 1044c(b) of title 10, United
6 25 States Code, and a military testamentary instrument
7 described in section 1044d(b) of such title, that explicitly
8 specifies the use of their cryopreserved and stored gametes
9 if such member dies or otherwise loses the capacity to con-
10 sent to the use of their cryopreserved and stored gametes.

11 (d) AGREEMENTS.—To carry out this section, the
12 Secretary—

13 (1) may enter into agreements with private en-
14 tities that provide cryopreservation and storage serv-
15 ices for gametes; and

16 (2) in selecting such private entities with which
17 to enter into agreements, shall (to the maximum ex-
18 tent practicable) select such private entities that
19 offer multi-site storage and fertility testing services
20 prior to cryopreservation.

1 **SEC. 775. PILOT PROGRAM FOR PARTICIPATION BY MEM-**
2 **BERS OF SELECTED RESERVE IN HEALTH**
3 **PROFESSIONS SCHOLARSHIP AND FINANCIAL**
4 **ASSISTANCE PROGRAMS.**

5 (a) PILOT PROGRAM.—Notwithstanding section 2123
6 of title 10, United States Code, and in accordance with
7 such regulations as may be prescribed by the Secretary
8 of Defense for the purpose of carrying out this section,
9 each Secretary of a military department shall carry out
10 a pilot program under which that Secretary may modify
11 service obligations for certain individuals under the health
12 professions scholarship and financial assistance program
13 of that military department, to expand participation in
14 such program to such individuals.

15 (b) ELIGIBILITY.—To be eligible for participation in
16 the pilot program under subsection (a), in addition to
17 meeting the eligibility requirements under section 2122 of
18 title 10, United States Code, an individual may not have
19 previously been a member of the health professions schol-
20 arship and financial assistance program.

21 (c) CONDITIONS ON PARTICIPATION.—

22 (1) IN GENERAL.—As a condition of partici-
23 pating in the pilot program under subsection (a), an
24 individual eligible under subsection (b) shall enter
25 into an agreement with the Secretary of the military

1 department concerned pursuant to which the indi-
2 vidual agrees—

3 (A) to participate as a member of the
4 health professions scholarship and financial as-
5 sistance program of that military department;

6 (B) to complete courses of study and spe-
7 cialized training under such program in a
8 health profession discipline designated by that
9 Secretary as a critically needed wartime dis-
10 cipline; and

11 (C) upon completion of participation in
12 such program, to satisfy, in lieu of the active
13 duty obligation under section 2123 of title 10,
14 United States Code, a service obligation in the
15 Selected Reserve of the Ready Reserve of that
16 military department for the period described in
17 paragraph (2).

18 (2) LENGTH OF PERIOD OF SERVICE.—The pe-
19 riod described in this paragraph is a period of time
20 of a length determined by the Secretary of the mili-
21 tary department concerned, except that such period
22 may not be shorter than a period equal to—

23 (A) each year of participation in the health
24 professions scholarship and financial assistance

1 program pursuant to paragraph (1)(A) multi-
2 plied by two and a half; plus

3 (B) if such participation was for a period
4 of two years or fewer, an additional two and a
5 half years.

6 (3) DETAILS OF SERVICE OBLIGATION.—Unless
7 otherwise specified by the Secretary of the military
8 department concerned—

9 (A) any period of time spent in intern or
10 residency training shall not be creditable in sat-
11 isfying the service obligation under paragraph
12 (1)(C);

13 (B) any period of time used to satisfy an-
14 other military service obligation shall not be
15 creditable in satisfying the service obligation
16 under paragraph (1)(C); and

17 (C) the period described in paragraph (2)
18 shall be a consecutive period of time.

19 (4) FAILURE TO COMPLETE.—

20 (A) ALTERNATIVE OBLIGATIONS.—A par-
21 ticipant in the pilot program under subsection
22 (a) who is relieved of the service obligation
23 under paragraph (1)(C) before the completion
24 of that service obligation may be given, with or
25 without the consent of the participant, either of

1 the following alternative obligations, as deter-
2 mined by the Secretary of the military depart-
3 ment concerned:

4 (i) A service obligation in the Selected
5 Reserve of the Ready Reserve of another
6 military department for a period of time
7 not less than the remaining service obliga-
8 tion of the participant.

9 (ii) Repayment to the Secretary of
10 Defense of a percentage of the total cost
11 incurred by the Secretary under such pilot
12 program on behalf of the member pursuant
13 to the repayment provisions of section
14 303a(e) or 373 of title 37, United States
15 Code.

16 (B) CIVILIAN EMPLOYEE ALTERNATIVE.—
17 In addition to the alternative obligations speci-
18 fied in subparagraph (A), if a participant in the
19 pilot program under subsection (a) is relieved of
20 the service obligation under paragraph (1)(C)
21 by reason of the separation of the participant
22 because of a physical disability, the Secretary of
23 the military department concerned may give the
24 participant a service obligation as a civilian em-
25 ployee employed as a health care professional in

1 a facility of the uniformed services for a period
2 of time determined by that Secretary, but not
3 to exceed the remaining service obligation of the
4 participant.

5 (d) METRICS AND EVALUATIONS.—The Secretary of
6 Defense shall establish metrics, and carry out evaluations
7 using such metrics, to determine the effectiveness of the
8 pilot program under subsection (a).

9 (e) TERMINATION.—The authority to carry out the
10 pilot program under subsection (a) shall terminate on Oc-
11 tober 1, 2027.

12 (f) BRIEFINGS.—Not later than 180 days prior to the
13 date on which the pilot program under subsection (a) ter-
14 minates, each Secretary of a military department shall
15 provide to the Committees on Armed Services of the
16 House of Representatives and the Senate a briefing on the
17 effectiveness of the pilot program.

18 (g) DEFINITIONS.—In this section:

19 (1) The terms “course of study” and “special-
20 ized training” have the meaning given those terms
21 in section 2120 of title 10, United States Code.

22 (2) The term “health professions scholarship
23 and financial assistance program” has the meaning
24 given the term “program” under such section.

1 (3) The term “member of the health professions
2 scholarship and financial assistance program” has
3 the meaning given the term “member of the pro-
4 gram” under such section.

5 **SEC. 776. PILOT PROGRAM ON ENSURING PHARMA-**
6 **CEUTICAL SUPPLY STABILITY.**

7 (a) IN GENERAL.—Not later than January 1 2024,
8 the Secretary of Defense, acting through the Director of
9 the Defense Logistics Agency, shall establish a pilot pro-
10 gram to acquire, manage, and replenish a 180-day supply
11 of at least 30 commonly used generic drugs at risk of
12 shortage under the military health system as a result of
13 a pharmaceutical supply chain disruption, to ensure the
14 stability of such supply.

15 (b) MILITARY MEDICAL TREATMENT FACILITIES.—
16 The Secretary of Defense shall select for participation in
17 the pilot program established under subsection (a) not
18 fewer than five military medical treatment facilities that
19 are—

20 (1) located in the continental United States;
21 and

22 (2) at the greatest risk of pharmaceutical sup-
23 ply chain disruption, as determined by the Secretary.

1 (c) ELEMENTS.—In carrying out the pilot program
2 established under subsection (a), the Secretary of Defense
3 shall—

4 (1) use the systems and processes of the Direct
5 Vendor Delivery System established by section 352
6 of the National Defense Authorization Act for Fiscal
7 Year 1996 (Public Law 104–106; 10 U.S.C. 2458
8 note);

9 (2) include the establishment of a vendor man-
10 aged inventory approach to pharmaceutical distribu-
11 tion, to acquire, manage, and replenish the vendor-
12 held supply described in subsection (a) to prevent
13 product expiration and shortages; and

14 (3) ensure guaranteed Department of Defense
15 access to the vendor managed inventory approach
16 specified in paragraph (2).

17 (d) TERMINATION.—The pilot program established
18 under this section shall terminate on the date that is three
19 years after the date of the enactment of this Act.

20 (e) INITIAL REPORT.—Not later than 30 days after
21 the date of the establishment of the pilot program under
22 subsection (a), the Secretary of Defense shall submit to
23 the Committees on Armed Services of the House of Rep-
24 resentatives and Senate a report on the design of the pilot
25 program. Such report shall include—

1 (1) a description of the military medical treat-
2 ment facilities selected under subsection (b) and the
3 generic drugs selected for the pilot program pursu-
4 ant to subsection (a);

5 (2) the plan for the implementation and man-
6 agement of the pilot program; and

7 (3) key performance indicators to measure the
8 success of the pilot program in ensuring the avail-
9 ability of generic drugs selected for the pilot pro-
10 gram pursuant to subsection (a).

11 (f) FINAL REPORT.—Not later than 180 days after
12 the termination date under subsection (d), the Secretary
13 of Defense shall submit to the Committees on Armed Serv-
14 ices of the House of Representatives and Senate a final
15 report on the results of the pilot program. The report shall
16 include—

17 (1) measurements of key performance indica-
18 tors identified in the initial report required under
19 subsection (e);

20 (2) an analysis of the success of the pilot pro-
21 gram in preventing shortages of commonly used ge-
22 neric drugs within the military medical treatment fa-
23 cilities selected under subsection (b); and

24 (3) recommendations for further expansions of
25 the pilot program, including any legislative or regu-

1 latory proposals the Secretary determines would re-
2 duce supply chain risk to commonly used generic
3 drugs under the military health system.

4 (g) DEFINITIONS.—In this section:

5 (1) The term “generic drug” means a drug (as
6 defined in section 201 of the Federal Food, Drug,
7 and Cosmetic Act (21 U.S.C. 231)) that is approved
8 pursuant to section 505(j) of such Act (21 U.S.C.
9 355(j)).

10 (2) The term “pharmaceutical supply chain dis-
11 ruption” means a disruption described in the report
12 of the Inspector General of the Department of De-
13 fense titled “Evaluation of the Department of De-
14 fense’s Mitigation of Foreign Suppliers in the Phar-
15 maceutical Supply Chain” (DODIG-2021-126) and
16 published on September 20, 2021.

17 **SEC. 777. ESTABLISHMENT OF PARTNERSHIP PROGRAM BE-**
18 **TWEEN UNITED STATES AND UKRAINE FOR**
19 **MILITARY TRAUMA CARE AND RESEARCH.**

20 Not later than February 24, 2023, the Secretary of
21 Defense shall seek to enter into a partnership with the
22 appropriate counterpart from the Government of Ukraine
23 for the establishment of a joint program on military trau-
24 ma care and research. Such program shall consist of the
25 following:

1 (1) The sharing of relevant lessons learned
2 from the Russo-Ukraine War.

3 (2) The conduct of relevant joint conferences
4 and exchanges with military medical professionals
5 from Ukraine and the United States.

6 (3) Collaboration with the armed forces of
7 Ukraine on matters relating to health policy, health
8 administration, and medical supplies and equipment,
9 including through knowledge exchanges.

10 (4) The conduct of joint research and develop-
11 ment on the health effects of new and emerging
12 weapons.

13 (5) The entrance into agreements with military
14 medical schools of Ukraine for reciprocal education
15 programs under which students at the Uniformed
16 Services University of the Health Sciences receive
17 specialized military medical instruction at the such
18 military medical schools of Ukraine and military
19 medical personnel of Ukraine receive specialized
20 military medical instruction at the Uniformed Serv-
21 ices University of the Health Sciences, pursuant to
22 section 2114(f) of title 10, United States Code.

23 (6) The provision of support to Ukraine for the
24 purpose of facilitating the establishment in Ukraine

1 of a program substantially similar to the Wounded
2 Warrior Program in the United States.

3 (7) The provision of training to the armed
4 forces of Ukraine in the following areas:

5 (A) Health matters relating to chemical,
6 biological, radiological, nuclear and explosive
7 weapons.

8 (B) Preventive medicine and infectious dis-
9 ease.

10 (C) Post traumatic stress disorder.

11 (D) Suicide prevention.

12 (8) The maintenance of a list of medical sup-
13 plies and equipment needed.

14 (9) Such other elements as the Secretary of De-
15 fense may determine appropriate.

16 **SEC. 778. GRANT PROGRAM FOR INCREASED COOPERA-**
17 **TION ON POST-TRAUMATIC STRESS DIS-**
18 **ORDER RESEARCH BETWEEN UNITED STATES**
19 **AND ISRAEL.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that the Secretary of Defense, acting through the
22 Psychological Health and Traumatic Brain Injury Re-
23 search Program, should seek to explore scientific collabo-
24 ration between American academic institutions and non-
25 profit research entities, and Israeli institutions with exper-

1 tise in researching, diagnosing, and treating post-trau-
2 matic stress disorder.

3 (b) GRANT PROGRAM.—The Secretary of Defense, in
4 coordination with the Secretary of Veterans Affairs and
5 the Secretary of State, shall award grants to eligible enti-
6 ties to carry out collaborative research between the United
7 States and Israel with respect to post-traumatic stress dis-
8 orders. The Secretary of Defense shall carry out the grant
9 program under this section in accordance with the agree-
10 ment titled “Agreement Between the Government of the
11 United States of America and the Government of Israel
12 on the United States-Israel Binational Science Founda-
13 tion”, dated September 27, 1972.

14 (c) ELIGIBLE ENTITIES.—To be eligible to receive a
15 grant under this section, an entity shall be an academic
16 institution or a nonprofit entity located in the United
17 States.

18 (d) AWARD.—The Secretary shall award grants
19 under this section to eligible entities that—

20 (1) carry out a research project that—

21 (A) addresses a requirement in the area of
22 post-traumatic stress disorders that the Sec-
23 retary determines appropriate to research using
24 such grant; and

1 (B) is conducted by the eligible entity and
2 an entity in Israel under a joint research agree-
3 ment; and

4 (2) meet such other criteria that the Secretary
5 may establish.

6 (e) APPLICATION.—To be eligible to receive a grant
7 under this section, an eligible entity shall submit an appli-
8 cation to the Secretary at such time, in such manner, and
9 containing such commitments and information as the Sec-
10 retary may require.

11 (f) GIFT AUTHORITY.—The Secretary may accept,
12 hold, and administer, any gift of money made on the con-
13 dition that the gift be used for the purpose of the grant
14 program under this section. Such gifts of money accepted
15 under this subsection shall be deposited in the Treasury
16 in the Department of Defense General Gift Fund and shall
17 be available, subject to appropriation, without fiscal year
18 limitation.

19 (g) REPORTS.—Not later than 180 days after the
20 date on which an eligible entity completes a research
21 project using a grant under this section, the Secretary
22 shall submit to Congress a report that contains—

23 (1) a description of how the eligible entity used
24 the grant; and

1 (2) an evaluation of the level of success of the
2 research project.

3 (h) **TERMINATION.**—The authority to award grants
4 under this section shall terminate on the date that is 7
5 years after the date on which the first such grant is
6 awarded.

7 **SEC. 779. SUICIDE CLUSTER: STANDARDIZED DEFINITION**
8 **FOR USE BY DEPARTMENT OF DEFENSE; CON-**
9 **GRESSIONAL NOTIFICATION.**

10 (a) **STANDARDIZATION OF DEFINITION.**—Not later
11 than one year after the date of the enactment of this Act,
12 the Secretary of Defense, in consultation with the Secre-
13 taries concerned, shall develop, for use across the Armed
14 Forces, a standardized definition for the term “suicide
15 cluster”.

16 (b) **NOTIFICATION REQUIRED.**—Beginning not later
17 than one year after the date of the enactment of this Act,
18 whenever the Secretary determines the occurrence of a sui-
19 cide cluster (as that term is defined pursuant to sub-
20 section (a)) among members of the Armed Forces, the
21 Secretary shall submit to the appropriate congressional
22 committees a notification of such determination.

23 (c) **COORDINATION REQUIRED.**—In developing the
24 definition under subsection (a) and the process for submit-
25 ting required notifications under subsection (b), the Sec-

1 retary of Defense shall coordinate with the Secretaries
2 concerned.

3 (d) BRIEFING.—Not later than April 1, 2023, the
4 Secretary of Defense shall provide to the appropriate con-
5 gressional committees a briefing on the following:

6 (1) The methodology being used in the develop-
7 ment of the definition under subsection (a).

8 (2) The progress made towards the development
9 of the process for submitting required notifications
10 under subsection (b).

11 (3) An estimated timeline for the implementa-
12 tion of this section.

13 (e) DEFINITIONS.—In this section:

14 (1) The term “appropriate congressional com-
15 mittees” means the following:

16 (A) The Committee on Armed Services of
17 the House of Representatives.

18 (B) The Committee on Armed Services of
19 the Senate.

20 (C) The Committee on Transportation and
21 Infrastructure of the House of Representatives.

22 (D) The Committee on Commerce, Science,
23 and Transportation of the Senate.

1 (2) The term “Secretary concerned” has the
2 meaning given that term in section 101 of title 10,
3 United States Codes.

4 **SEC. 780. LIMITATION ON REALIGNMENT OR REDUCTION**
5 **OF MILITARY MEDICAL MANNING END**
6 **STRENGTH: CERTIFICATION REQUIREMENT**
7 **AND OTHER REFORMS.**

8 (a) LIMITATION.—

9 (1) IN GENERAL.—In addition to the limitation
10 under section 719 of the National Defense Author-
11 ization Act for Fiscal Year 2020 (Public Law 116–
12 92; 133 Stat. 1454), as most recently amended by
13 section 731 of the National Defense Authorization
14 Act for Fiscal Year 2022 (Public Law 117–81; 135
15 Stat. 1795), the Secretary of Defense and the Secre-
16 taries concerned may not realign or reduce military
17 medical end strength authorizations during the pe-
18 riod described in paragraph (2), and after such pe-
19 riod, may not realign or reduce such authorizations
20 unless—

21 (A) the report is submitted under sub-
22 section (b); and

23 (B) the certification is submitted under
24 subsection (c).

1 (2) COVERED PERIOD.—The period described in
2 this paragraph is a period of at least three years
3 that begins on the date of the enactment of this Act.

4 (b) REPORT ON COMPOSITION OF MILITARY MED-
5 ICAL WORKFORCE REQUIREMENTS.—The Secretary of
6 Defense, in coordination with the Secretaries of the mili-
7 tary departments, shall conduct an assessment of military
8 medical manning requirements and submit to Committees
9 on Armed Services of the House of Representatives and
10 the Senate a report containing the findings of such assess-
11 ment. Such assessment shall be informed by the following:

12 (1) The National Defense Strategy submitted
13 under section 113(g) of title 10, United States Code.

14 (2) The National Military Strategy prepared
15 under section 153(b) of such title.

16 (3) The campaign plans of the combatant com-
17 mands.

18 (4) Theater strategies.

19 (5) The joint medical estimate under section
20 732 of the John S. McCain National Defense Au-
21 thorization Act for Fiscal Year 2019 (Public Law
22 115–232; 132 Stat. 1817).

23 (6) The plan of the Department of Defense on
24 integrated medical operations, as updated pursuant
25 to paragraph (1) of section 724(a) of the National

1 Defense Authorization Act for Fiscal Year 2022
2 (Public Law 117–81; 135 Stat. 1793; 10 U.S.C.
3 1096 note).

4 (7) The plan of the Department of Defense on
5 global patient movement, as updated pursuant to
6 paragraph (2) of such section.

7 (8) The biosurveillance program of the Depart-
8 ment of Defense established pursuant to Depart-
9 ment of Defense Directive 6420.02 (relating to bio-
10 surveillance).

11 (9) Requirements for graduate medical edu-
12 cation.

13 (10) The report of the COVID–19 Military
14 Health System Review Panel under section 731 of
15 the William M. (Mac) Thornberry National Defense
16 Authorization Act for Fiscal Year 2021 (Public Law
17 116–283; 134 Stat. 3698).

18 (11) The report of the Inspector General of the
19 Department of Defense titled “Evaluation of De-
20 partment of Defense Military Medical Treatment
21 Facility Challenges During the Coronavirus Disease-
22 2019 (COVID-19) Pandemic in Fiscal Year 2021
23 (DODIG-2022-081)” and published on April 5,
24 2022.

1 (12) Such other reports as may be determined
2 appropriate by the Secretary of Defense.

3 (c) CERTIFICATION.—The Secretary of Defense shall
4 submit to the Committees on Armed Services of the House
5 of Representatives and the Senate a certification con-
6 taining the following:

7 (1) A certification of the completion of a com-
8 prehensive review of military medical Manning, in-
9 cluding with respect to the medical corps (or other
10 health- or medical-related component of a military
11 department), designator, profession, occupation, and
12 rating of medical personnel.

13 (2) A justification for any proposed increase,
14 realignment, reduction, or other change to the spe-
15 cialty and occupational composition of military med-
16 ical end strength authorizations, which may include
17 compliance with a requirement or recommendation
18 set forth in a strategy, plan, or other matter speci-
19 fied in subsection (b).

20 (3) A certification that, in the case that any
21 change to such specialty or occupational composition
22 is required, a vacancy resulting from such change
23 may not be filled with a position other than a
24 health- or medical-related position until such time as

1 there are no military medical billets remaining to fill
2 the vacancy.

3 (4) A risk analysis associated with the potential
4 realignment or reduction of any military medical end
5 strength authorizations.

6 (5) An identification of any plans of the De-
7 partment to backfill military medical personnel posi-
8 tions with civilian personnel.

9 (6) A plan to address persistent vacancies for
10 civilian personnel in health- or medical-related posi-
11 tions, and a risk analysis associated with the hiring,
12 onboarding, and retention of such civilian personnel,
13 taking into account provider shortfalls across the
14 United States.

15 (7) A comprehensive plan to mitigate any risk
16 identified pursuant to paragraph (4) or (6), includ-
17 ing with respect to funding necessary for such miti-
18 gation across fiscal years.

19 (d) INTERIM BRIEFINGS AND FINAL REPORT.—

20 (1) INITIAL BRIEFING.—Not later than April 1,
21 2023, the Secretary of Defense shall provide to the
22 Committees on Armed Services of the House of Rep-
23 resentatives and the Senate a briefing on how the
24 Secretary plans to meet the report requirement

1 under subsection (b) and the certification require-
2 ment under subsection (c).

3 (2) BRIEFING ON PROGRESS.—Not later than
4 two years after the date of the enactment of this
5 Act, the Secretary of Defense shall provide to the
6 Committees on Armed Services of the House of Rep-
7 resentatives and the Senate a briefing on the
8 progress made towards completion of such require-
9 ments.

10 (3) FINAL REPORT.—Not later than three years
11 after the date of the enactment of this Act, the Sec-
12 retary of Defense shall submit to the Committees on
13 Armed Services of the House of Representatives and
14 the Senate a final report on the completion of such
15 requirements. Such final report shall be in addition
16 to the report required under subsection (b) and the
17 certification required under subsection (c).

18 (e) DEFINITIONS.—In this section:

19 (1) The term “medical personnel” has the
20 meaning given such term in section 115a(e) of such
21 title.

22 (2) The term “theater strategy” means an over-
23 arching construct outlining the vision of a combatant
24 commander for the integration and synchronization
25 of military activities and operations with other na-

1 tional power instruments to achieve the strategic ob-
2 jectives of the United States.

3 **SEC. 781. REVIEW AND UPDATE OF POLICY RELATING TO**
4 **COMMAND NOTIFICATION PROCESS AND RE-**
5 **DUCTION OF MENTAL HEALTH STIGMA.**

6 (a) REVIEW AND UPDATE.—

7 (1) IN GENERAL.—Not later than October 1,
8 2023, the Secretary of Defense, in coordination with
9 the Secretaries of the military departments, shall re-
10 view and update the Department of Defense Instruc-
11 tion 6490.08, titled “Command Notification Re-
12 quirements to Dispel Stigma in Providing Mental
13 Health Care to Service Members”, or any successor
14 instruction.

15 (2) ELEMENTS.—In carrying out the review
16 and update of the instruction under paragraph (1),
17 the Secretary shall ensure the updated version—

18 (A) provides health care providers with
19 clear guidance on the process and timeline for
20 making a required command notification;

21 (B) provides for the protection of the pri-
22 vacy of mental health information shared
23 through such notification process, including
24 by—

1 (i) restricting access to such informa-
2 tion to personnel for whom such specific
3 knowledge is necessary for the conduct of
4 official duties;

5 (ii) requiring that military com-
6 manders, and any other personnel with ac-
7 cess to such information, treat such infor-
8 mation as any other health information, in-
9 cluding with respect to applicable privacy
10 laws; and

11 (iii) setting forth updated training re-
12 quirements for military commanders on the
13 treatment of such information; and

14 (C) directs military commanders to take
15 steps to further reduce the stigma of mental
16 health among members of the Armed Forces,
17 including by promoting mental health care as
18 equivalent to other types of health care.

19 (b) REPORT.—Not later than April 1, 2023, the Sec-
20 retary of Defense shall submit to the Committees on
21 Armed Services of the House of Representatives and the
22 Senate a report on the progress made towards the comple-
23 tion of the review and update under subsection (a).

1 **TITLE VIII—ACQUISITION POL-**
2 **ICY, ACQUISITION MANAGE-**
3 **MENT, AND RELATED MAT-**
4 **TERS**

5 **Subtitle A—Acquisition Policy and**
6 **Management**

7 **SEC. 801. WRITING AWARD TO ENCOURAGE CURIOSITY AND**
8 **PERSISTENCE IN OVERCOMING OBSTACLES**
9 **IN ACQUISITION.**

10 (a) IN GENERAL.—Chapter 87 of title 10, United
11 States Code, is amended by inserting after section 1742
12 the following new section:

13 **“§ 1743. Writing award to encourage curiosity and**
14 **persistence in overcoming obstacles in**
15 **the defense acquisition system**

16 “(a) ESTABLISHMENT.—The President of the De-
17 fense Acquisition University shall establish an award to
18 recognize members of the acquisition workforce who use
19 an iterative writing process to document a first-hand ac-
20 count of using independent judgment to overcome an ob-
21 stacle the member faced while working within the defense
22 acquisition system (as defined in section 3001 of this
23 title).

1 “(b) SUBMISSION REQUIRED.—A member of the ac-
2 quisition workforce desiring an award under this section
3 shall submit to the President such first-hand account.

4 “(c) AMOUNT OF AWARD.—A recipient of an award
5 under this section shall receive \$10,000.

6 “(d) NUMBER OF AWARDS.—The President of the
7 Defense Acquisition University may make not more than
8 five awards each year.

9 “(e) WEBPAGE.—The President of the Defense Ac-
10 quisition University shall establish and maintain a
11 webpage to serve as a repository for submissions made
12 under subsection (b). Such webpage shall allow for public
13 comments and discussion.

14 “(f) CONTENTS OF SUBMISSION.—The recipient of
15 an award under this section shall demonstrate in the sub-
16 mission described under subsection (b)—

17 “(1) an original and engaging idea documenting
18 the use of independent judgment to overcome an ob-
19 stacle the recipient faced while working within the
20 defense acquisition system; and

21 “(2) the use of an iterative writing process, in-
22 cluding evidence of—

23 “(A) critical thinking;

24 “(B) incorporation of feedback from di-
25 verse perspectives; and

1 “(C) editing to achieve plain writing (as
2 defined in section 3 of the Plain Writing Act of
3 2010 (5 U.S.C. 301 note)).

4 “(g) FUNDING.—The Secretary of Defense shall use
5 funds from the Defense Acquisition Workforce Develop-
6 ment Account to carry out this section.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such chapter is amended by inserting
9 after section 1742 the following new item:

 “1743. Writing award to encourage curiosity and persistence in overcoming ob-
 stacles in acquisition.”.

10 **SEC. 802. DATA REQUIREMENTS FOR COMMERCIAL ITEM**
11 **PRICING NOT BASED ON ADEQUATE PRICE**
12 **COMPETITION.**

13 (a) INFORMATION REQUIRED.—Section 3455 of title
14 10, United States Code, is amended—

15 (1) in subsection (b)—

16 (A) by inserting “(1)” before “A sub-
17 system”;

18 (B) by redesignating paragraphs (1) and
19 (2) as subparagraphs (A) and (B), respectively;
20 and

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

23 “(2) With respect to a subsystem for which a con-
24 tracting officer made a determination under paragraph

1 (1)(B) and for a subsystem proposed as commercial (as
2 defined in section 103(1) of title 41, United States Code)
3 and that has not previously been determined commercial
4 in accordance with section 3703(d) of this title, the offeror
5 shall provide the following information:

6 “(A) An identification of a comparable commer-
7 cial product that is customarily used by the general
8 public or nongovernmental entities that serves as the
9 basis for assertion that the proposed subsystem is a
10 commercial product.

11 “(B) A comparison of the essential physical
12 characteristics and functionality between the pro-
13 posed subsystem and the comparable commercial
14 product in support of such assertion.

15 “(C) The national stock number (as defined in
16 section 101-30.101-3 of title 41, Code of Federal
17 Regulations (or a successor regulation)), if available,
18 for the comparable commercial product and the pro-
19 posed subsystem.”;

20 (2) in subsection (c), by adding at the end the
21 following new paragraph:

22 “(3) With respect to components or spare parts pro-
23 posed as commercial for which a contracting officer made
24 a determination under paragraph (1)(B), the offeror shall
25 provide the following information for components or spare

1 parts proposed as commercial (as defined in section
2 103(1) of title 41, United States Code) and that have not
3 previously been determined commercial in accordance with
4 section 3703(d) of this title:

5 “(A) An identification of a comparable commer-
6 cial product that is customarily used by the general
7 public or nongovernmental entities that serves as the
8 basis for the assertion that the proposed components
9 or spare parts are commercial products.

10 “(B) A comparison of the essential physical
11 characteristics and functionality between the pro-
12 posed components or spare parts and the com-
13 parable commercial product in support of such as-
14 sertion.

15 “(C) The national stock number (as defined in
16 section 101-30.101-3 of title 41, Code of Federal
17 Regulations (or a successor regulation)), if available,
18 for the comparable commercial product and the pro-
19 posed components or spare parts.”.

20 (b) MODIFICATIONS TO INFORMATION SUB-
21 MITTED.—Section 3455(d) is amended—

22 (1) in the subsection heading, by inserting
23 “FOR CERTAIN PROCUREMENTS” after “SUB-
24 MITTED”;

25 (2) in paragraph (1)—

1 (A) in the matter preceding subparagraph
2 (A), by striking “section,” and all that follows
3 through “to submit” and inserting “section that
4 are not subject to the exceptions in section
5 3703(a)(1) of this title, the offeror shall be re-
6 quired to submit to or to provide access to the
7 contracting officer, on an unredacted basis”;

8 (B) in subparagraph (A)—

9 (i) by inserting “all” before “prices
10 paid”; and

11 (ii) by inserting “, and the contents of
12 such terms and conditions” after “com-
13 mercial customers”;

14 (C) in subparagraph (B)—

15 (i) by striking “information on” and
16 all that follows through “same or similar”
17 and inserting “information on prices for
18 the same or similar”;

19 (ii) by striking “conditions;” and in-
20 sserting “conditions, and the contents of
21 such terms and conditions; and”;

22 (iii) by striking clauses (ii), (iii), and
23 (iv).

24 (D) in subparagraph (C)—

1 (i) by striking “reasonableness of
2 price,” and inserting the following: “rea-
3 sonableness of price because the com-
4 parable products provided by the offeror
5 are not a valid basis for a price analysis,
6 or the contracting officer determines the
7 proposed price is not reasonable after eval-
8 uating prices paid, the offeror shall be re-
9 quired to provide”; and

10 (ii) by inserting before the period at
11 the end the following: “, where a request
12 for cost data shall be approved at a level
13 above the contracting officer”.

14 **SEC. 803. PREFERENCE FOR DOMESTIC FOODS FOR MILI-**
15 **TARY WORKING DOGS.**

16 (a) IN GENERAL.—Chapter 287 of title 10, United
17 States Code, is amended by adding at the end the fol-
18 lowing new section:

19 **“§ 3906. Preference for domestic foods for military**
20 **working dogs**

21 “With respect to the acquisition of food for military
22 working dogs by the Defense Logistics Agency, the Direc-
23 tor of the Defense Logistic Agency shall give a preference
24 for the acquisition of food that is manufactured or pro-
25 duced—

1 “(1) in the United States;

2 “(2) by an entity that is based in the United
3 States; and

4 “(3) using only ingredients and materials that
5 were grown, mined, manufactured, or produced in
6 the United States.”.

7 (b) CLERICAL AMENDMENT.—The table of chapters
8 for chapter 287 of title 10, United States Code, is amend-
9 ed by adding at the end the following new item:

“3906. Preference for domestic food for military working dogs.”.

10 **SEC. 804. LIFE CYCLE MANAGEMENT AND PRODUCT SUP-**
11 **PORT.**

12 Section 4324(b) of title 10, United States Code, is
13 amended—

14 (1) by designating the matter preceding sub-
15 paragraph (A), as so redesignated, as paragraph (1);

16 (2) by redesignating paragraphs (1), (2), (3),
17 (4), (5), (6), (7), and (8) as subparagraphs (A), (B),
18 (C), (D), (E), (F), (G), and (I), respectively;

19 (3) in paragraph (1), as so designated—

20 (A) in the matter preceding subparagraph
21 (A), as so redesignated—

22 (i) by inserting “IN GENERAL.—” be-
23 fore “Before granting” ; and

24 (ii) by inserting after “approved life
25 cycle sustainment plan” the following: “ap-

1 proved by all covered individuals for such
2 covered system”;

3 (B) by amending subparagraph (G), as so
4 redesignated, to read as follows:

5 “(G) an intellectual property management
6 plan for product support, including access to
7 technical data and computer software, as well
8 as contract delivery requirements for the data
9 rights;”;

10 (C) by inserting after subparagraph (G),
11 as so redesignated, the following new subpara-
12 graph:

13 “(H) an estimate of the number of per-
14 sonnel needed to operate and maintain the cov-
15 ered system;”;

16 (D) in subparagraph (I), as so redesign-
17 ated, by striking the period at the end and in-
18 serting “; and” at the end; and

19 (E) by inserting after subparagraph (I), as
20 so redesignated, the following new subpara-
21 graph:

22 “(J) a product support business case anal-
23 ysis that—

24 “(i) addresses—

1 “(I) the costs, benefits, and risks
2 to sustainment associated with the
3 performance goals;

4 “(II) the engineering and design
5 considerations;

6 “(III) intellectual property, in-
7 cluding access to technical data and
8 computer software; and

9 “(IV) the number of personnel
10 needed to operate and maintain the
11 covered system; and

12 “(ii) explicitly addresses—

13 “(I) the tradeoffs made between
14 the factors described in clause (i); and

15 “(II) the associated implications
16 of such tradeoffs for—

17 “(aa) design, development,
18 production, and operating and
19 support costs;

20 “(bb) operational and mate-
21 rial availability;

22 “(cc) the mix of active and
23 reserve components of the mili-
24 tary, Government civilian em-
25 ployee, host nation support, and

1 contractor personnel to operate
2 and maintain the covered system;
3 and

4 “(dd) the ability of the Gov-
5 ernment to retain core logistics
6 capability identified under section
7 2464 and comply with the re-
8 quirements under section 2466.”;
9 and

10 (4) by adding at the end the following new
11 paragraphs:

12 “(2) SUBSEQUENT PHASES.—Before granting
13 approval for entry of the covered system into each
14 subsequent phase of the acquisition after the phase
15 described in section 4172(e)(7), the milestone deci-
16 sion authority shall ensure that the life cycle
17 sustainment plan described in paragraph (1) for
18 such covered system has been updated and again ap-
19 proved by all covered individuals for such covered
20 system.

21 “(3) COVERED INDIVIDUALS DEFINED.—In this
22 subsection, the term ‘covered individuals’ means—

23 “(A) a product support manager described
24 in subsection (c);

1 “(B) a program manager (as defined in
2 section 1737(a));

3 “(C) a program executive officer (as de-
4 fined in section 1737(a)); and

5 “(D) an appropriate materiel, logistics, or
6 fleet representative.”.

7 **SEC. 805. EXTENSION OF REQUIREMENT TO SUBMIT SE-**
8 **LECTED ACQUISITION REPORTS.**

9 (a) REPEAL OF TERMINATION.—Section 4351 of title
10 10, United States Code, is amended by striking subsection
11 (j).

12 (b) REPEAL OF TERMINATION OF CERTAIN ADDI-
13 TIONAL REPORTS.—Section 1051(x) of the National De-
14 fense Authorization Act for Fiscal Year 2018 is amended
15 by striking paragraph (4).

16 **SEC. 806. AMENDMENTS TO CONTRACTOR EMPLOYEE PRO-**
17 **TECTIONS FROM REPRISAL FOR DISCLOSURE**
18 **OF CERTAIN INFORMATION.**

19 (a) DEFENSE CONTRACTS.—

20 (1) ADDITION OF GRANTEES, SUBGRANTEES,
21 AND PERSONAL SERVICES CONTRACTORS.—Section
22 4701 of title 10, United States Code, is amended—

23 (A) in subsection (a), in paragraphs (2)(G)
24 and (3)(A), by striking “or subcontractor” and

1 inserting “, subcontractor, grantee, subgrantee,
2 or personal services contractor”;

3 (B) in subsection (a)(2), by adding at the
4 end the following new subparagraphs:

5 “(H) The Pandemic Response Account-
6 ability Committee (established under section
7 15010 of title V of division B of the CARES
8 Act (Public Law 116–136)).

9 “(I) The Integrity Committee of the Coun-
10 cil of the Inspectors General on Integrity and
11 Efficiency.”.

12 (C) in subsection (b)—

13 (i) in paragraph (1)—

14 (I) by striking “contractor con-
15 cerned” and inserting “contractor,
16 subcontractor, grantee, subgrantee, or
17 personal services contractor con-
18 cerned”;

19 (II) by inserting before the pe-
20 riod at the end of the first sentence
21 the following: “, or to the Special In-
22 spector General for Pandemic Recov-
23 ery or the Chair of the Pandemic Re-
24 sponse Accountability Committee”;

1 (III) by striking “Inspector Gen-
2 eral determines” and inserting “In-
3 spector General, Special Inspector
4 General, or Chair (as applicable) de-
5 termines”; and

6 (IV) by striking “Inspector Gen-
7 eral shall” and inserting “Inspector
8 General, Special Inspector General, or
9 Chair (as applicable) shall”;

10 (ii) in paragraph (2), by striking “In-
11 spector General” each place it appears and
12 inserting “Inspector General, Special In-
13 spector General, or Chair (as applicable)”;
14 and

15 (iii) in paragraph (3), by striking “In-
16 spector General” each place it appears and
17 inserting “Inspector General, Special In-
18 spector General, or Chair (as applicable)”;

19 (D) in subsection (c)—

20 (i) in the matter preceding subpara-
21 graph (A) of paragraph (1), by striking
22 “contractor concerned” and inserting “con-
23 tractor, subcontractor, grantee, sub-
24 grantee, or personal services contractor
25 concerned”; and

1 (ii) in paragraph (1), by inserting
2 after “Order the contractor” each place it
3 appears the following: “, subcontractor,
4 grantee, subgrantee, or personal services
5 contractor”;

6 (iii) in paragraph (2), by inserting
7 after “contractor” the following: “, subcon-
8 tractor, grantee, subgrantee, or personal
9 services contractor”;

10 (E) in subsection (d), by striking “and
11 subcontractors” and inserting “, subcontrac-
12 tors, grantees, subgrantees, and personal serv-
13 ices contractors”; and

14 (F) in subsection (e)(2)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “or grantee of” and
17 inserting “grantee, subgrantee, or personal
18 services contractor of”; and

19 (ii) in subparagraph (B), by striking
20 “or grantee” and inserting “grantee, or
21 subgrantee”.

22 (2) ADDITIONAL AMENDMENTS.—Such section
23 is further amended in subsection (c)(1) by adding at
24 the end the following new subparagraph:

1 “(D) Consider disciplinary or corrective action
2 against any Department or Administration official,
3 if appropriate.”.

4 (b) CIVILIAN AGENCY CONTRACTS.—

5 (1) IN GENERAL.—Section 4712 of title 41,
6 United States Code, is amended—

7 (A) in subsection (a)(2)(G), by striking “or
8 subgrantee” and inserting “subgrantee, or per-
9 sonal services contractor”;

10 (B) in subsection (a)(2), by adding at the
11 end the following new subparagraphs:

12 “(H) The Pandemic Response Account-
13 ability Committee (established under section
14 15010 of title V of division B of the CARES
15 Act (Public Law 116–136)).

16 “(I) The Integrity Committee of the Coun-
17 cil of the Inspectors General on Integrity and
18 Efficiency.”;

19 (C) in subsection (b)(1), by striking “or
20 subgrantee” and inserting “subgrantee, or per-
21 sonal services contractor”;

22 (D) in subsection (c)—

23 (i) in paragraph (1)—

24 (I) by striking “or subgrantee”
25 each place it appears and inserting

1 “subgrantee, or personal services con-
2 tractor”; and

3 (II) by adding at the end the fol-
4 lowing new subparagraph:

5 “(D) Consider disciplinary or corrective ac-
6 tion against any executive branch official, if ap-
7 propriate.”; and

8 (ii) in paragraph (2), by striking “or
9 subgrantee” and inserting “subgrantee, or
10 personal services contractor”;

11 (E) in subsection (d), by striking “and
12 subgrantees” and inserting “subgrantees, and
13 personal services contractors”;

14 (F) in subsection (f)(2)—

15 (i) in the matter preceding subpara-
16 graph (A), by striking “or subgrantee” and
17 inserting “subgrantee, or personal services
18 contractor”; and

19 (ii) in subparagraph (B), by striking
20 “or subgrantee” and inserting “sub-
21 grantee, or personal services contractor”;

22 and

23 (G) by amending subsection (g)(2) to read
24 as follows:

1 “(2) The term ‘Inspector General’ means any
2 Inspector General established by Federal law, includ-
3 ing—

4 “(A) an Inspector General appointed under
5 the Inspector General Act of 1978 (5 U.S.C.
6 App.);

7 “(B) the Special Inspector General for
8 Pandemic Recovery;

9 “(C) the Special Inspector General for Af-
10 ghanistan Reconstruction;

11 “(D) the Special Inspector General for the
12 Troubled Asset Relief Program; and

13 “(E) any Inspector General that receives
14 funding from, or has oversight over contracts
15 awarded for or on behalf of, the executive agen-
16 cy concerned.”.

17 (2) ADDITIONAL AMENDMENTS.—

18 (A) IN GENERAL.—Section 4705 of title
19 41, United States Code, is repealed.

20 (B) CONFORMING AMENDMENTS.—

21 (i) TITLE 38.—Subchapter II of chap-
22 ter 7 of title 38, United States Code, is
23 amended—

24 (I) in section 731(c)(4)—

1 (aa) by striking “section
2 4705(b) or”; and

3 (bb) by striking “, as the
4 case may be”; and

5 (II) in section 733(a)(5), by
6 striking “section 4705 or”.

7 (ii) TITLE 49.—Section
8 40110(d)(2)(C) of title 49, United States
9 Code, is amended by inserting “, as in ef-
10 fect immediately before the enactment of
11 the National Defense Authorization Act for
12 Fiscal Year 2022,” before “shall apply”.

13 **SEC. 807. ENHANCED DOMESTIC CONTENT REQUIREMENT**
14 **FOR MAJOR DEFENSE ACQUISITION PRO-**
15 **GRAMS.**

16 (a) ASSESSMENT REQUIRED.—

17 (1) IN GENERAL.—Not later than one year
18 after the date of the enactment of this Act, the Sec-
19 retary of Defense shall submit to the congressional
20 defense committees a report assessing the domestic
21 source content of procurements carried out in con-
22 nection with a major defense acquisition program.

23 (2) INFORMATION REPOSITORY.—The Secretary
24 of Defense shall establish an information repository
25 for the collection and analysis of information related

1 to domestic source content for products the Sec-
2 retary deems critical, where such information can be
3 used for continuous data analysis and program man-
4 agement activities.

5 (b) ENHANCED DOMESTIC CONTENT REQUIRE-
6 MENT.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), for purposes of chapter 83 of title 41,
9 United States Code, manufactured articles, mate-
10 rials, or supplies procured in connection with a
11 major defense acquisition program are manufactured
12 substantially all from articles, materials, or supplies
13 mined, produced, or manufactured in the United
14 States if the cost of such component articles, mate-
15 rials, or supplies—

16 (A) supplied not later than the date of the
17 enactment of this Act, exceeds 60 percent of
18 cost of the manufactured articles, materials, or
19 supplies procured;

20 (B) supplied during the period beginning
21 January 1, 2024, and ending December 31,
22 2028, exceeds 65 percent of the cost of the
23 manufactured articles, materials, or supplies;
24 and

1 (C) supplied on or after January 1, 2029,
2 exceeds 75 percent of the cost of the manufac-
3 tured articles, materials, or supplies.

4 (2) EXCLUSION FOR CERTAIN MANUFACTURED
5 ARTICLES.—Paragraph (1) shall not apply to manu-
6 factured articles that consist wholly or predomi-
7 nantly of iron, steel, or a combination of iron and
8 steel.

9 (3) RULEMAKING TO CREATE A FALLBACK
10 THRESHOLD.—

11 (A) IN GENERAL.—Not later than 180
12 days after the date of the enactment of this
13 Act, the Secretary of Defense shall issue rules
14 to determine the treatment of the lowest price
15 offered for a foreign end product for which 55
16 percent or more of the component articles, ma-
17 terials, or supplies of such foreign end product
18 are manufactured substantially all from articles,
19 materials, or supplies mined, produced, or man-
20 ufactured in the United States if—

21 (i) the application paragraph (1) re-
22 sults in an unreasonable cost; or

23 (ii) no offers are submitted to supply
24 manufactured articles, materials, or sup-
25 plies manufactured substantially all from

1 articles, materials, or supplies mined, pro-
2 duced, or manufactured in the United
3 States.

4 (B) TERMINATION.—Rules issued under
5 this paragraph shall cease to have force or ef-
6 fect on January 1, 2030.

7 (4) APPLICABILITY.—The requirements of this
8 subsection—

9 (A) shall apply to contracts entered into on
10 or after the date of the enactment of this Act;
11 and

12 (B) shall not apply to a country that is a
13 member of the national technology and indus-
14 trial base (as defined by section 4801 of title
15 10, United States Code).

16 (c) MAJOR DEFENSE ACQUISITION PROGRAM DE-
17 FINED.—The term “major defense acquisition program”
18 has the meaning given in section 4201 of title 10, United
19 States Code.

20 **SEC. 808. MISSION-BASED RAPID ACQUISITION ACCOUNT.**

21 (a) ESTABLISHMENT.—There is established in the
22 Department of Defense an account to be known as the
23 “Mission-Based Rapid Acquisition Account” (in this sec-
24 tion referred to as the “Account”) to support the pilot
25 program.

1 (b) USE OF FUNDS.—The Deputy Secretary of De-
2 fense may use the funds in the Account to carry out the
3 pilot program.

4 (c) SEMIANNUAL BRIEFING.—The Deputy Secretary
5 of Defense shall include in each briefing submitted under
6 subsection (f)(1)(A) of section 871 of the National De-
7 fense Authorization Act for Fiscal Year 2022 (Public Law
8 117–81; 135 Stat. 1855; 10 U.S.C. 191 note) after the
9 date of the enactment of this Act a briefing on the use
10 of funds in the Account, including—

11 (1) how the Deputy Secretary of Defense has
12 used such funds to incent new small businesses to
13 enter transactions for prototype projects with the
14 Department;

15 (2) support the rapid transition of the solutions
16 described in subsection (c)(2)(B) of such section 871
17 to warfighters; and

18 (3) whether additional funding flexibility is
19 needed to scale technologies.

20 (d) PILOT PROGRAM DEFINED.—In this section, the
21 term “pilot program” means the pilot program established
22 under section 871 of the National Defense Authorization
23 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
24 1855; 10 U.S.C. 191 note).

1 **Subtitle B—Amendments to Gen-**
2 **eral Contracting Authorities,**
3 **Procedures, and Limitations**

4 **SEC. 811. MEMBERSHIP OF COAST GUARD ON STRATEGIC**
5 **MATERIALS PROTECTION BOARD.**

6 Section 187(a)(2) of title 10, United States Code, is
7 amended by adding at the end the following:

8 “(F) A senior official of the Coast Guard, as
9 designated by the Secretary of the agency or depart-
10 ment in which the Coast Guard operates, only with
11 respect to matters of the Board relating to the Coast
12 Guard.”.

13 **SEC. 812 . COMPTROLLER GENERAL ASSESSMENT OF AC-**
14 **QUISITION PROGRAMS AND EFFORTS.**

15 Section 3072 of title 10, United States Code, is
16 amended—

17 (1) in the section heading, by striking “**initia-**
18 **tives**” and inserting “**efforts**”;

19 (2) in subsection (a)—

20 (A) by striking “initiatives” and inserting
21 “efforts”; and

22 (B) by striking “2023” and inserting
23 “2026”;

24 (3) in subsection (b), by striking “initiatives”
25 each place it appears and inserting “efforts”; and

1 (4) in subsection (c)—

2 (A) in the subsection heading, by striking

3 “INITIATIVES” and inserting “EFFORTS”; and

4 (B) by striking “initiatives” each place it
5 appears and inserting “efforts”.

6 **SEC. 813. SUBCONTRACTING REQUIREMENTS FOR CERTAIN**
7 **CONTRACTS AWARDED TO EDUCATIONAL IN-**
8 **STITUTIONS.**

9 (a) IN GENERAL.—Section 3204 of title 10, United
10 States Code, is amended by adding at the end the fol-
11 lowing new subsection:

12 “(h) SUBCONTRACTING REQUIREMENTS FOR CON-
13 TRACTS AWARDED TO EDUCATIONAL INSTITUTIONS.—

14 “(1) IN GENERAL.—The head of an agency
15 shall require that a contract awarded to an edu-
16 cational institution pursuant to subsection (a)(3)(B)
17 includes a requirement that the educational institu-
18 tion subcontract with one or more minority institu-
19 tions for a total amount of not less than 2 percent
20 of the amount awarded in the contract.

21 “(2) MINORITY INSTITUTION.—In this sub-
22 section, the term ‘minority institution’ means—

23 “(A) a part B institution (as that term is
24 defined in section 322(2) of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1061(2))); or

1 “(B) any other institution of higher edu-
2 cation (as that term is defined in section 101
3 of such Act (20 U.S.C. 1001)) for which not
4 less than 50 percent of the total student enroll-
5 ment consists of students from ethnic groups
6 that are underrepresented in the fields of
7 science and engineering.”.

8 (b) **EFFECTIVE DATE.**—The amendments made by
9 subsection (a) shall—

10 (1) take effect on October 1, 2026; and

11 (2) apply with respect to contracts awarded by
12 the Secretary of Defense on or after such date.

13 **SEC. 814. CLARIFICATION TO FIXED-PRICE INCENTIVE CON-**
14 **TRACT REFERENCES.**

15 (a) **AUTHORITY TO ACQUIRE INNOVATIVE COMMER-**
16 **CIAL PRODUCTS AND COMMERCIAL SERVICES USING**
17 **GENERAL SOLICITATION COMPETITIVE PROCEDURES.**—
18 Section 3458(c)(2) of title 10, United States Code, is
19 amended by striking “fixed-price incentive fee contracts”
20 and inserting “fixed-price incentive contracts”.

21 (b) **CONTRACTOR INCENTIVES TO ACHIEVE SAVINGS**
22 **AND IMPROVE MISSION PERFORMANCE.**—Section 832 of
23 the National Defense Authorization Act for Fiscal Year
24 2017 (Public Law 114–328; 10 U.S.C. 1746 note) is

1 amended by striking “fixed-price incentive fee contracts”
2 and inserting “fixed-price incentive contracts”.

3 **SEC. 815. MODIFICATION TO INDEMNIFICATION AUTHOR-**
4 **ITY FOR RESEARCH AND DEVELOPMENT**
5 **CONTRACTS.**

6 (a) IN GENERAL.—Section 3861 of title 10, United
7 States Code, is amended—

8 (1) in subsection (a), by striking “Secretary of
9 the military department concerned” and inserting
10 “Secretary of Defense”;

11 (2) in subsection (c), by striking “Secretary”
12 and all that follows through “by him,” and inserting
13 “Secretary of Defense”; and

14 (3) in subsection (d), by striking “Secretary
15 concerned” and inserting “Secretary of Defense”.

16 (b) CONFORMING AMENDMENT.—Section 1684 of the
17 National Defense Authorization Act for Fiscal Year 2022
18 (Public Law 117-81; 135 Stat. 2123) is amended by in-
19 serting “or the Secretary of Defense, as applicable,” after
20 “Secretary concerned”.

21 (c) APPLICABILITY.—This section and the amend-
22 ments made by this section shall apply to contracts en-
23 tered into on or after the date of the enactment of this
24 Act.

1 **SEC. 816. COMPETITION REQUIREMENTS FOR PURCHASES**
2 **FROM FEDERAL PRISON INDUSTRIES.**

3 (a) COMPETITION REQUIREMENTS FOR PURCHASES
4 FROM FEDERAL PRISON INDUSTRIES.—Section 3905 of
5 title 10, United States Code, is amended by striking sub-
6 sections (a) and (b) and inserting the following new sec-
7 tions:

8 “(a) MARKET RESEARCH.—Before purchasing a
9 product listed in the latest edition of the Federal Prison
10 Industries catalog published under section 4124(d) of title
11 18, the Secretary of Defense shall conduct market re-
12 search to determine whether such product—

13 “(1) is comparable to products available from
14 the private sector; and

15 “(2) best meets the needs of the Department of
16 Defense in terms of price, quality, and time of deliv-
17 ery.

18 “(b) COMPETITION REQUIREMENT.—If the Secretary
19 determines that a Federal Prison Industries product is not
20 comparable to products available from the private sector
21 and does not best meet the needs of the Department of
22 Defense in terms of price, quality, or time of delivery, the
23 Secretary shall use competitive procedures or make an in-
24 dividual purchase under a multiple award contract for the
25 procurement of the product. In conducting such a competi-

1 tion or making such a purchase, the Secretary shall con-
2 sider a timely offer from Federal Prison Industries.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall take effect on February 1, 2023.

5 **SEC. 817. CLARIFICATION OF AUTHORITY OF THE DEPART-**
6 **MENT OF DEFENSE TO CARRY OUT CERTAIN**
7 **PROTOTYPE PROJECTS.**

8 Subsection (f) of section 4022 of title 10, United
9 States Code, is amended to read as follows:

10 “(f) FOLLOW-ON PRODUCTION CONTRACTS OR
11 TRANSACTIONS.—(1) A transaction entered into under
12 this section for a prototype project shall provide for the
13 award of a follow-on production contract or transaction
14 to the participants in the transaction. A transaction in-
15 cludes all individual prototype subprojects awarded under
16 the transaction to a consortium of United States industry
17 and academic institutions.

18 “(2) A follow-on production contract or transaction
19 provided for in a transaction under paragraph (1) may
20 be awarded to the participants in the transaction without
21 the use of competitive procedures, notwithstanding the re-
22 quirements of chapter 221 of this title and even if explicit
23 notification was not listed within the request for proposal
24 for the transaction if—

1 “(A) competitive procedures were used for the
2 selection of parties for participation in the trans-
3 action; and

4 “(B) the participants in the transaction suc-
5 cessfully completed the prototype project provided
6 for in the transaction.”.

7 **SEC. 818. REQUIREMENTS FOR THE PROCUREMENT OF**
8 **CERTAIN COMPONENTS FOR CERTAIN NAVAL**
9 **VESSELS AND AUXILIARY SHIPS.**

10 (a) REQUIREMENTS FOR THE PROCUREMENT OF
11 CERTAIN COMPONENTS FOR NAVAL VESSELS.—Section
12 4864(a)(2) of title 10, United States Code, is amended
13 by adding at the end the following new subparagraph:

14 “(G) Ship shafts and propulsion system
15 components (including reduction gears and pro-
16 pellers).”.

17 (b) REQUIREMENT THAT CERTAIN AUXILIARY SHIP
18 COMPONENTS BE MANUFACTURED IN THE NATIONAL
19 TECHNOLOGY AND INDUSTRIAL BASE.—

20 (1) TECHNICAL AMENDMENT.—Section 4864 of
21 title 10, United States Code, is amended by redesign-
22 ating subsection (l) (relating to “Implementation of
23 auxiliary ship component limitation”) as subsection
24 (k).

1 (2) COMPONENTS FOR AUXILIARY SHIPS.—
2 Paragraph (3) of section 4864(a) of title 10, United
3 States Code, is amended to read as follows:

4 “(3) COMPONENTS FOR AUXILIARY SHIPS.—
5 Subject to subsection (k), the following components:

6 “(A) Large medium-speed diesel engines.

7 “(B) Propulsion system components, in-
8 cluding reduction gears and propellers.”.

9 (3) IMPLEMENTATION.—Subsection (k) of sec-
10 tion 4864 of title 10, United States Code, as redese-
11 gnated by paragraph (1), is amended to read as fol-
12 lows:

13 “(k) IMPLEMENTATION OF AUXILIARY SHIP COMPO-
14 NENT LIMITATION.—Subsection (a)(3) shall apply only
15 with respect to contracts awarded by a Secretary of a mili-
16 tary department for construction of a new class of auxil-
17 iary ship after the date of the enactment of this Act using
18 funds available for National Defense Sealift Fund pro-
19 grams or Shipbuilding and Conversion, Navy.”.

20 **SEC. 819. MODIFICATION TO PROHIBITION ON OPERATION**
21 **OR PROCUREMENT OF FOREIGN-MADE UN-**
22 **MANNED AIRCRAFT SYSTEMS.**

23 Section 848 of the National Defense Authorization
24 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.
25 4871 note) is amended—

1 (1) by redesignating subsections (b), (c), and
2 (d) as subsections (c), (d), and (e), respectively;

3 (2) by inserting after subsection (a) the fol-
4 lowing new subsection:

5 “(b) PROHIBITION ON CERTAIN CONTRACTS.—The
6 Secretary of Defense may not—

7 “(1) procure or obtain, or extend or renew a
8 contract to procure or obtain any equipment, sys-
9 tem, or service that uses any equipment or service
10 related to unmanned aircraft systems provided by a
11 covered unmanned aircraft system company; or

12 “(2) enter into a contract (or extend or renew
13 a contract) with an entity that uses any equipment,
14 system, or services provided by a covered unmanned
15 aircraft system company.”;

16 (3) in subsection (c) (as so redesignated), by
17 striking “the restriction under subsection (a) if the
18 operation or procurement” and inserting “any re-
19 strictions under subsections (a) or (b) if the oper-
20 ation, procurement, or obtainment”;

21 (4) in subsection (d) (as so redesignated)—

22 (A) by striking “the restriction under sub-
23 section (a)” and inserting “any restrictions
24 under subsections (a) or (b)”;

1 (B) by striking “operation or procure-
2 ment” and inserting “operation, procurement,
3 or obtainment”; and

4 (5) in subsection (e) (as so redesignated), by in-
5 serting the following new paragraph (3):

6 “(3) COVERED UNMANNED AIRCRAFT SYSTEM
7 COMPANIES.—The term ‘covered unmanned aircraft
8 system companies’ means any of the following:

9 “(A) Da-Jiang Innovations (or any sub-
10 sidiary or affiliate of Da-Jiang Innovations).

11 “(B) Any entity that produces or provides
12 unmanned aircraft systems and is included on
13 Consolidated Screening List maintained by the
14 International Trade Administration of the De-
15 partment of Commerce.

16 “(C) Any entity that produces or provides
17 unmanned aircraft systems and—

18 “(i) is domiciled in a covered foreign
19 country; or

20 “(ii) is subject to unmitigated foreign
21 ownership, control or influence by a cov-
22 ered foreign country, as determined by the
23 Secretary of Defense unmitigated foreign
24 ownership, control or influence in accord-
25 ance with the National Industrial Security

1 Program (or any successor to such pro-
2 gram).”.

3 **SEC. 820. EXTENSION OF PILOT PROGRAM TO ACCELERATE**
4 **CONTRACTING AND PRICING PROCESSES.**

5 Section 890 of the John S. McCain National Defense
6 Authorization Act for Fiscal Year 2019 (Public Law 115–
7 232) is amended—

8 (1) in subsection (a)(2), by striking “of” before
9 “chapter 271”; and

10 (2) in subsection (c), by striking “January 2,
11 2023” and inserting “January 2, 2024”.

12 **SEC. 821. EXTENSION AND MODIFICATION OF NEVER CON-**
13 **TRACT WITH THE ENEMY.**

14 Subtitle E of title VIII of the Carl Levin and Howard
15 P. “Buck” McKeon National Defense Authorization Act
16 for Fiscal Year 2015 (Public Law 113–291; 10 U.S.C.
17 4871 note prec.) is amended—

18 (1) in section 841—

19 (A) in subsection (i)(1)—

20 (i) in the matter preceding subpara-
21 graph (A), by striking “2016, 2017, and
22 2018” and inserting “2023, and annually
23 thereafter”; and

24 (ii) by adding at the end the following
25 new subparagraphs:

1 “(C) Specific examples where the authori-
2 ties under this section can not be used to miti-
3 gate national security threats posed by vendors
4 supporting Department operations because of
5 the restriction on using such authorities only
6 with respect to contingency operations.

7 “(D) A description of the policies ensuring
8 that oversight of the use of the authorities in
9 this section is effectively carried out by a single
10 office in the Office of the Under Secretary of
11 Defense for Acquisition and Sustainment.”; and

12 (B) in subsection (n), by striking “Decem-
13 ber 31, 2023” and inserting “December 31,
14 2025”; and

15 (2) in section 842(b)(1), by striking “2016,
16 2017, and 2018” and inserting “2023, 2024, and
17 2025”.

18 **Subtitle C—Provisions Relating to**
19 **Acquisition Workforce**

20 **SEC. 831. KEY EXPERIENCES AND ENHANCED PAY AUTHOR-**
21 **ITY FOR ACQUISITION WORKFORCE EXCEL-**
22 **LENCE.**

23 (a) PARTICIPATION IN THE PUBLIC-PRIVATE TALENT
24 EXCHANGE PROGRAM.—

1 (1) IN GENERAL.—Section 1701a(b) of title 10,
2 United States Code, is amended—

3 (A) in paragraph (9)(C), by striking “and”
4 at the end;

5 (B) in paragraph (10), by striking the pe-
6 riod at the end and inserting “; and”; and

7 (C) by adding at the end the following new
8 paragraph:

9 “(11) ensure participation in the public-private
10 talent exchange program established under section
11 1599g of this title—

12 “(A) for a total of 100 members of the ac-
13 quisition workforce in fiscal year 2024;

14 “(B) for a total of 500 such members in
15 fiscal year 2025; and

16 “(C) for a total of 1,000 such members in
17 fiscal year 2026 and each fiscal year there-
18 after.”.

19 (2) TECHNICAL AMENDMENT.—Section
20 1701a(b)(2) of title 10, United States Code, is fur-
21 ther amended by striking “as defined” and all that
22 follows through “this title” and inserting “as defined
23 in section 3001 of this title”.

24 (b) ENHANCED PAY AUTHORITY FOR POSITIONS IN
25 DEPARTMENT OF DEFENSE FIELD ACTIVITIES AND DE-

1 FENSE AGENCIES.—Section 1701b(e)(2) of title 10,
2 United States Code, is amended to read as follows:

3 “(2) NUMBER OF POSITIONS.—The authority in
4 subsection (a) may not be used at any one time with
5 respect to—

6 “(A) more than five positions, in total, in
7 Department of Defense Field Activities and De-
8 fense Agencies;

9 “(B) more than five positions in the Office
10 of the Secretary of Defense; and

11 “(C) more than five positions in each mili-
12 tary department.”.

13 (c) REPORT REQUIREMENTS.—

14 (1) REPORT ON PUBLIC-PRIVATE TALENT EX-
15 CHANGES.—Section 1599g of title 10, United States
16 Code, is amended by adding at the end the following
17 new subsection:

18 “(k) REPORT.—Each member of the acquisition
19 workforce that participates in the program established
20 under this section shall, upon completion of such partici-
21 pation, submit to the President of the Defense Acquisition
22 University for inclusion in the report required under sec-
23 tion 1746a(e) a description and evaluation of such partici-
24 pation.”.

1 (2) REPORT ON ACQUISITION WORKFORCE EDU-
2 CATIONAL PARTNERSHIPS.—Section 1746a(e) of title
3 10, United States Code, is amended by striking
4 “and the congressional defense committees” and in-
5 serting “, the congressional defense committees, the
6 Committee on Oversight and Reform of the House
7 of Representatives, and the Committee on Homeland
8 Security and Government Affairs of the Senate”.

9 **SEC. 832. DEFENSE ACQUISITION UNIVERSITY REFORMS.**

10 (a) IN GENERAL.—Section 1746 of title 10, United
11 States Code, is amended—

12 (1) in subsection (b)—

13 (A) by amending paragraph (2) to read as
14 follows:

15 “(2) The Secretary of Defense shall ensure the de-
16 fense acquisition university structure includes relevant ex-
17 pert lecturers from extramural institutions (as defined in
18 section 1746a(g) of this title), industry, or federally fund-
19 ed research and development centers to advance acquisi-
20 tion workforce competence regarding commercial business
21 interests, acquisition process-related innovations, and
22 other relevant leading practices of the private sector.”;

23 (B) by striking paragraph (3); and

24 (C) by redesignating paragraphs (4) and

25 (5) as paragraphs (3) and (4), respectively;

1 (2) in subsection (e), by striking “commercial
2 training providers” and inserting “extramural insti-
3 tutions (as defined in section 1746a(g) of this
4 title)”; and

5 (3) by adding at the end the following new sub-
6 section:

7 “(e) PRESIDENT APPOINTMENT.—(1) The Under
8 Secretary of Defense for Acquisition and Sustainment
9 shall appoint the President of the Defense Acquisition
10 University.

11 “(2) When determining who to appoint under para-
12 graph (1), the Under Secretary of Defense for Acquisition
13 and Sustainment shall, in consultation with the Under
14 Secretary of Defense for Research and Engineering and
15 the service acquisition executives, consider only highly
16 qualified candidates who have—

17 “(A) demonstrated leadership abilities;

18 “(B) experience using leading practices to de-
19 velop talent in the private sector; and

20 “(C) other qualifying factors, including experi-
21 ence with and an understanding of the defense ac-
22 quisition system (as defined in section 3001 of this
23 title), an understanding of emerging technologies
24 and the defense applications of such technologies,
25 experience partnering with States, national associa-

1 tions, and academia, and experience with learning
2 technologies.

3 “(3) The term of the President of the Defense Acqui-
4 sition University shall be not more than five years. The
5 preceding sentence does not apply to the President of the
6 Defense Acquisition University serving on January 1,
7 2022.”.

8 (b) IMPLEMENTATION REPORT.—Not later than
9 March 1, 2023, the Secretary of Defense shall submit to
10 the congressional defense committees a plan to modify the
11 defense acquisition university structure to comply with
12 section 1746(b)(2) of title 10, United States Code, as
13 amended by subsection (a). Such plan shall establish a
14 date of not later than March 1, 2026, for such modifica-
15 tion to be completed.

16 **SEC. 833. MODIFICATIONS TO DEFENSE CIVILIAN TRAINING**
17 **CORPS.**

18 Section 2200g of title 10, United States Code, is
19 amended—

20 (1) by striking “For the purposes of” and all
21 that follows through “establish and maintain” and
22 inserting the following: “The Secretary of Defense,
23 acting through the Under Secretary for Defense for
24 Acquisition and Sustainment, shall establish and
25 maintain”;

1 (2) by designating the text of such section, as
2 amended by paragraph (1), as subsection (a); and

3 (3) by adding at the end the following new sub-
4 sections:

5 “(b) PURPOSE.—The purpose of the Defense Civilian
6 Training Corps is to target critical skills gaps necessary
7 to achieve the objectives of each national defense strategy
8 required by section 113(g) of this title and each national
9 security strategy required by section 108 of the National
10 Security Act of 1947 (50 U.S.C. 3043) by preparing stu-
11 dents selected for the Defense Civilian Training Corps for
12 Department of Defense careers relating to acquisition,
13 digital technologies, critical technologies, science, engi-
14 neering, finance, and other civilian occupations deter-
15 mined by the Secretary of Defense.

16 “(c) USE OF RESOURCES AND PROGRAMS.—The
17 Under Secretary of Defense for Acquisition and
18 Sustainment shall use the resources and programs of the
19 acquisition research organization within a civilian college
20 or university that is described under section 4142(a) of
21 this title (commonly referred to as the ‘Acquisition Innova-
22 tion Research Center’) to carry out the requirements of
23 this chapter.

24 “(d) CONSULTATION.—In planning and imple-
25 menting the Defense Civilian Training Corps program, the

1 Under Secretary of Defense for Acquisition and
2 Sustainment shall consult with the following:

3 “(1) The Under Secretary of Defense for Re-
4 search and Engineering, including the Director of
5 the Defense Innovation Unit and the Strategic En-
6 gagements Director of the National Security Innova-
7 tion Network.

8 “(2) The Chief Digital and Artificial Intel-
9 ligence Officer (as established by the memorandum
10 of the Deputy Secretary of Defense titled ‘Establish-
11 ment of the Chief Digital and Artificial Intelligence
12 Officer’ issued on December 8, 2021).

13 “(3) The Chief Information Officer of the De-
14 partment of Defense.

15 “(4) The Under Secretary of Defense for Per-
16 sonnel and Readiness.

17 “(5) The Secretaries of the military depart-
18 ments.

19 “(6) The Superintendents of the Service Acad-
20 emies (as defined in section 347 of this title).

21 “(7) The Commanding General, U.S. Army
22 Cadet Command.

23 “(8) The Commander, Jeanne M. Holm Center
24 for Officer Accessions and Citizen Development.

1 “(9) The Commander, Naval Service Training
2 Command.”.

3 **SEC. 834. REPEAL OF CERTAIN PROVISIONS RELATING TO**
4 **ACQUISITION WORKFORCE INCENTIVES.**

5 (a) EXCHANGE PROGRAM FOR ACQUISITION WORK-
6 FORCE EMPLOYEES.—Section 884 of the National De-
7 fense Authorization Act for Fiscal Year 2019 (Public Law
8 115–232; 132 Stat. 1915; 10 U.S.C. 1701 note) is re-
9 pealed.

10 (b) PILOT PROGRAM ON TEMPORARY EXCHANGE OF
11 FINANCIAL MANAGEMENT AND ACQUISITION PER-
12 SONNEL.—Section 1110 of the National Defense Author-
13 ization Act for Fiscal Year 2016 (10 U.S.C. 1701 note)
14 is repealed.

15 (c) FLEXIBILITY IN CONTRACTING AWARD PRO-
16 GRAM.—Section 834 of the National Defense Authoriza-
17 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
18 Stat. 2285; 10 U.S.C. 1701a note) is repealed.

19 **SEC. 835. ACQUISITION WORKFORCE INCENTIVES RELAT-**
20 **ING TO TRAINING ON AND AGREEMENTS**
21 **WITH CERTAIN SOFTWARE BUSINESSES.**

22 (a) TRAINING.—

23 (1) CURRICULA.—Not later than one year after
24 the date of the enactment of this Act, the head of
25 the Acquisition Innovation Research Center shall de-

1 develop one or more curricula for members of the ac-
2 quisition workforce on financing and operations of
3 start-up businesses, with a focus on covered start-up
4 businesses.

5 (2) ELEMENTS.—Courses under curricula devel-
6 oped under paragraph (1) shall be offered with vary-
7 ing course lengths and level of study.

8 (3) INCENTIVES.—The Secretary of Defense
9 shall develop a program to offer incentives to a
10 member of the acquisition workforce that completes
11 a curriculum developed under paragraph (1).

12 (4) ADDITIONAL TRAINING MATERIALS.—In de-
13 veloping curricula required under paragraph (1), the
14 head of the Acquisition Innovation Research Center
15 shall consider and incorporate appropriate training
16 materials from curricula in business, law, or public
17 policy.

18 (b) EXCHANGES.—

19 (1) IN GENERAL.—The Secretary of Defense
20 shall establish a pilot program under which the Sec-
21 retary shall, in accordance with section 1599g of
22 title 10, United States Code, arrange for the tem-
23 porary assignment of one or more members of the
24 acquisition workforce to a covered start-up business,

1 or from a covered start-up business to an office of
2 the Department of Defense.

3 (2) PRIORITY.—The Secretary shall prioritize
4 for participation in the pilot program established
5 under this subsection members of the acquisition
6 workforce who have completed a curricula required
7 under paragraph (1).

8 (3) TERMINATION.—The Secretary may not
9 carry out the pilot program authorized by this sub-
10 section after the date that is three years after the
11 date of the enactment of this Act.

12 (c) CONFERENCES.—

13 (1) IN GENERAL.—The Secretary of Defense
14 shall organize a conference, to take place not less
15 frequently than biannually, to facilitate discussion
16 between participants listed in subsection (b) on the
17 following:

18 (A) Best practices relating to acquisition of
19 software.

20 (B) Methods of effective collaboration be-
21 tween such participants.

22 (2) PARTICIPANTS.—Participants in a con-
23 ference organized under paragraph (1) may include
24 the following:

25 (A) Members of the acquisition workforce.

1 (B) Employees of and investors in covered
2 start-up businesses.

3 (d) PILOT PROGRAM.—

4 (1) ESTABLISHMENT.—Not later than 18
5 months after the date of the enactment of this Act,
6 the Secretary of Defense shall establish a pilot pro-
7 gram to test the feasibility of unique approaches to
8 negotiating and establishing software data rights in
9 agreements for the procurement of software.

10 (2) AUTHORITY.—To the maximum extent
11 practicable, the Secretary shall—

12 (A) ensure that a member of the acquisi-
13 tion workforce who has completed a curricula
14 required under subsection (a) is able to exercise
15 authority to apply an approach described in
16 paragraph (1); and

17 (B) provide incentives to such member to
18 exercise such authority.

19 (3) ELEMENTS.—An agreement described in
20 paragraph (1) shall include the following:

21 (A) Flexible requirements relating to the
22 acquisition or licensing of intellectual property
23 based on the software to be acquired under the
24 agreement.

1 (B) An identification and definition of the
2 technical interoperability standards required for
3 such software.

4 (C) Flexible mechanisms for delivery of
5 code for such software, where each such mecha-
6 nism includes documentation of the costs and
7 benefits of such mechanism.

8 (4) PARAMETERS.—The United States shall
9 seek to avoid asserting unlimited rights or govern-
10 ment purpose rights to software acquired under an
11 agreement entered into pursuant to the pilot pro-
12 gram established under this section.

13 (5) TERMINATION.—The Secretary may not
14 carry out the pilot program authorized by this sub-
15 section after the date that is 5 years after the date
16 of the enactment of this Act.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “Acquisition Innovation Research
19 Center” means the acquisition research organization
20 within a civilian college or university that is de-
21 scribed under section 4142(a) of title 10, United
22 States Code.

23 (2) The term “acquisition workforce” has the
24 meaning given in section 101 of title 10, United
25 States Code.

1 (3) The term “covered start-up businesses”
2 means a start-up business that is a party to, or is
3 seeking to enter into, an agreement with the Depart-
4 ment of Defense, the products and services of which
5 include software as a substantial component of the
6 offer for such agreement.

7 (4) The term “start-up business” means a busi-
8 ness that is not publicly traded and that has not
9 been acquired by a prime contractor.

10 **Subtitle D—Provisions Relating to** 11 **Software and Technology**

12 **SEC. 841. PRIZES FOR ADVANCED TECHNOLOGY ACHIEVE-** 13 **MENTS.**

14 Section 4025 of title 10, United States Code, is
15 amended—

16 (1) in subsection (a)—

17 (A) by striking “that have” and inserting
18 “that—”

19 “(1) have”;

20 (B) by striking “Defense.” and inserting
21 “Defense; or”; and

22 (C) by adding at the end the following new
23 paragraph:

24 “(2) demonstrate management practices that
25 improve the schedule or performance, reduce the

1 costs, or otherwise support the transition of tech-
2 nology into acquisition programs or operational
3 use.”;

4 (2) in subsection (b), by striking “of research
5 results, technology developments, and prototypes”;

6 (3) in subsection (d), by striking “to acquire,
7 support, or stimulate basic, advanced and applied re-
8 search, technology development, or prototype
9 projects”;

10 (4) in subsection (f), by striking “section 2304”
11 and inserting “chapter 221”; and

12 (5) in subsection (g)(2)—

13 (A) by redesignating subparagraphs (B)
14 and (C) as subparagraphs (D) and (E), respec-
15 tively; and

16 (B) by inserting after subparagraph (A)
17 the following new subparagraphs:

18 “(B) if applicable, a summary of the man-
19 agement practice that contributed to an im-
20 provement to schedule or performance or a re-
21 duction in cost relating to the transition of
22 technology;

23 “(C) an identification of any program exec-
24 utive officer (as defined in section 1737 of this
25 title) responsible for implementation or over-

1 sight of research results, technology develop-
2 ment, prototype development, or management
3 practices (as applicable) for which an award
4 was made under this section, and a brief sum-
5 mary of lessons learned by such program execu-
6 tive officer in carrying out such implementation
7 or oversight;”.

8 **SEC. 842. CONGRESSIONAL NOTIFICATION FOR PILOT PRO-**
9 **GRAM TO ACCELERATE THE PROCUREMENT**
10 **AND FIELDING OF INNOVATIVE TECH-**
11 **NOLOGIES.**

12 Section 834 of the National Defense Authorization
13 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
14 1835; 10 U.S.C. 4061 note) is amended—

15 (1) by redesignating subsection (f) as sub-
16 section (g); and

17 (2) by inserting after subsection (e) the fol-
18 lowing new subsection:

19 “(f) CONGRESSIONAL NOTIFICATION.—The Sec-
20 retary of Defense shall notify congressional defense com-
21 mittees within 30 days after funding has been provided
22 for a proposal selected for an award under the pilot pro-
23 gram established under this section.”.

1 **SEC. 843. CURRICULA ON SOFTWARE ACQUISITIONS AND**
2 **CYBERSECURITY SOFTWARE OR HARDWARE**
3 **ACQUISITIONS FOR COVERED INDIVIDUALS.**

4 (a) CURRICULA.—The President of the Defense Ac-
5 quisition University, shall develop training curricula re-
6 lated to software acquisitions and cybersecurity software
7 or hardware acquisitions and offer such curricula to cov-
8 ered individuals to increase digital literacy related to such
9 acquisitions by developing the ability of such covered indi-
10 viduals to use technology to identify, critically evaluate,
11 and synthesize data and information related to such acqui-
12 sitions.

13 (b) ELEMENTS.—Curricula developed pursuant to
14 subsection (a) shall provide information on—

15 (1) cybersecurity, information technology sys-
16 tems, computer networks, cloud computing, artificial
17 intelligence, machine learning, and quantum tech-
18 nologies;

19 (2) cybersecurity threats and capabilities;

20 (3) operational efforts of United States Cyber
21 Command to combat cyber threats;

22 (4) mission requirements and current
23 capabilities and systems of United States Cyber
24 Command;

25 (5) activities that encompass the full range of
26 threat reduction, vulnerability reduction, deterrence,

1 incident response, resiliency, and recovery policies
2 and activities, including activities relating to com-
3 puter network operations, information assurance,
4 military missions, and intelligence missions to the
5 extent such activities relate to the security and sta-
6 bility of cyberspace; and

7 (6) the industry best practices relating to soft-
8 ware acquisitions and cybersecurity software or
9 hardware acquisitions.

10 (c) PLAN.—Not later than 180 days after enactment
11 of this Act, the Secretary of Defense, in consultation with
12 the President of the Defense Acquisition University, shall
13 submit to Congress a comprehensive plan to implement
14 the curricula developed under subsection (a). Such plan
15 shall include a list of resources required for and costs asso-
16 ciated with such implementation, including—

- 17 (1) curriculum development;
18 (2) hiring instructors to teach the curriculum;
19 (3) facilities; or
20 (4) website development.

21 (d) IMPLEMENTATION.—Not later than one year
22 after the date on which the plan described in subsection
23 (d) is submitted to Congress, the President of the Defense
24 Acquisition University shall offer the curricula developed
25 under subsection (a) to covered individuals.

1 (e) REPORT.—Not later than one year after the date
2 on which the plan described in subsection (d) is submitted
3 to Congress, Secretary of Defense, in consultation with the
4 President of the Defense Acquisition University, shall sub-
5 mit to Congress a report assessing the costs and benefits
6 of requiring all covered individuals to complete the cur-
7 ricula developed under subsection (a).

8 (f) COVERED INDIVIDUALS DEFINED.—In this sec-
9 tion, the term “covered individuals” means—

10 (1) a contracting officer of the Department of
11 Defense with responsibilities are related to software
12 acquisitions or cybersecurity software or hardware
13 acquisitions; or

14 (2) a individual serving in a position designated
15 under section 1721(b) of title 10, United States
16 Code, who is regularly consulted for software acqui-
17 sitions or cybersecurity software or hardware acqui-
18 sitions.

19 **SEC. 844. REPORT ON COVERED SOFTWARE DEVELOP-**
20 **MENT.**

21 (a) REPORT.—Not later than one year after the date
22 of the enactment of this Act, and annually thereafter
23 through December 31, 2028, the Under Secretary of De-
24 fense for Acquisition and Sustainment, in consultation
25 with the Chief Information Officer of the Department of

1 Defense and the Chief Digital and Artificial Intelligence
2 Officer, shall submit to the congressional defense commit-
3 tees a report on the following:

4 (1) A description of covered software delivered
5 during the fiscal year preceding the date of the re-
6 port that is being developed using iterative develop-
7 ment, including a description of the capabilities de-
8 livered for operational use.

9 (2) For such covered software not developed
10 using iterative development, an explanation for not
11 using iterative development and a description of the
12 development method used.

13 (3) For each such covered software being devel-
14 oped using iterative development, the frequency with
15 which capabilities of such covered software were de-
16 livered, disaggregated as follows:

17 (A) Covered software for which capabilities
18 were delivered during period of less than three
19 months.

20 (B) Covered software for which capabilities
21 were delivered during period of more than three
22 months and less than six months.

23 (C) Covered software for which capabilities
24 were delivered during period of more than six
25 months and less than nine months.

1 (D) Covered software for which capabilities
2 were delivered during period of more than nine
3 months and less than 12 months.

4 (4) With respect to covered software described
5 in paragraph (2) for which capabilities of such cov-
6 ered software were not delivered in fewer than 12
7 months, an explanation of why such delivery was not
8 possible.

9 (b) DEFINITIONS.—In this section:

10 (1) The term “Chief Digital and Artificial Intel-
11 ligence Officer” means—

12 (A) the official designated as the Chief
13 Digital and Artificial Intelligence Officer of the
14 Department of Defense pursuant to the memo-
15 randum of the Secretary of Defense titled “Es-
16 tablishment of the Chief Digital and Artificial
17 Intelligence Officer” dated December 8, 2021;
18 or

19 (B) if there is no official designated as
20 such Officer, the official within the Office of the
21 Secretary of Defense with primary responsi-
22 bility for digital and artificial intelligence mat-
23 ters.

24 (2) The term “covered software” means soft-
25 ware that is being developed that—

1 (A) was acquired using a software acquisi-
2 tion pathway established under section 800 of
3 the National Defense Authorization Act for Fis-
4 cal Year 2020 (Public Law 116–92);

5 (B) is a covered defense business system,
6 as defined in section 2222(i) of title 10, United
7 States Code;

8 (C) is a major defense acquisition pro-
9 gram, as defined in section 4201 of such title;
10 or

11 (D) is a major system, as defined in sec-
12 tion 3041 of such title.

13 (3) The term “iterative development” has the
14 meaning given the term “agile or iterative develop-
15 ment” in section 891 of the National Defense Au-
16 thorization Act for Fiscal Year 2018 (Public Law
17 115–91; 131 Stat. 1509; 10 U.S.C. 1746 note).

18 **Subtitle E—Industrial Base Matters**

19 **SEC. 851. RECOGNITION OF AN ASSOCIATION OF ELIGIBLE** 20 **ENTITIES THAT PROVIDE PROCUREMENT** 21 **TECHNICAL ASSISTANCE.**

22 (a) REGULATIONS.—Section 4953 of title 10, United
23 States Code, is amended by inserting “, and shall consult
24 with an association recognized under section 4954(f) re-

1 regarding any revisions to such regulations” before the pe-
2 riod at the end.

3 (b) COOPERATIVE AGREEMENTS.—Section 4954 of
4 title 10, United States Code, is amended by adding at the
5 end the following new subsections:

6 “(f) ASSOCIATION RECOGNITION AND DUTIES.—Eli-
7 gible entities that provide procurement technical assist-
8 ance pursuant to this chapter may form an association to
9 pursue matters of common concern. If more than a major-
10 ity of such eligible entities are members of such an asso-
11 ciation, the Secretary shall—

12 “(1) recognize the existence and activities of
13 such an association; and

14 “(2) jointly develop with such association a
15 model cooperative agreement that may be used at
16 the option of the Secretary and an eligible entity.”.

17 (c) FUNDING.—Section 4955(a)(1) of title 10, United
18 States Code, is amended by striking “\$1,000,000” and in-
19 serting “\$1,500,000”.

20 (d) ADMINISTRATIVE AND OTHER LOGISTICAL
21 COSTS.—Section 4961 of title 10, United States Code, is
22 amended—

23 (1) in the matter preceding paragraph (1), by
24 striking “Director of the Defense Logistics Agency”
25 and inserting “Secretary”;

1 (2) in paragraph (1), by striking “three” and
2 inserting “four”; and

3 (3) in paragraph (2)—

4 (A) in the matter preceding subparagraph
5 (A)—

6 (i) by striking “Director” and insert-
7 ing “Secretary”; and

8 (ii) by striking “entities —” and in-
9 serting “entities—”; and

10 (B) in subparagraph (A), by inserting “,
11 including meetings of an association recognized
12 under section 4954(f),” after “meetings”.

13 **SEC. 852. UPDATE TO PLAN ON REDUCTION OF RELIANCE**
14 **ON SERVICES, SUPPLIES, OR MATERIALS**
15 **FROM COVERED COUNTRIES.**

16 Section 847 of the National Defense Authorization
17 Act for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
18 1843; 10 U.S.C. 4811 note) is amended—

19 (1) in subsection (b), by adding at the end the
20 following: “The report shall—

21 “(1) identify the services, supplies, or materials
22 described in subsection (a) that are necessary to
23 meet critical defense requirements in the event of a
24 crisis or conflict;

1 “(2) assess the priority of such services, sup-
2 plies, and materials; and

3 “(3) provide options for reducing the reliance of
4 the United States on services, supplies, or materials
5 obtained from sources located in geographic areas
6 controlled by covered countries.”;

7 (2) by redesignating subsection (c) as sub-
8 section (e); and

9 (3) by inserting after subsection (b) the fol-
10 lowing new subsections:

11 “(c) BIENNIAL REVIEW.—

12 “(1) IN GENERAL.—Not later than two years
13 after the date on which the Secretary of Defense
14 submits the report under subsection (b), and every
15 two years thereafter, the Secretary shall review and
16 update the plan required under subsection (a) to en-
17 sure that the plan continues to accomplish the goals
18 described in such subsection.

19 “(2) REPORT.—

20 “(A) IN GENERAL.—Not later than 90
21 days after the Secretary of Defense completes a
22 review under paragraph (1), the Secretary shall
23 submit to the congressional defense committees
24 a report on such review, including—

1 “(i) a description of the steps taken to
2 implement the plan required under sub-
3 section (a);

4 “(ii) a description of, and explanation
5 for, any updates made to such plan under
6 paragraph (1); and

7 “(iii) an updated assessment of the
8 priority of the services, supplies, or mate-
9 rials described in subsection (a) that are
10 necessary to meet critical defense require-
11 ments in the event of a crisis or conflict.

12 “(B) SUNSET.—This paragraph shall ter-
13 minate on the date that is six years after the
14 date on which the Secretary submits the first
15 report required under subparagraph (A).

16 “(d) REPORT FORM.—The reports required under
17 subsection (b) and (c)(2) shall be submitted in an unclassi-
18 fied form, but may contain a classified annex.”.

19 **SEC. 853. MODIFICATION TO PROHIBITION ON CERTAIN**
20 **PROCUREMENTS FROM THE XINJIANG**
21 **UYGHUR AUTONOMOUS REGION.**

22 Section 848(a) of the National Defense Authorization
23 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
24 4651 note prec.; 135 Stat. 1843) is amended by striking
25 “for fiscal year 2022”.

1 **SEC. 854. CODIFICATION OF THE DEPARTMENT OF DE-**
2 **FENSE MENTOR-PROTEGE PROGRAM.**

3 (a) IN GENERAL.—Section 831 of the National De-
4 fense Authorization Act for Fiscal Year 1991 (10 U.S.C.
5 4901 note prec.) is transferred to subchapter I of chapter
6 387 of title 10, United States Code, inserted after section
7 4901, and redesignated as section 4902.

8 (b) AMENDMENTS.—Section 4902 of title 10, United
9 States Code, as so transferred and redesignated, is amend-
10 ed—

11 (1) in the heading, by striking “**MENTOR-PRO-**
12 **TEGE PILOT**” and inserting “**DEPARTMENT OF**
13 **DEFENSE MENTOR-PROTEGE**”;

14 (2) in subsections (a) and (c), by striking the
15 term “pilot” each place it appears;

16 (3) in subsection (d)(1)(B)(iii)—

17 (A) in subclause (I), by striking
18 “\$100,000,000” and inserting “\$25,000,000”;
19 and

20 (B) in subclause (II), by striking “sub-
21 section (k)” and inserting “subsection (j)”;

22 (4) in subsection (e)(2), by striking “two years”
23 each place it appears and inserting “three years”;

24 (5) in subsection (f)(1)(B), by inserting “manu-
25 facturing, test and evaluation,” after “inventory con-
26 trol,”;

1 (6) in subsection (g)(3)(C), by striking “sub-
2 section (k)” and inserting “subsection (j)”;

3 (7) by striking subsection (j);

4 (8) by redesignating subsections (k) through
5 (n) as subsections (j) through (m), respectively;

6 (9) in subsection (j), as so redesignated—

7 (A) by striking the term “pilot” each place
8 it appears;

9 (B) by striking “by which mentor firms”
10 and inserting “by which the parties”; and

11 (C) by striking “The Secretary shall pub-
12 lish” and all that follows through “270 days
13 after the date of the enactment of this Act.”;

14 (10) in subsection (l), as so redesignated, by
15 striking “subsection (l)” and inserting “subsection
16 (k)”;

17 (11) by amending subsection (m), as so redesi-
18 gnated, to read as follows:

19 “(m) TRANSITION REPORT.—Not later than July 1,
20 2023, the Secretary of Defense shall submit to the con-
21 gressional defense committees a report on the implementa-
22 tion of the amendments to the Mentor-Protege Program
23 made in the National Defense Authorization Act for Fiscal
24 Year 2023, including the efforts made to establish per-
25 formance goals and outcome-based metrics and an evalua-

1 tion of whether the Mentor-Protege Program is achieving
2 such performance goals and outcome-based metrics.”; and

3 (12) by inserting after subsection (m), as so re-
4 designated, the following new subsection:

5 “(n) PROTEGE TECHNICAL REIMBURSEMENT PILOT
6 PROGRAM.—

7 “(1) IN GENERAL.—Not later than July 1,
8 2023, the Director of the Office of Small Business
9 Programs of the Department of Defense shall estab-
10 lish a pilot program under which a protege firm may
11 receive up to 25 percent of the reimbursement for
12 which the mentor firm of such protege firm is eligi-
13 ble under the Mentor-Protege Program for engineer-
14 ing, software development, or manufacturing
15 customization that the protege firm must perform
16 for a technology solution of the protege firm to be
17 ready for integration with programs or systems of
18 the Department of Defense.

19 “(2) TERMINATION.—The pilot program estab-
20 lished under paragraph (1) shall terminate on the
21 date that is five years after the date on which the
22 pilot program is established.”.

23 (c) CLERICAL AMENDMENT.—The table of sections
24 for subchapter I of chapter 387 of title 10, United States

1 Code, is amended by adding at the end the following new
2 item:

“4902. Department of Defense Mentor–Protege Program.”.

3 (d) CONFORMING AMENDMENT.—

4 (1) BUY INDIAN ACT.—Section 23(a)(2) of the
5 Act of June 25, 1910 (commonly known as the
6 “Buy Indian Act”) (36 Stat. 861, 25 U.S.C.
7 47(a)(2)) is amended by striking “section 831(c) of
8 the National Defense Authorization Act for Fiscal
9 Year 1991 (10 U.S.C. 2302 note; Public Law 101–
10 510)” and inserting “section 4902(c) of title 10,
11 United States Code”.

12 (2) SMALL BUSINESS ACT.—Section 8(d)(12) of
13 the Small Business Act (15 U.S.C. 637(d)(12)) is
14 amended—

15 (A) by striking “the pilot Mentor-Protege
16 Program established pursuant to section 831 of
17 the National Defense Authorization Act for Fis-
18 cal Year 1991 (Public Law 101–510; 10 U.S.C.
19 2301 note)” and inserting “the Mentor-Protege
20 Program established under section 4902 of title
21 10, United States Code,”; and

22 (B) by striking “subsection (g)” and in-
23 serting “subsection (f)”.

24 (e) REGULATIONS.—Not later than December 31,
25 2023, the Secretary of Defense shall issue regulations for

1 carrying out section 4902 of title 10, United States Code,
2 as amended by this section.

3 (f) AGREEMENTS UNDER PILOT PROGRAM.—The
4 amendments made by this section shall not apply with re-
5 spect to any agreement entered into under the program
6 as established under section 831 of the National Defense
7 Authorization Act for Fiscal Year 1991 (Public Law 101–
8 510; 104 Stat. 1607) prior to the date of the enactment
9 of this Act.

10 **SEC. 855. MICROLOAN PROGRAM; DEFINITIONS.**

11 Paragraph (11) of section 7(m) of the Small Business
12 Act (15 U.S.C. 636(m)(11)) is amended—

13 (1) in clause (ii) of subparagraph (C), by strik-
14 ing “rural” and all that follows to the end of the
15 clause and inserting “rural;”;

16 (2) in subparagraph (D), by striking the period
17 at the end and inserting “; and”; and

18 (3) by adding at the end the following new sub-
19 paragraph:

20 “(E) the term ‘State’ means each of the
21 several States, the District of Columbia, the
22 Commonwealth of Puerto Rico, the Virgin Is-
23 lands of the United States, Guam, the Com-
24 monwealth of the Northern Mariana Islands,
25 and American Samoa.”.

1 **SEC. 856. SMALL BUSINESS INNOVATION PROGRAM EXTEN-**
2 **SION.**

3 Section 9 of the Small Business Act (15 U.S.C. 638)
4 is amended by striking “2022” each place it appears and
5 inserting “2024”.

6 **SEC. 857. PROHIBITION ON COVERED AIRPORT CONTRACTS**
7 **WITH CERTAIN ENTITIES.**

8 (a) IN GENERAL.—The Secretary of Defense may not
9 award a contract for the procurement of infrastructure or
10 equipment for a passenger boarding bridge at a covered
11 airport to a covered contractor.

12 (b) DEFINITIONS.—In this section:

13 (1) The term “covered airport” means a mili-
14 tary airport designated by the Secretary of Trans-
15 portation under section 47118(a) of title 49, United
16 States Code.

17 (2) The term “covered contractor” means a
18 contractor of the Department of Defense—

19 (A) that—

20 (i) is owned, directed, or subsidized by
21 the People’s Republic of China; and

22 (ii) has been determined by a Federal
23 court to have misappropriated intellectual
24 property or trade secrets from an entity
25 organized under the laws of the United

1 States or any jurisdiction within the
2 United States; and

3 (B) that—

4 (i) owns or controls, is owned or con-
5 trolled by, is under common ownership or
6 control with, or is a successor to an entity
7 described in subparagraph (A); or

8 (ii) has entered into an agreement,
9 partnership, or other contractual arrange-
10 ment with such an entity; or

11 (iii) has accepted funding (regardless
12 of whether such funding is in the form of
13 minority investment interest or debt) from
14 such an entity.

15 **SEC. 858. RISK MANAGEMENT FOR DEPARTMENT OF DE-**
16 **FENSE SUPPLY CHAINS.**

17 (a) RISK MANAGEMENT FOR ALL DEPARTMENT OF
18 DEFENSE SUPPLY CHAINS.—Not later than 180 days
19 after the date of the enactment of this Act, the Under
20 Secretary of Defense for Acquisition and Sustainment
21 shall—

22 (1) develop and issue implementing guidance
23 for risk management for Department of Defense
24 supply chains for materiel for the Department, in-
25 cluding pharmaceuticals;

1 (2) identify, in coordination with the Commis-
2 sioner of Food and Drugs, supply chain information
3 gaps regarding reliance on foreign suppliers of
4 drugs, including active pharmaceutical ingredients
5 and final drug products; and

6 (3) submit to Congress a report regarding—

7 (A) existing information streams, if any,
8 that may be used to assess the reliance by the
9 Department of Defense on high-risk foreign
10 suppliers of drugs;

11 (B) vulnerabilities in the drug supply
12 chains of the Department of Defense; and

13 (C) any recommendations to address—

14 (i) information gaps identified under
15 paragraph (2); and

16 (ii) any risks related to such reliance
17 on foreign suppliers.

18 (b) RISK MANAGEMENT FOR DEPARTMENT OF DE-
19 FENSE PHARMACEUTICAL SUPPLY CHAIN.—The Director
20 of the Defense Health Agency shall—

21 (1) not later than one year after the issuance
22 of the guidance required by subsection (a)(1), de-
23 velop and publish implementing guidance for risk
24 management for the Department of Defense supply
25 chain for pharmaceuticals; and

1 (2) establish a working group—

2 (A) to assess risks to the pharmaceutical
3 supply chain;

4 (B) to identify the pharmaceuticals most
5 critical to beneficiary care at military treatment
6 facilities; and

7 (C) to establish policies for allocating
8 scarce pharmaceutical resources in case of a
9 supply disruption.

10 (c) RESPONSIVENESS TESTING OF DEFENSE LOGIS-
11 TICS AGENCY PHARMACEUTICAL CONTRACTS.—The Di-
12 rector of the Defense Logistics Agency shall modify De-
13 fense Logistics Agency Instructions 5025.03 and
14 3110.01—

15 (1) to require Defense Logistics Agency Troop
16 Support to coordinate annually with customers in
17 the military departments to conduct responsiveness
18 testing of the Defense Logistics Agency's contin-
19 gency contracts for pharmaceuticals; and

20 (2) to include the results of that testing, as re-
21 ported by customers in the military departments, in
22 the annual reports of the Warstopper Program.

1 **Subtitle F—Other Matters**

2 **SEC. 861. TECHNICAL CORRECTION TO EFFECTIVE DATE**
3 **OF THE TRANSFER OF CERTAIN TITLE 10 AC-**
4 **QUISITION PROVISIONS.**

5 (a) IN GENERAL.—The amendments made by section
6 1701(e) and paragraphs (1) and (2) of section 802(b) of
7 the National Defense Authorization Act for Fiscal Year
8 2022 (Public Law 117–81) shall be deemed to have taken
9 effect immediately before the amendments made by section
10 1881 of the William M. (Mac) Thornberry National De-
11 fense Authorization Act for Fiscal Year 2021 (Public Law
12 116–283; 134 Stat. 4293).

13 (b) TREATMENT OF SECTION 4027 REQUIRE-
14 MENTS.—An individual or entity to which the require-
15 ments under section 4027 of title 10, United States Code,
16 were applicable during the period beginning on January
17 1, 2022, and ending on the date of the enactment of this
18 Act pursuant to subsection (a) shall be deemed to have
19 complied with such requirements during such period.

20 **SEC. 862. REGULATIONS ON USE OF FIXED-PRICE TYPE**
21 **CONTRACTS FOR MAJOR DEFENSE ACQUISI-**
22 **TION PROGRAMS.**

23 (a) MODIFICATION OF REGULATIONS.—Not later
24 than 120 days after the date of the enactment of this Act,
25 the Secretary of Defense shall revise the Department of

1 Defense Supplement to the Federal Acquisition Regula-
2 tion and any regulations issued pursuant to section 818
3 of the John Warner National Defense Authorization Act
4 for Fiscal Year 2007 (Public Law 109–364; 120 Stat.
5 2329) regarding the use of fixed-price type contracts for
6 a major defense acquisition program.

7 (b) ELEMENTS.—The revisions described in sub-
8 section (a) shall require the following:

9 (1) That the number of low-rate initial produc-
10 tion lots associated with a major defense acquisition
11 program may not be more than one if—

12 (A) the milestone decision authority au-
13 thORIZES the use of a fixed-price type contract at
14 the time of a decision on Milestone B approval;
15 and

16 (B) the scope of work of the fixed-price
17 type contract includes both the development
18 and low-rate initial production of items for such
19 major defense acquisition program.

20 (2) The limitation in paragraph (1) may be
21 waived on a case-by-case basis by the applicable
22 service acquisition executive. This waiver authority
23 may not be delegated below the level of service ac-
24 quisition executive.

25 (c) DEFINITIONS.—In this section:

1 (1) The term “low-rate initial production” has
2 the meaning given under section 4231 of title 10,
3 United States Code.

4 (2) The term “milestone decision authority”
5 has the meaning given in section 4211 of title 10,
6 United States Code.

7 (3) The term “major defense acquisition pro-
8 gram” has the meaning given in section 4201 of title
9 10, United States Code.

10 (4) The term “Milestone B approval” has the
11 meaning given in section 4172(e) of title 10, United
12 States Code.

13 **SEC. 863. NOTIFICATION ON RETENTION RATE POLICY.**

14 (a) NOTICE AND WAIT.—A determination of the Sec-
15 retary of the Navy that a contract for non-nuclear surface
16 ship repair and maintenance made to a private entity re-
17 quires the Secretary of the Navy to retain more than 1
18 percent of the overall contract value may only be carried
19 out after the end of a 30-day period beginning on the date
20 on which the congressional defense committees receive the
21 notification from the Secretary of the Navy under sub-
22 section (b).

23 (b) CONTENTS.—The notification described in sub-
24 section (a) shall include the following:

1 (1) A description of the rationale for making
2 such determination.

3 (2) A description of the potential impact on the
4 defense industrial base because of such determina-
5 tion.

6 (3) A description of how the Navy plans to use,
7 to a greater extent, the flexibility on retention rates
8 pursuant to chapter 277 of title 10, United States
9 Code.

10 (c) **TERMINATION.**—This section and the require-
11 ments of this section shall terminate on the later of—

12 (1) the date on which the National Defense Au-
13 thorization Act for Fiscal Year 2024 is enacted; or

14 (2) September 30, 2023.

15 **SEC. 864. SECURITY CLEARANCE BRIDGE PILOT PROGRAM.**

16 (a) **IN GENERAL.**—The Secretary of Defense, in con-
17 sultation with the Director of National Intelligence, shall
18 conduct a pilot program to enable employees of innovative
19 technology companies to begin work under contracts more
20 quickly by allowing the Defense Counterintelligence and
21 Security Agency to administer the personal security clear-
22 ances of the employees of innovative technology companies
23 while the Government completes the adjudication of the
24 facility clearance application of the innovative technology
25 company.

1 (b) PERSONAL SECURITY CLEARANCE AUTHOR-
2 ITY.—

3 (1) IN GENERAL.—Under the pilot program,
4 the Defense Counterintelligence and Security Agency
5 may nominate and administer the personal security
6 clearances of the employees of an innovative tech-
7 nology company while the Government completes the
8 adjudication of the facility clearance application of
9 the innovative technology company if the innovative
10 technology company is a contractor of the Depart-
11 ment of Defense under a contract the performance
12 of which requires that the innovative technology
13 company have access to classified information.

14 (2) LIMITATION.—Under the pilot program, the
15 Defense Counterintelligence and Security Agency
16 may administer the personal security clearances of
17 employees of not more than—

18 (A) 25 innovative technology companies in
19 Fiscal Year 2023;

20 (B) 50 innovative technology companies in
21 Fiscal Year 2024;

22 (C) 75 innovative technology companies in
23 Fiscal Year 2025;

24 (D) 100 innovative technology companies
25 in Fiscal Year 2026; and

1 (E) 125 innovative technology companies
2 in Fiscal Year 2027.

3 (c) CLEARANCE TRANSFER.—

4 (1) IN GENERAL.—Not later than 30 days after
5 an innovative technology company is granted facility
6 clearance, the Defense Counterintelligence and Security
7 Agency shall transfer any personal clearances of
8 employees of the innovative technology company held
9 by the Defense Counterintelligence and Security
10 Agency under the pilot program back to the innova-
11 tive technology company.

12 (2) DENIAL OF FACILITY CLEARANCE.—Not
13 later than 10 days after an innovative technology
14 company is denied facility clearance, the Defense
15 Counterintelligence and Security Agency shall re-
16 lease any personal clearances of employees of the in-
17 novative technology company held by the Defense
18 Counterintelligence and Security Agency under the
19 pilot program.

20 (d) REPORT.—

21 (1) IN GENERAL.—Not later than one year
22 after the date of the enactment of this Act, and an-
23 nually thereafter, the Under Secretary of Defense
24 for Research and Engineering and the Under Sec-
25 retary of Defense for Intelligence and Security shall

1 jointly submit to the congressional defense commit-
2 tees, the Permanent Select Committee on Intel-
3 ligence of the House of Representatives, and the Se-
4 lect Committee on Intelligence of the Senate a re-
5 port on the progress of the pilot program.

6 (2) CONTENTS.—Each report required under
7 paragraph (1) shall include—

8 (A) an assessment of—

9 (i) the extent to which the authority
10 under the pilot program has been used;
11 and

12 (ii) the usefulness of such authority;

13 (B) the number of innovative technology
14 companies for which the Defense Counterintel-
15 ligence and Security Agency administered a
16 personal security clearance of an employee
17 under the pilot program;

18 (C) the number of programs of the Depart-
19 ment of Defense affected by the pilot program;

20 (D) an analysis of the demand for addi-
21 tional innovative technology companies to par-
22 ticipate in the pilot program, including who
23 may have been excluded from the program due
24 to the limitation in subsection (b)(2);

1 (E) the length of time required for the fa-
2 cility clearance adjudication of each innovative
3 technology company for which the Defense
4 Counterintelligence and Security Agency admin-
5 istered a personal security clearance of an em-
6 ployee under the pilot program;

7 (F) an estimate of the time saved on each
8 contract with respect to which the authority
9 under the pilot program is exercised by enabling
10 employees of innovative technology companies
11 to begin work before the Government completes
12 the adjudication of the facility clearance appli-
13 cation of the innovative technology company;

14 (G) an assessment of any foreign intel-
15 ligence threats posed by the pilot program;

16 (H) an assessment of the administrative
17 costs and benefits of the pilot program; and

18 (I) such other information that the Under
19 Secretary of Defense for Research and Engi-
20 neering and the Under Secretary of Defense for
21 Intelligence and Security jointly determine ap-
22 propriate.

23 (e) PARTICIPANT SELECTION.—The Defense Innova-
24 tion Unit shall select innovative technology companies to
25 participate in the pilot program.

1 (f) SUNSET.—The pilot program shall terminate on
2 December 31, 2028.

3 (g) DEFINITIONS.—In this section:

4 (1) FACILITY CLEARANCE.—The term “facility
5 clearance” has the meaning given the term “Facility
6 Clearance” in section 95.5 of title 10, Code of Fed-
7 eral Regulations, or any successor regulation.

8 (2) INNOVATIVE TECHNOLOGY COMPANY.—The
9 term “innovative technology company” means a
10 company that—

11 (A) provides goods or services related to—

12 (i) one or more of the fourteen critical
13 technology areas described in the memo-
14 randum by the Under Secretary of Defense
15 for Research and Engineering issued on
16 February 1, 2022, entitled “USD(R&E)
17 Technology Vision for an Era of Competi-
18 tion”; or

19 (ii) information technology, software,
20 or hardware that is unavailable from any
21 other entity that possesses a facility clear-
22 ance; and

23 (B) is selected by the Defense Innovation
24 Unit under subsection (e) to participate in the
25 pilot program.

1 (3) **PERSONAL SECURITY CLEARANCE.**—The
2 term “personal security clearance” means the secu-
3 rity clearance of an individual who has received ap-
4 proval from the Department of Defense to access
5 classified information.

6 (4) **PILOT PROGRAM.**—The term “pilot pro-
7 gram” means the pilot program established under
8 subsection (a).

9 **SEC. 865. DEPARTMENT OF DEFENSE NATIONAL IMPERA-**
10 **TIVE FOR INDUSTRIAL SKILLS PROGRAM.**

11 (a) **IN GENERAL.**—The Secretary of Defense, acting
12 through the Industrial Base Analysis and Sustainment
13 program of the Department of Defense, shall evaluate and
14 further develop workforce development training programs
15 as defined by the Secretary of Defense for training the
16 skilled industrial workers defined by the Secretary of De-
17 fense and needed in the defense industrial base through
18 the National Imperative for Industrial Skills Program of
19 the Department of Defense (or a successor program).

20 (b) **PRIORITIES.**—In carrying out the program, the
21 Secretary shall prioritize workforce development training
22 programs that—

23 (1) are innovative, lab-based, or experientially-
24 based;

1 (2) rapidly train skilled industrial workers for
2 employment with entities in the defense industrial
3 base faster than traditional classroom-based work-
4 force development training programs and at the
5 scale needed to measurably reduce, as rapidly as
6 possible, the shortages of skilled industrial workers
7 in the defense industrial base; and

8 (3) address the specific manufacturing require-
9 ments and skills that are unique to critical industrial
10 sectors of the defense industrial base as defined by
11 the Secretary of Defense, such as naval shipbuilding.

12 **SEC. 866. TEMPORARY SUSPENSION OF COVID-19 VACCINE**
13 **MANDATE FOR DEPARTMENT OF DEFENSE**
14 **CONTRACTORS.**

15 (a) INDEPENDENT REPORT.—The Comptroller Gen-
16 eral of the United States shall—

17 (1) conduct a study on the predicted effects of
18 the requirement for contractors of the Department
19 of Defense to receive a COVID-19 vaccine on the
20 performance of such a contractor on a contract; and

21 (2) submit to the congressional defense commit-
22 tees a report containing the results of such study.

23 (b) TEMPORARY SUSPENSION.—The Secretary of De-
24 fense may not implement a requirement for contractors
25 of the Department of Defense to receive a COVID-19 vac-

1 cine until such time as the Comptroller General submits
2 to the congressional defense committees the report under
3 subsection (a).

4 **TITLE IX—DEPARTMENT OF DE-**
5 **FENSE ORGANIZATION AND**
6 **MANAGEMENT**

7 **Subtitle A—Office of the Secretary**
8 **of Defense and Related Matters**

9 **SEC. 901. INCREASE IN AUTHORIZED NUMBER OF ASSIST-**
10 **ANT AND DEPUTY ASSISTANT SECRETARIES**
11 **OF DEFENSE.**

12 (a) INCREASE IN AUTHORIZED NUMBER OF ASSIST-
13 ANT SECRETARIES OF DEFENSE.—

14 (1) INCREASE.—Section 138(a)(1) of title 10,
15 United States Code, is amended by striking “15”
16 and inserting “18”.

17 (2) CONFORMING AMENDMENT.—Section 5315
18 of title 5, United States Code, is amended by strik-
19 ing “(14)” after “Assistant Secretaries of Defense”
20 and inserting “(18)”.

21 (b) INCREASE IN AUTHORIZED NUMBER OF DEPUTY
22 ASSISTANT SECRETARIES OF DEFENSE.—

23 (1) INCREASE.—Section 138 of such title is
24 amended by adding at the end the following new
25 subsection:

1 “(e) The maximum number of Deputy Assistant Sec-
2 retaries of Defense is 57.”.

3 (2) CONFORMING REPEAL.—Section 908 of the
4 National Defense Authorization Act for Fiscal Year
5 2018 (Public Law 115–91; 10 U.S.C. 138 note) is
6 repealed.

7 **SEC. 902. RESPONSIBILITIES OF ASSISTANT SECRETARY OF**
8 **DEFENSE FOR SPECIAL OPERATIONS AND**
9 **LOW INTENSITY CONFLICT.**

10 Section 138(b)(2)(A) of title 10, United States Code,
11 is amended by inserting “(including explosive ordnance
12 disposal)” after “low intensity conflict activities”.

13 **Subtitle B—Other Department of**
14 **Defense Organization and Man-**
15 **agement Matters**

16 **SEC. 911. ELIGIBILITY OF CHIEF OF THE NATIONAL GUARD**
17 **BUREAU FOR APPOINTMENT AS CHAIRMAN**
18 **OF THE JOINT CHIEFS OF STAFF.**

19 Section 152(b)(1)(B) of title 10, United States Code,
20 is amended by striking “the Commandant of the Marine
21 Corps, or the Chief of Space Operations” and inserting
22 “the Commandant of the Marine Corps, the Chief of
23 Space Operations, or the Chief of the National Guard Bu-
24 reau”.

1 **SEC. 912. CLARIFICATION OF PEACETIME FUNCTIONS OF**
2 **THE NAVY.**

3 Section 8062(a) of title 10, United States Code, is
4 amended—

5 (1) in the second sentence, by striking “pri-
6 marily” and inserting “for the peacetime promotion
7 of the national security interests and prosperity of
8 the United States and”; and

9 (2) in the third sentence, by striking “for the
10 effective prosecution of war” and inserting “for the
11 duties described in the preceding sentence”.

12 **SEC. 913. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PRO-**
13 **GRAM.**

14 Section 2284(b) of title 10, United States Code, is
15 amended—

16 (1) in paragraph (1)—

17 (A) in subparagraph (A), by striking
18 “and” after the semicolon;

19 (B) in subparagraph (B), by striking “the
20 Department of Defense” and all that follows
21 and inserting “the Program;”;

22 (C) by adding at the end the following new
23 subparagraphs:

24 “(C) direct the executive agent to des-
25 ignate a joint program executive officer for the
26 Program; and

1 “(D) assign the Director of the Defense
2 Threat Reduction Agency to manage the De-
3 fense-wide program element funding for the
4 Program.”.

5 (2) by striking paragraph (4);

6 (3) by redesignating paragraph (5) as para-
7 graph (4);

8 (4) in paragraph (4), as so redesignated, by
9 striking the period at the end and inserting a semi-
10 colon; and

11 (5) by adding at the end the following new
12 paragraphs:

13 “(5) the Secretary of the Navy shall designate
14 a Navy explosive ordnance disposal-qualified admiral
15 officer to serve as the co-chair of the Program; and

16 “(6) the Assistant Secretary of Defense for
17 Special Operations and Low Intensity Conflict shall
18 designate the Deputy Assistant Secretary of Defense
19 for Special Operations and Combating Terrorism as
20 the co-chair of the Program.”.

1 **SEC. 914. MODIFICATION OF REPORT REGARDING THE DES-**
2 **IGNATION OF THE EXPLOSIVE ORDNANCE**
3 **DISPOSAL CORPS AS A BASIC BRANCH OF**
4 **THE ARMY.**

5 Section 582(b)(2) of the National Defense Authoriza-
6 tion Act for Fiscal Year 2018 (Public Law 115–91; 10
7 U.S.C. 3063 note) is amended—

8 (1) in subparagraph (F), by inserting “National
9 Guard Bureau,” before “Army Forces Command”;
10 and

11 (2) by adding at the end the following new sub-
12 paragraph:

13 “(H) The Secretary of the Army has des-
14 ignated an Assistant Secretary of the Army as
15 the key individual responsible for developing
16 and overseeing policy, plans, programs, and
17 budgets, and issuing guidance and providing di-
18 rection on the explosive ordnance disposal ac-
19 tivities of the Army.”.

20 **SEC. 915. CLARIFICATION OF ROLES AND RESPONSIBIL-**
21 **ITIES FOR FORCE MODERNIZATION EFFORTS**
22 **OF THE ARMY.**

23 (a) **PLAN REQUIRED.**—Not later than 180 days after
24 the date of the enactment of this Act, the Secretary of
25 the Army shall submit to the Committees on Armed Serv-
26 ices of the Senate and the House of Representatives a plan

1 that comprehensively defines the roles and responsibilities
2 of officials and organizations of the Army with respect to
3 the force modernization efforts of the Army.

4 (b) ELEMENTS.—The plan under subsection (a)
5 shall—

6 (1) identify the official within the Army who
7 shall have primary responsibility for the force mod-
8 ernization efforts of the Army, and specify the roles,
9 responsibilities, and authorities of that official;

10 (2) clearly define the roles, responsibilities, and
11 authorities of the Army Futures Command and the
12 Assistant Secretary of the Army for Acquisition, Lo-
13 gistics, and Technology with respect to such efforts;

14 (3) clarify the roles, responsibilities, and au-
15 thorities of officials and organizations of the Army
16 with respect to acquisition in support of such efforts;
17 and

18 (4) include such other information as the Sec-
19 retary of the Army determines appropriate.

20 (c) ROLE OF ARMY FUTURES COMMAND.—In the
21 event the Secretary of the Army does not submit the plan
22 required under subsection (a) by the expiration of the 180
23 day period specified in such subsection, then beginning at
24 the expiration of such period—

1 (1) the Commanding General of the Army Fu-
2 tures Command shall have the roles, responsibilities,
3 and authorities assigned to the Commanding Gen-
4 eral pursuant to Army Directive 2020–15 (“Achiev-
5 ing Persistent Modernization”) as in effect on No-
6 vember 16, 2020; and

7 (2) any provision of Army Directive 2022–07
8 (“Army Modernization Roles and Responsibilities”),
9 or any successor directive, that modifies or con-
10 travenes a provision of the directive specified in
11 paragraph (1) shall have no force or effect.

12 **SEC. 916. REPORT ON POTENTIAL TRANSITION OF ALL**
13 **MEMBERS OF SPACE FORCE INTO A SINGLE**
14 **COMPONENT.**

15 (a) **REPORT REQUIRED.**—Not later than March 1,
16 2023, the Secretary of Defense shall submit to the Com-
17 mittees on Armed Services of the Senate and the House
18 of Representatives a report on the proposal of the Air
19 Force to transition the Space Force into a single compo-
20 nent (in this section referred to as the Space Compo-
21 nent)—

22 (1) that consists of all members of the Space
23 Force, without regard to whether such a member is,
24 under laws in effect at the time of the report, in the
25 active or reserve component of the Space Force; and

1 (2) in which such members may transfer be-
2 tween duty statuses more freely than would other-
3 wise be allowed under the laws in effect at the time
4 of the report.

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

7 (1) A plan that describes any rules, regulations,
8 policies, guidance, and statutory provisions that may
9 be implemented to govern—

10 (A) the ability of a member of the Space
11 Component to transfer between duty statuses,
12 the number of members authorized to make
13 such transfers, and the timing of such trans-
14 fers;

15 (B) the retirement of members of the
16 Space Component, including the determination
17 of a member's eligibility for retirement and the
18 calculation of the retirement benefits (including
19 benefits under laws administered by the Sec-
20 retary of Veterans Affairs) to which the mem-
21 ber would be entitled based on a career con-
22 sisting of service in duty statuses of the Space
23 Component; and

24 (C) the composition and operation of pro-
25 motion selection boards with respect to mem-

1 bers of the Space Component, including the
2 treatment of general officers by such boards.

3 (2) A comprehensive analysis of how such pro-
4 posal may affect the ability of departments and
5 agencies of the Federal Government (including de-
6 partments and agencies outside the Department of
7 Defense and the Department of Veterans Affairs) to
8 accurately calculate the pay or determine the bene-
9 fits, including health care benefits under chapter 55
10 of title 10, United States Code, to which a member
11 or former member of the Space Component is enti-
12 tled at any given time.

13 (3) Draft legislative text, prepared by the Office
14 of Legislative Counsel within the Office of the Gen-
15 eral Counsel of the Department of Defense, that
16 comprehensively sets forth all amendments and
17 modifications to Federal statutes needed to effec-
18 tively implement the proposal described in subsection
19 (a), including—

20 (A) amendments and modifications to titles
21 10, 37, and 38, United States Code;

22 (B) amendments and modifications to Fed-
23 eral statutes outside of such titles; and

24 (C) an analysis of each provision of Fed-
25 eral statutory law that refers to the duty status

1 of a member of an Armed Force, or whether
2 such member is in an active or reserve compo-
3 nent, and, for each such provision—

4 (i) a written determination indicating
5 whether such provision requires amend-
6 ment or other modification to clarify its
7 applicability to a member of the Space
8 Component; and

9 (ii) if such an amendment or modi-
10 fication is required, draft legislative text
11 for such amendment or modification.

12 **Subtitle C—Space National Guard**

13 **SEC. 921. ESTABLISHMENT OF SPACE NATIONAL GUARD.**

14 (a) ESTABLISHMENT.—

15 (1) IN GENERAL.—There is established a Space
16 National Guard that is part of the organized militia
17 of the several States and Territories, Puerto Rico,
18 and the District of Columbia—

19 (A) in which the Space Force operates;
20 and

21 (B) active and inactive.

22 (2) RESERVE COMPONENT.—There is estab-
23 lished a Space National Guard of the United States
24 that is the reserve component of the United States

1 Space Force all of whose members are members of
2 the Space National Guard.

3 (b) COMPOSITION.—The Space National Guard shall
4 be composed of the Space National Guard forces of the
5 several States and Territories, Puerto Rico and the Dis-
6 trict of Columbia—

7 (1) in which the Space Force operates; and

8 (2) active and inactive.

9 **SEC. 922. NO EFFECT ON MILITARY INSTALLATIONS.**

10 Nothing in this subtitle, or the amendments made by
11 this subtitle, shall be construed to authorize or require the
12 relocation of any facility, infrastructure, or military instal-
13 lation of the Space National Guard or Air National Guard.

14 **SEC. 923. IMPLEMENTATION OF SPACE NATIONAL GUARD.**

15 (a) REQUIREMENT.—Except as specifically provided
16 by this subtitle, the Secretary of the Air Force and Chief
17 of the National Guard Bureau shall implement this sub-
18 title, and the amendments made by this subtitle, not later
19 than 18 months after the date of the enactment of this
20 Act.

21 (b) BRIEFINGS.—Not later than 90 days after the
22 date of the enactment of this Act, and annually for the
23 five subsequent years, the Secretary of the Air Force,
24 Chief of the Space Force and Chief of the National Guard
25 Bureau shall jointly provide to the congressional defense

1 committees a briefing on the status of the implementation
2 of the Space National Guard pursuant to this subtitle and
3 the amendments made by this subtitle. This briefing shall
4 address the current missions, operations and activities,
5 personnel requirements and status, and budget and fund-
6 ing requirements and status of the Space National Guard,
7 and such other matters with respect to the implementation
8 and operation of the Space National Guard as the Sec-
9 retary and the Chiefs jointly determine appropriate to
10 keep Congress fully and currently informed on the status
11 of the implementation of the Space National Guard.

12 **SEC. 924. CONFORMING AMENDMENTS AND CLARIFICA-**
13 **TION OF AUTHORITIES.**

14 (a) DEFINITIONS.—

15 (1) TITLE 10, UNITED STATES CODE.—Title 10,
16 United States Code, is amended—

17 (A) in section 101—

18 (i) in subsection (c)—

19 (I) by redesignating paragraphs

20 (6) and (7) as paragraphs (8) and

21 (9), respectively; and

22 (II) by inserting after paragraph

23 (5) the following new paragraphs:

24 “(6) The term ‘Space National Guard’ means

25 that part of the organized militia of the several

1 States and territories, Puerto Rico, and the District
2 Of Columbia, active and inactive, that—

3 “(A) is a space force;

4 “(B) is trained, and has its officers ap-
5 pointed under the sixteenth clause of section 8,
6 article I of the Constitution;

7 “(C) is organized, armed, and equipped
8 wholly or partly at Federal expense; and

9 “(D) is federally recognized.

10 “(7) The term ‘Space National Guard of the
11 United States’ means the reserve component of the
12 Space Force all of whose members are members of
13 the Space National Guard.”; and

14 (B) in section 10101—

15 (i) in the matter preceding paragraph
16 (1), by inserting “the following” before the
17 colon; and

18 (ii) by adding at the end the following
19 new paragraph:

20 “(8) The Space National Guard of the United
21 States.”.

22 (2) TITLE 32, UNITED STATES CODE.—Section
23 101 of title 32, United States Code is amended—

1 (A) by redesignating paragraphs (8)
2 through (19) as paragraphs (10) and (21), re-
3 spectively; and

4 (B) by inserting after paragraph (7) the
5 following new paragraphs:

6 “(8) The term ‘Space National Guard’ means
7 that part of the organized militia of the several
8 States and territories, Puerto Rico, and the District
9 Of Columbia, in which the Space Force operates, ac-
10 tive and inactive, that—

11 “(A) is a space force;

12 “(B) is trained, and has its officers ap-
13 pointed under the sixteenth clause of section 8,
14 article I of the Constitution;

15 “(C) is organized, armed, and equipped
16 wholly or partly at Federal expense; and

17 “(D) is federally recognized.

18 “(9) The term ‘Space National Guard of the
19 United States’ means the reserve component of the
20 Space Force all of whose members are members of
21 the Space National Guard.”.

22 (b) RESERVE COMPONENTS.—Chapter 1003 of title
23 10, United States Code, is amended—

24 (1) by adding at the end the following new sec-
25 tions:

1 **“§ 10115. Space National Guard of the United States:**
2 **composition**

3 “The Space National Guard of the United States is
4 the reserve component of the Space Force that consists
5 of—

6 “(1) federally recognized units and organiza-
7 tions of the Space National Guard; and

8 “(2) members of the Space National Guard who
9 are also Reserves of the Space Force.

10 **“§ 10116. Space National Guard: when a component of**
11 **the Space Force**

12 “The Space National Guard while in the service of
13 the United States is a component of the Space Force.

14 **“§ 10117. Space National Guard of the United States:**
15 **status when not in Federal service**

16 “When not on active duty, members of the Space Na-
17 tional Guard of the United States shall be administered,
18 armed, equipped, and trained in their status as members
19 of the Space National Guard.”; and

20 (2) in the table of sections at the beginning of
21 such chapter, by adding at the end the following new
22 items:

“10115. Space National Guard of the United States: composition.

“10116. Space National Guard: when a component of the Space Force.

“10117. Space National Guard of the United States: status when not in Federal
service.”.

1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

4 (a) **AUTHORITY TO TRANSFER AUTHORIZATIONS.—**

5 (1) **AUTHORITY.**—Upon determination by the
6 Secretary of Defense that such action is necessary in
7 the national interest, the Secretary may transfer
8 amounts of authorizations made available to the De-
9 partment of Defense in this division for fiscal year
10 2023 between any such authorizations for that fiscal
11 year (or any subdivisions thereof). Amounts of au-
12 thorizations so transferred shall be merged with and
13 be available for the same purposes as the authoriza-
14 tion to which transferred.

15 (2) **LIMITATION.**—Except as provided in para-
16 graph (3), the total amount of authorizations that
17 the Secretary may transfer under the authority of
18 this section may not exceed \$6,000,000,000.

19 (3) **EXCEPTION FOR TRANSFERS BETWEEN**
20 **MILITARY PERSONNEL AUTHORIZATIONS.**—A trans-
21 fer of funds between military personnel authoriza-
22 tions under title IV shall not be counted toward the
23 dollar limitation in paragraph (2).

24 (b) **LIMITATIONS.**—The authority provided by sub-
25 section (a) to transfer authorizations—

1 (1) may only be used to provide authority for
2 items that have a higher priority than the items
3 from which authority is transferred; and

4 (2) may not be used to provide authority for an
5 item that has been denied authorization by Con-
6 gress.

7 (c) EFFECT ON AUTHORIZATION AMOUNTS.—A
8 transfer made from one account to another under the au-
9 thority of this section shall be deemed to increase the
10 amount authorized for the account to which the amount
11 is transferred by an amount equal to the amount trans-
12 ferred.

13 (d) NOTICE TO CONGRESS.—The Secretary shall
14 promptly notify Congress of each transfer made under
15 subsection (a).

16 **SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.**

17 The budgetary effects of this Act, for the purpose of
18 complying with the Statutory Pay-As-You-Go Act of 2010,
19 shall be determined by reference to the latest statement
20 titled “Budgetary Effects of PAYGO Legislation” for this
21 Act, submitted for printing in the Congressional Record
22 by the Chairman of the House Budget Committee, pro-
23 vided that such statement has been submitted prior to the
24 vote on passage.

1 **Subtitle B—Counterdrug Activities**

2 **SEC. 1011. EXTENSION OF AUTHORITY TO SUPPORT A UNI-** 3 **FIED COUNTERDRUG AND COUNTERTER-** 4 **RORISM CAMPAIGN IN COLOMBIA.**

5 Section 1021 of the Ronald W. Reagan National De-
6 fense Authorization Act for Fiscal Year 2005 (Public Law
7 108–375; 118 Stat. 2042), as most recently amended by
8 section 1007 of the National Defense Authorization Act
9 for Fiscal Year 2022 (Public Law 117–81; 135 Stat.
10 1889), is further amended—

11 (1) in subsection (a)(1), by striking “2023” and
12 inserting “2025”; and

13 (2) in subsection (c), by striking “2023” and
14 inserting “2025”.

15 **Subtitle C—Naval Vessels and** 16 **Shipyards**

17 **SEC. 1021. NAVY CONSULTATION WITH MARINE CORPS ON** 18 **MAJOR DECISIONS DIRECTLY CONCERNING** 19 **MARINE CORPS AMPHIBIOUS FORCE STRUC-** 20 **TURE AND CAPABILITY.**

21 (a) IN GENERAL.—Section 8026 of title 10, United
22 States Code, is amended by inserting “or amphibious force
23 structure and capability” after “Marine Corps aviation”.

24 (b) CLERICAL AMENDMENTS.—

1 (1) SECTION HEADING.—The heading of such
2 section is amended by inserting “**or amphibious**
3 **force structure and capability**”.

4 (2) TABLE OF SECTIONS.—The table of sections
5 at the beginning of chapter 803 of such title is
6 amended by striking the item relating to section
7 8026 and inserting the following new item:

“8026. Consultation with Commandant of the Marine Corps on major decisions
directly concerning Marine Corps aviation or amphibious force
structure and capability.”.

8 **SEC. 1022. NUMBER OF NAVY OPERATIONAL AMPHIBIOUS**
9 **SHIPS.**

10 Section 8062 of title 10, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(g) The naval combat forces of the Navy shall in-
14 clude not less than 31 operational amphibious ships, com-
15 prised of LSD–41 class ships, LSD–49 class ships, LPD–
16 17 class ships, LPD–17 Flight II class ships, LHD–1
17 class ships, LHA–6 Flight 0 class ships, and LHA–6
18 Flight I class ships. For purposes of this subsection, an
19 operational amphibious ship includes an amphibious ship
20 that is temporarily unavailable for worldwide deployment
21 due to routine or scheduled maintenance or repair.”.

1 **SEC. 1023. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
2 **INACTIVATION OF LANDING DOCK SHIPS.**

3 None of the funds authorized to be appropriated by
4 this Act or otherwise made available for fiscal year 2023
5 for the Department of Defense may be obligated or ex-
6 pended to retire, prepare to retire, inactivate, or place in
7 storage any of the following ships:

- 8 (1) USS Germantown (LSD-42).
9 (2) USS Gunston Hall (LSD-44).
10 (3) USS Tortuga (LSD-46).
11 (4) USS Ashland (LSD-48).

12 **SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
13 **INACTIVATION OF GUIDED MISSILE CRUIS-**
14 **ERS.**

15 (a) IN GENERAL.—Subject to subsection (b), none of
16 the funds authorized to be appropriated by this Act or
17 otherwise made available for fiscal year 2023 for the De-
18 partment of Defense may be obligated or expended to re-
19 tire, prepare to retire, inactivate, or place in storage more
20 than four guided missile cruisers.

21 (b) USS VICKSBURG.—The USS Vicksburg may not
22 be retired, prepared to retire, inactivated, or placed in
23 storage pursuant to subsection (a).

1 **SEC. 1025. BUSINESS CASE ANALYSES ON DISPOSITION OF**
2 **CERTAIN GOVERNMENT-OWNED DRY-DOCKS.**

3 (a) AFDM-10.—Not later than March 1, 2023, the
4 Secretary of the Navy shall submit to the congressional
5 defense committees the results of a business case analysis
6 under which the Secretary shall present a comparison of
7 the following four options for Auxiliary Floating Dock,
8 Medium-10 in Seattle, Washington (in this section re-
9 ferred to as “AFDM-10”):

10 (1) The continued use of AFDM-10, in the
11 same location and under the same lease authorities
12 in effect on the date of the enactment of this Act.

13 (2) The relocation and use of AFDM-10 in al-
14 ternate locations under the same lease authorities in
15 effect on the date of the enactment of this Act.

16 (3) The relocation and use of AFDM-10 in al-
17 ternate locations under alternative lease authorities.

18 (4) The conveyance of AFDM-10 at a fair mar-
19 ket rate to an appropriate non-Government entity
20 with expertise in the non-nuclear ship repair indus-
21 try.

22 (b) GRAVING DOCK AT NAVAL BASE, SAN DIEGO.—
23 Not later than March 1, 2023, the Secretary of the Navy
24 shall submit to the congressional defense committees the
25 results of a business case analysis under which the Sec-
26 retary shall present a comparison of the following two op-

1 tions for the Government-owned graving dock at Naval
2 Base San Diego, California:

3 (1) The continued use of such graving dock, in
4 accordance with the utilization strategy described in
5 the May 25, 2022 report to Congress entitled “Navy
6 Dry Dock Strategy for Surface Ship Maintenance
7 and Repair”.

8 (2) The lease of such graving dock to an appro-
9 priate non-Government entity with expertise in the
10 non-nuclear ship repair industry.

11 **SEC. 1026. PROHIBITION ON USE OF FUNDS FOR RETIRE-**
12 **MENT OF LEGACY MARITIME MINE COUNTER-**
13 **MEASURES PLATFORMS.**

14 (a) PROHIBITION.—Except as provided in subsection
15 (b), the Secretary of the Navy may not obligate or expend
16 funds to discontinue or prepare to discontinue, including
17 by making a substantive reduction in training and oper-
18 ational employment, the Marine Mammal System pro-
19 gram, that has been used, or is currently being used, for—

20 (1) port security at Navy bases, known as
21 Mark-6 systems; or

22 (2) mine search capabilities, known as Mark-7
23 systems.

24 (b) WAIVER.—The Secretary of the Navy may waive
25 the prohibition under subsection (a) if the Secretary, with

1 the concurrence of the Director of Operational Test and
2 Evaluation, certifies in writing to the congressional de-
3 fense committees that the Secretary has—

4 (1) identified a replacement capability and the
5 necessary quantity of such capability to meet all
6 operational requirements currently being met by the
7 Marine Mammal System program, including a de-
8 tailed explanation of such capability and quantity;

9 (2) achieved initial operational capability of all
10 capabilities referred to in paragraph (1), including a
11 detailed explanation of such achievement; and

12 (3) deployed a sufficient quantity of capabilities
13 referred to in paragraph (1) that have achieved ini-
14 tial operational capability to continue to meet or ex-
15 ceed all operational requirements currently being
16 met by Marine Mammal System program, including
17 a detailed explanation of such deployment.

18 **SEC. 1027. DEADLINE FOR 75 PERCENT MANNING FILL FOR**
19 **SHIPS UNDERGOING NUCLEAR REFUELING**
20 **OR DEFUELING.**

21 By not later than December 31, 2023, the Secretary
22 of the Navy shall ensure that the manning fill for each
23 ship undergoing nuclear refueling or defueling, and any
24 concurrent complex overhaul, is not less than—

25 (1) 75 percent overall; and

1 (2) 75 percent for enlisted grades E-6 and
2 above.

3 **SEC. 1028. PROHIBITION ON DEACTIVATION OF NAVY COM-**
4 **BAT DOCUMENTATION DETACHMENT 206.**

5 None of the funds authorized to be appropriated by
6 this Act or otherwise made available for fiscal year 2023
7 for the Navy may be obligated or expended to deactivate,
8 or prepare to deactivate Navy Combat Documentation De-
9 tachment 206.

10 **SEC. 1029. WITHHOLDING OF CERTAIN INFORMATION**
11 **ABOUT SUNKEN MILITARY CRAFTS.**

12 Section 1406 of the Sunken Military Craft Act (title
13 XIV of Public Law 108–375; 10 U.S.C. 113 note) is
14 amended by adding at the end the following new sub-
15 section: (j)

16 “(j) WITHHOLDING OF CERTAIN INFORMATION.—
17 Pursuant to subparagraphs (A)(ii) and (B) of section
18 552(b)(3) of title 5 United States Code, the Secretary con-
19 cerned may withhold from public disclosure information
20 and data about the location or character of a sunken mili-
21 tary craft under the jurisdiction of the Secretary, if such
22 disclosure would increase the risk of the unauthorized dis-
23 turbance of one or more sunken military craft.”.

1 **SEC. 1030. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
2 **INACTIVATION OF EXPEDITIONARY TRANS-**
3 **FER DOCK SHIPS.**

4 None of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2023
6 for the Department of Defense may be obligated or ex-
7 pended to retire, prepare to retire, inactivate, or place in
8 storage the following ships:

9 (1) ESD-1.

10 (2) ESD-2.

11 **SEC. 1031. AVAILABILITY OF FUNDS FOR RETIREMENT OR**
12 **INACTIVATION OF LITTORAL COMBAT SHIPS.**

13 None of the funds authorized to be appropriated by
14 this Act or otherwise made available for fiscal year 2023
15 for the Department of Defense may be obligated or ex-
16 pended to retire, prepare to retire, inactivate, or place in
17 storage more than four Littoral Combat Ships.

18 **Subtitle D—Counterterrorism**

19 **SEC. 1035. PROHIBITION ON USE OF FUNDS FOR TRANSFER**
20 **OR RELEASE OF INDIVIDUALS DETAINED AT**
21 **UNITED STATES NAVAL STATION, GUANTA-**
22 **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

23 No amounts authorized to be appropriated or other-
24 wise made available for the Department of Defense may
25 be used during the period beginning on the date of the
26 enactment of this Act and ending on December 31, 2023,

1 to transfer, release, or assist in the transfer or release of
2 any individual detained in the custody or under the control
3 of the Department of Defense at United States Naval Sta-
4 tion, Guantanamo Bay, Cuba, to the custody or control
5 of any country, or any entity within such country, as fol-
6 lows:

- 7 (1) Libya.
- 8 (2) Somalia.
- 9 (3) Syria.
- 10 (4) Yemen.
- 11 (5) Afghanistan.

12 **Subtitle E—Miscellaneous**

13 **Authorities and Limitations**

14 **SEC. 1041. MODIFICATION OF AUTHORITY FOR HUMANI-**

15 **TARIAN DEMINING ASSISTANCE AND STOCK-**

16 **PILED CONVENTIONAL MUNITIONS ASSIST-**

17 **ANCE.**

18 (a) LOCATION OF ASSISTANCE.—Section 407 of title
19 10, United States Code, is amended—

20 (1) in subsection (a)(1)—

21 (A) in the matter preceding subparagraph

22 (A)—

23 (i) by striking “carry out” and insert-
24 ing “provide”; and

1 (ii) by striking “in a country” and in-
2 serting “to a country”; and

3 (B) in subparagraph (A), by striking “in
4 which the activities are to be carried out” and
5 inserting “to which the assistance is to be pro-
6 vided”; and

7 (2) in subsection (d)—

8 (A) in paragraph (1)—

9 (i) by striking “in which” and insert-
10 ing “to which”; and

11 (ii) by striking “carried out” and in-
12 serting “provided”;

13 (B) in paragraph (2), by striking “carried
14 out in” and inserting “provided to”;

15 (C) in paragraph (3)—

16 (i) by striking “in which” and insert-
17 ing “to which”; and

18 (ii) by striking “carried out” and in-
19 serting “provided”; and

20 (D) in paragraph (4), by striking “in car-
21 rying out such assistance in each such country”
22 and inserting “in providing such assistance to
23 each such country”.

24 (b) EXPENSES.—Subsection (c) of such section 407
25 is amended—

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

3 “(C) Travel, transportation, and subsistence ex-
4 penses of foreign personnel to attend training pro-
5 vided by the Department of Defense under this sec-
6 tion.”; and

7 (2) in paragraph (3), by striking
8 “\$15,000,000” and inserting “\$20,000,000”.

9 (c) REPORT.—Subsection (d) of such section 407, as
10 amended by subsection (a)(2) of this section, is further
11 amended in the matter preceding paragraph (1), by strik-
12 ing “include in the annual report under section 401 of
13 this title a separate discussion of” and inserting “submit
14 to the Committee on Armed Services and the Committee
15 on Foreign Relations of the Senate and the Committee
16 on Armed Services and the Committee on Foreign Affairs
17 of the House of Representatives a report on”.

18 **SEC. 1042. SECURITY CLEARANCES FOR RECENTLY SEPA-**
19 **RATED MEMBERS OF THE ARMED FORCES**
20 **AND CIVILIAN EMPLOYEES OF THE DEPART-**
21 **MENT OF DEFENSE.**

22 (a) IMPROVEMENTS.—

23 (1) IN GENERAL.—Except as provided in sub-
24 section (b), beginning on the date on which a cov-
25 ered individual separates from the Armed Forces or

1 the Department of Defense (as the case may be), if
2 the Secretary of Defense determines that the covered
3 individual held a security clearance immediately
4 prior to such separation and requires a security
5 clearance of an equal or lower level for employment
6 as a covered contractor, the Secretary shall—

7 (A) during the one-year period following
8 such date, treat the previously held security
9 clearance as an active security clearance for
10 purposes of such employment; and

11 (B) during the two-year period following
12 the conclusion of the period specified in sub-
13 paragraph (A), ensure that the adjudication of
14 any request submitted by the covered employee
15 for the reactivation of the previously held secu-
16 rity clearance for purposes of such employment
17 is completed by not later than 180 days after
18 the date of such submission.

19 (2) COAST GUARD.—In the case of a member of
20 the Armed Forces who is a member of the Coast
21 Guard, the Secretary of Defense shall carry out
22 paragraph (1) in consultation with the Secretary of
23 the Department in which the Coast Guard is oper-
24 ating.

25 (b) EXCEPTIONS.—

1 (1) IN GENERAL.—Subsection (a) shall not
2 apply with respect to a covered individual—

3 (A) whose previously held security clear-
4 ance is, or was as of the date of separation of
5 the covered individual, under review as a result
6 of one or more potentially disqualifying factors
7 or conditions that have not been fully inves-
8 tigated or mitigated; or

9 (B) in the case of a member of the Armed
10 Forces, who separated from the Armed Forces
11 under other than honorable conditions.

12 (2) CLARIFICATION OF REVIEW EXCEPTION.—
13 The exception specified in paragraph (1)(A) shall
14 not apply with respect to a routine periodic reinves-
15 tigation or a continuous vetting investigation in
16 which no potentially disqualifying factors or condi-
17 tions have been found.

18 (c) DEFINITIONS.—In this section:

19 (1) The term “covered contractor” means an
20 individual who is employed by an entity that carries
21 out work under a contract with the Department of
22 Defense or an element of the intelligence community.

23 (2) The term “covered individual” means a
24 former member of the Armed Forces or a former ci-
25 vilian employee of the Department of Defense.

1 (3) The term “intelligence community” has the
2 meaning given that term in section 3 of the National
3 Security Act of 1947 (50 U.S.C. 3003).

4 **SEC. 1043. SUBMISSION OF NATIONAL DEFENSE STRATEGY**
5 **IN UNCLASSIFIED FORM.**

6 Section 113(g)(1)(D) of title 10, United States Code,
7 is amended by striking “in classified form with an unclas-
8 sified summary.” and inserting “in unclassified form, but
9 may include a classified annex.”.

10 **SEC. 1044. COMMON ACCESS CARDS FOR DEPARTMENT OF**
11 **DEFENSE FACILITIES FOR CERTAIN CON-**
12 **GRESSIONAL STAFF.**

13 (a) **IN GENERAL.**—The Secretary of Defense shall
14 develop processes and procedures under which the Sec-
15 retary shall issue common access cards to staff of the con-
16 gressional defense committees who need such access to fa-
17 cilitate the performance of required congressional over-
18 sight activities. Such common access cards shall provide
19 such staff with access to all Department of Defense instal-
20 lations and facilities.

21 (b) **IMPLEMENTATION.**—The Secretary shall imple-
22 ment the processes and procedures developed under sub-
23 section (a) by not later than 180 days after the date of
24 the enactment of this Act.

1 (c) INTERIM BRIEFING.—Not later than 90 days
2 after the date of the enactment of the Act, the Secretary
3 of Defense shall provide to the congressional defense com-
4 mittees an interim briefing on the status of the processes
5 and procedures required to be developed under subsection
6 (a).

7 **SEC. 1045. INTRODUCTION OF ENTITIES IN TRANSACTIONS**
8 **CRITICAL TO NATIONAL SECURITY.**

9 (a) IN GENERAL.—The Secretary of Defense may fa-
10 cilitate the introduction of entities for the purpose of dis-
11 cussing a covered transaction that the Secretary has deter-
12 mined is in the national security interests of the United
13 States.

14 (b) COVERED TRANSACTION DEFINED.—The term
15 “covered transaction” means a transaction that the Sec-
16 retary has reason to believe would likely involve an entity
17 affiliated with a strategic competitor unless an alternative
18 transaction were to occur.

19 **SEC. 1046. REPOSITORY OF LOCAL NATIONALS WORKING**
20 **FOR OR ON BEHALF OF FEDERAL GOVERN-**
21 **MENT IN THEATER OF COMBAT OPERATIONS.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) there are well documented administrative
25 issues with current and former Special Immigrant

1 Visa programs that significantly increase the appli-
2 cation timeline and impact applicants seeking to
3 verify their eligibility for these programs;

4 (2) administrative issues such as a verification of
5 employment, characterization of service, personnel
6 data, and biographical data needed for employment
7 by a local national employee but not centrally main-
8 tained should not be a barrier for an applicant who
9 has put themselves or their family at risk by pro-
10 viding faithful and valuable service in support of the
11 United States Government;

12 (3) upon studying existing databases within the
13 federal government, none meet the requirement that
14 would provide a centralized database that all federal
15 departments and agencies could utilize to ensure
16 that in the future, eligible applicants do not have ap-
17 plications delayed or denied due to missing adminis-
18 trative data;

19 (4) the creation of such a database, exercising
20 current privacy data control policies, would stream-
21 line the application process and provide independent
22 and centralized verification that an applicant is in-
23 deed eligible for the program; and

24 (5) Special Immigrant Visa programs are con-
25 sistent with our national values, and therefore, it is

1 an obligation to make sure the accurate data nec-
2 essary to verify and complete these applications ex-
3 peditiously is available when needed.

4 (b) DATABASE.—Not later than one year after the
5 date of enactment of this Act, the Secretary of Defense,
6 in coordination with the Secretary of State, shall establish
7 and maintain a database listing all foreign nationals work-
8 ing for the United States Government or any contractor
9 or subcontractor (at any tier) of the Department of De-
10 fense, the Department of State, or any other agency or
11 instrumentality of the Executive branch in a theater of
12 combat operations. This section and the requirements of
13 this section shall be carried out consistent with the Privacy
14 Act of 1974.

15 (c) REQUIREMENTS.—The database established
16 under subsection (b) shall be electronic and searchable,
17 and shall include, with respect to each foreign national so
18 listed, the following:

- 19 (1) Full name and date of birth.
- 20 (2) Contact information.
- 21 (3) Local national or State ID Number.
- 22 (4) Passport number, if applicable.
- 23 (5) Job location.
- 24 (6) The component of Government or con-
25 tractor contact information.

1 dite the process for interservice transfers of non-
2 appropriated fund employees. The Secretary shall provide
3 an update to the appropriate committees on the comple-
4 tion of such updates.

5 (b) REPORT.—Not later than 2 years after the date
6 of enactment of this Act, the Secretary shall submit a re-
7 port to the congressional defense committees on the fol-
8 lowing:

9 (1) The impact of the change on the processing
10 time for transfers of nonappropriated fund em-
11 ployees between nonappropriated fund
12 instrumentalities in different military services.

13 (2) The impact of the changes on the proc-
14 essing time for reinstatement of nonappropriated
15 fund employees to a nonappropriated fund instru-
16 mentality in a military service that is different from
17 the military service where the individual was pre-
18 viously employed by a nonappropriated fund instru-
19 mentality.

20 (3) The impact of the changes on recruitment
21 and retention of nonappropriated fund employees in
22 general and specifically for nonappropriated fund
23 employees of military child development centers.

1 **SEC. 1048. ESTABLISHMENT OF JOINT TRAINING PIPELINE**
2 **BETWEEN UNITED STATES NAVY AND ROYAL**
3 **AUSTRALIAN NAVY.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the AUKUS partnership between Australia,
7 the United Kingdom, and the United States presents
8 a significant opportunity to enhance security co-
9 operation in the Indo-Pacific region;

10 (2) parties to the AUKUS partnership should
11 work expeditiously to implement a strategic roadmap
12 to successfully deliver capabilities outlined in the
13 agreement;

14 (3) the United States should engage with indus-
15 try partners to develop a comprehensive under-
16 standing of the requirements needed to increase ca-
17 pacity and capability;

18 (4) Australia should continue to expand its in-
19 dustrial base to support production and delivery of
20 future capabilities;

21 (5) the delivery of a nuclear-powered submarine
22 to the Government of Australia would require the
23 appropriate training and development of future com-
24 manding officers to operate such submarines for the
25 Royal Australian Navy; and

1 (6) in order to uphold the stewardship of the
2 Naval Nuclear Propulsion Program, the Secretary of
3 Defense should work to coordinate an exchange pro-
4 gram to integrate and train Australian sailors for
5 the operation and maintenance of nuclear-powered
6 submarines.

7 (b) EXCHANGE PROGRAM.—The Secretary of De-
8 fense, in consultation with the Secretary of Energy, shall
9 carry out an exchange program for Australian submarine
10 officers during 2023 and each subsequent year. Under the
11 program, each year, a minimum of two Australian sub-
12 marine officers shall be selected to participate in the pro-
13 gram. Each such participant shall—

14 (1) receive training in the Navy Nuclear Pro-
15 pulsion School;

16 (2) following such training and by not later
17 than July 1 of the year of participation, enroll in the
18 Submarine Office Basic Course; and

19 (3) following completion of such course, be as-
20 signed to duty on an operational United States sub-
21 marine at sea.

22 (c) REPORT.—Not later than 180 days after the date
23 of the enactment of this Act, the Secretary of Defense
24 shall submit to the congressional defense committees a re-
25 port on a notional exchange program for Australian sub-

1 marine officers that includes initial, follow-on, and recur-
2 ring training that could be provided to Australian sub-
3 marine officers in order prepare such officers for com-
4 mand of nuclear-powered Australian submarines.

5 **SEC. 1049. INSPECTOR GENERAL OVERSIGHT OF DEPART-**
6 **MENT OF DEFENSE ACTIVITIES IN RESPONSE**
7 **TO RUSSIA'S FURTHER INVASION OF**
8 **UKRAINE.**

9 The Inspector General of the Department of Defense
10 Inspector General shall carry out comprehensive oversight
11 and conduct reviews, audits, investigations, and inspec-
12 tions of the activities conducted by the Department of De-
13 fense in response to Russia's further invasion of Ukraine,
14 initiated on February 24, 2022, including military assist-
15 ance provided to Ukraine by the Department of Defense.

16 **SEC. 1050. CONSULTATION OF CONGRESSIONAL DEFENSE**
17 **COMMITTEES IN PREPARATION OF NATIONAL**
18 **DEFENSE STRATEGY.**

19 Section 113(g)(1) of title 10, United States Code, is
20 amended—

21 (1) by redesignating subparagraphs (D)
22 through (F) as subparagraphs (E) through (G), re-
23 spectively; and

24 (2) by inserting after subparagraph (C) the fol-
25 lowing new subparagraph (D):

1 risks, operational risks, and risks to readiness;
2 and

3 “(C) a description of any strategic trade-
4 offs associated with such modification.”.

5 **SEC. 1062. EXTENSION AND MODIFICATION OF REPORTING**
6 **REQUIREMENT REGARDING ENHANCEMENT**
7 **OF INFORMATION SHARING AND COORDINA-**
8 **TION OF MILITARY TRAINING BETWEEN DE-**
9 **PARTMENT OF HOMELAND SECURITY AND**
10 **DEPARTMENT OF DEFENSE.**

11 Section 1014 of the National Defense Authorization
12 Act for Fiscal Year 2017 (Public Law 114–328) is amend-
13 ed—

14 (1) in subsection (d)—

15 (A) in paragraph (1)(B)(iv), by adding at
16 the end the following new subclauses:

17 “(VIII) The methodology used
18 for making cost estimates in the eval-
19 uation of a request for assistance.

20 “(IX) The extent to which the
21 fulfillment of the request for assist-
22 ance affected readiness of the Armed
23 Forces, including members of the re-
24 serve components.”; and

1 (B) in paragraph (3), by striking “Decem-
2 ber 31, 2023” and inserting “December 31,
3 2024”; and

4 (2) by adding at the end the following new sub-
5 section:

6 “(f) QUARTERLY BRIEFINGS.—Not later than 30
7 days after the last day of each fiscal quarter, the Secretary
8 of Defense shall provide to the Committees on Armed
9 Services of the Senate and House of Representatives a
10 briefing on any assistance provided by the Department of
11 Defense to the border security mission of the Department
12 of Homeland Security at the international borders of the
13 United States during the quarter covered by the briefing.
14 Each such briefing shall include each of the elements spec-
15 ified in subsection (d)(1)(B) for such quarter.”.

16 **SEC. 1063. CONTINUATION OF REQUIREMENT FOR ANNUAL**
17 **REPORT ON NATIONAL GUARD AND RESERVE**
18 **COMPONENT EQUIPMENT.**

19 (a) IN GENERAL.—Section 1080(a) of the National
20 Defense Authorization Act for Fiscal Year 2016 (Public
21 Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note) does
22 not apply to the report required to be submitted to Con-
23 gress under section 10541 of title 10, United States Code.

24 (b) CONFORMING REPEAL.—Section 1061(c) of the
25 National Defense Authorization Act for Fiscal Year 2017

1 (Public Law 114–328); 130 Stat. 2402; 10 U.S.C. 111
2 note) is amended by striking paragraph (62).

3 **SEC. 1064. COMBATANT COMMAND RISK ASSESSMENT FOR**
4 **AIRBORNE INTELLIGENCE, SURVEILLANCE,**
5 **AND RECONNAISSANCE.**

6 (a) IN GENERAL.—Not later than 60 days after the
7 date on which the Secretary of Defense submits to Con-
8 gress the materials in support of the budget for any fiscal
9 year, or the date on which any of the military departments
10 otherwise proposes to retire or otherwise divest any air-
11 borne intelligence, surveillance, and reconnaissance capa-
12 bilities, the Vice Chairman of the Joint Chiefs of Staff,
13 in coordination with the commanders of each of the geo-
14 graphic combatant commands, shall submit to the con-
15 gressional defense committees a report containing an as-
16 sessment of the level of operational risk to each such com-
17 mand posed by the proposed retirement or divestment with
18 respect to the capability of the command to meet near-
19 , mid-, and far-term contingency and steady-state require-
20 ments against adversaries in support of the objectives of
21 the national defense strategy under section 113(g) of title
22 10, United States Code.

23 (b) RISK ASSESSMENT.—In assessing levels of oper-
24 ational risk for the purposes of subsection (a), the Vice
25 Chairman and the commanders of the geographic combat-

1 ant commands shall use the military risk matrix of the
2 Chairman of the Joint Chiefs of Staff, as described in
3 CJCS Instruction 3401.01E, or any successor instruction.

4 (c) GEOGRAPHIC COMBATANT COMMAND.—In this
5 section, the term “geographic combatant command”
6 means any of the following:

7 (1) United States European Command.

8 (2) United States Indo-Pacific Command.

9 (3) United States Africa Command.

10 (4) United States Southern Command.

11 (5) United States Northern Command.

12 (6) United States Central Command.

13 (d) TERMINATION.—The requirement to submit a re-
14 port under this section shall terminate on the date that
15 is five years after the date of the enactment of this Act.

16 **SEC. 1065. REPORTS ON EFFECTS OF STRATEGIC COMPET-**
17 **ITOR NAVAL FACILITIES IN AFRICA.**

18 (a) INITIAL REPORT.—

19 (1) IN GENERAL.—Not later than May 15,
20 2023, the Secretary of Defense shall submit to the
21 appropriate congressional committees a report on
22 the effects on the national security of the United
23 States of current or planned covered naval facilities
24 in Africa.

1 (2) ELEMENTS.—The report required under
2 paragraph (1) shall include the following:

3 (A) An identification of—

4 (i) any location in Africa where a cov-
5 ered naval facility has been established;
6 and

7 (ii) any location in Africa where a cov-
8 ered naval facility is planned for construc-
9 tion.

10 (B) A detailed description of—

11 (i) any agreement entered into be-
12 tween China or Russia and a country or
13 government in Africa providing for or ena-
14 bling the establishment or operation of a
15 covered naval facility in Africa; and

16 (ii) any efforts by the Department of
17 Defense to change force posture, deploy-
18 ments, or other activities in Africa as a re-
19 sult of current or planned covered naval fa-
20 cilities in Africa.

21 (C) An assessment of—

22 (i) the effect that each current cov-
23 ered naval facility has had on United
24 States interests, allies, and partners in and
25 around Africa;

1 (ii) the effect that each planned cov-
2 ered naval facility is expected to have on
3 United States interests, allies, and part-
4 ners in and around Africa;

5 (iii) the policy objectives of China and
6 Russia in establishing current and future
7 covered naval facilities at the locations
8 identified under subparagraph (A); and

9 (iv) the specific military capabilities
10 supported by each current or planned cov-
11 ered naval facility.

12 (b) UPDATE TO REPORT.—

13 (1) IN GENERAL.—Not later than March 1,
14 2024, the Secretary of Defense shall submit to the
15 appropriate congressional committees a report con-
16 taining an update to the report required under sub-
17 section (a).

18 (2) ELEMENTS.—The report required under
19 paragraph (1) shall include the following:

20 (A) An identification of—

21 (i) any location in Africa where a cov-
22 ered naval facility has been established
23 since the date of the submittal of the re-
24 port under subsection (a); and

1 (ii) any location in Africa where a cov-
2 ered naval facility has been planned for
3 construction since such date.

4 (B) A detailed description of—

5 (i) any agreement entered into be-
6 tween China or Russia and country or gov-
7 ernment in Africa since such date pro-
8 viding for or enabling the establishment of
9 a covered naval facility in Africa; and

10 (ii) any efforts by the Department of
11 Defense since such date to change force
12 posture, deployments, or other activities in
13 Africa as a result of current or planned
14 covered naval facilities in Africa.

15 (C) An updated assessment of—

16 (i) the effect that each current cov-
17 ered naval facility has had on United
18 States interests, allies, and partners in and
19 around Africa since such date;

20 (ii) the effect that each planned cov-
21 ered naval facility has had on United
22 States interests, allies, and partners in and
23 around Africa since such date;

24 (iii) the policy objectives of China and
25 Russia, including new objectives and

1 changes to objectives, in establishing cur-
2 rent and future covered naval facilities at
3 the locations identified in the report re-
4 quired under subsection (a) or in subpara-
5 graph (A); and

6 (iv) the specific military capabilities
7 supported by each current or planned cov-
8 ered naval facility at such locations, includ-
9 ing new capabilities and changes to capa-
10 bilities.

11 (D) A detailed description of—

12 (i) the policy of the Department of
13 Defense surrounding strategic competitor
14 efforts to establish and maintain covered
15 naval facilities in Africa; and

16 (ii) any actual or planned actions
17 taken by the Department in response to
18 such efforts and in coordination with glob-
19 al Department priorities, as identified in
20 the national defense strategy under section
21 113(g) of title 10, United States Code.

22 (c) FORM.—A report required under subsection (a)
23 or (b) shall be submitted in unclassified form without any
24 designation relating to dissemination control, but may in-
25 clude a classified annex.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “Africa” means all countries in
3 the area of operations of United States Africa Com-
4 mand and Egypt.

5 (2) The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Armed Services, the
8 Committee on Foreign Affairs, and the Perma-
9 nent Select Committee on Intelligence of the
10 House of Representatives; and

11 (B) the Committee on Armed Services, the
12 Committee on Foreign Relations, and the Select
13 Committee on Intelligence of the Senate.

14 (3) The term “covered naval facility” means a
15 naval facility owned, operated, or otherwise con-
16 trolled by the People’s Republic of China or the Rus-
17 sian Federation.

18 (4) The term “naval facility” means a naval
19 base, civilian sea port with dual military uses, or
20 other facility intended for the use of warships or
21 other naval vessels for refueling, refitting, resupply,
22 force projection, or other military purposes.

1 **SEC. 1066. ANNUAL REPORTS ON SAFETY UPGRADES TO**
2 **THE HIGH MOBILITY MULTIPURPOSE**
3 **WHEELED VEHICLE FLEETS.**

4 (a) ANNUAL REPORTS.—Not later than March 1,
5 2023, and annually thereafter until the date specified in
6 subsection (c), the Secretaries of the Army, Navy, and Air
7 Force shall each submit to the Committees on Armed
8 Services of the Senate and House of Representatives a re-
9 port on the installation of safety upgrades to the high mo-
10 bility multipurpose wheeled vehicle fleets under the juris-
11 diction of the Secretary concerned, including anti-lock
12 brakes, electronic stability control, and fuel tanks.

13 (b) MATTERS FOR INCLUSION.—Each report re-
14 quired under subsection (a) shall include, for the year cov-
15 ered by the report, each of the following:

16 (1) The total number of safety upgrades nec-
17 essary for the high mobility multipurpose wheeled
18 vehicle fleets under the jurisdiction of the Secretary
19 concerned.

20 (2) The total cumulative number of such up-
21 grades completed prior to the year covered by the re-
22 port.

23 (3) A description of any such upgrades that
24 were planned for the year covered by the report.

25 (4) A description of any such upgrades that
26 were made during the year covered by the report

1 and, if the number of such upgrades was less than
2 the number of upgrades planned for such year, an
3 explanation of the variance.

4 (5) If the total number of necessary upgrades
5 has not been made, a description of the upgrades
6 planned for each year subsequent to the year cov-
7 ered by the report.

8 (c) TERMINATION.—No report shall be required
9 under this section after March 1, 2026.

10 **SEC. 1067. QUARTERLY REPORTS ON OPERATION SPARTAN**
11 **SHIELD.**

12 (a) IN GENERAL.—The Inspector General of the De-
13 partment of Defense shall submit to the congressional de-
14 fense committees, and make publicly available on an ap-
15 propriate website of the Department, quarterly reports on
16 Operation Spartan Shield in a manner consistent with sec-
17 tion 8L of the Inspector General Act of 1978 (5 U.S.C.
18 App.).

19 (b) FORM OF REPORTS.—Each report required under
20 subsection (a) shall be submitted in unclassified form, but
21 may contain a classified annex.

22 (c) DEADLINE FOR FIRST REPORT.—The Inspector
23 General shall submit the first quarterly report required
24 under subsection (a) by not later than 180 days after the
25 date of the enactment of this Act.

1 **SEC. 1068. CONGRESSIONAL NOTIFICATION OF MILITARY**
2 **INFORMATION SUPPORT OPERATIONS IN THE**
3 **INFORMATION ENVIRONMENT.**

4 (a) IN GENERAL.—Not later than 15 days before the
5 Secretary of Defense exercises the authority of the Sec-
6 retary to conduct a new military information support oper-
7 ation in the information environment, as affirmed in sec-
8 tion 1631(b) of the National Defense Authorization Act
9 for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397
10 note), the Secretary shall provide to the appropriate con-
11 gressional committees notice in writing of the intent to
12 use such authority to conduct such operation.

13 (b) ELEMENTS.—A notification under subsection (a)
14 shall include each of the following:

15 (1) A description of the type of support to be
16 provided in the operation.

17 (2) A description of the personnel engaged in
18 supporting or facilitating the operation.

19 (3) The amount obligated under the authority
20 to provide support.

21 (4) The expected duration of the operation and
22 the desired outcome of the operation.

23 (c) ANNUAL REPORT.—Not later than 90 days after
24 the last day of any fiscal year during which the Secretary
25 conducts a military support operation in the information
26 environment, the Secretary shall submit to the appropriate

1 congressional committees a report on all such operations
2 during such fiscal year. Such report shall include each of
3 the following for each activity conducted pursuant to such
4 an operation:

5 (1) The name of the activity.

6 (2) A description of the activity.

7 (3) The combatant command responsible for
8 the activity.

9 (4) The desired outcome of the activity.

10 (5) The target audience for the activity.

11 (6) Any means of dissemination used in the
12 conduct of the activity.

13 (7) The cost of conducting the activity.

14 (8) An assessment of the effectiveness of the
15 activity.

16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

17 In this section, the term “appropriate congressional com-
18 mittees” means—

19 (1) the congressional defense committees;

20 (2) the Permanent Select Committee on Intel-
21 ligence and the Committee on Foreign Affairs of the
22 House of Representatives; and

23 (3) the Select Committee on Intelligence and
24 the Committee on Foreign Relations of the Senate.

1 **SEC. 1069. DEPARTMENT OF DEFENSE DELAYS IN PRO-**
2 **VIDING COMMENTS ON GOVERNMENT AC-**
3 **COUNTABILITY OFFICE REPORTS.**

4 (a) **REPORTS REQUIRED.**—Not later than 180 days
5 after the date of the enactment of this Act, and once every
6 180 days thereafter until the date that is 2 years after
7 the date of the enactment of this Act, the Comptroller
8 General of the United States shall submit to the congres-
9 sional defense committees a report on the extent to which
10 the Department of Defense provided comments and sensi-
11 tivity and security reviews (for drafts tentatively identified
12 as containing controlled unclassified information or classi-
13 fied information) in a timely manner and in accordance
14 with the protocols of the Government Accountability Office
15 during the 180-day period preceding the date of the sub-
16 mittal of the report.

17 (b) **REQUIREMENTS FOR GAO REPORT.**—Each re-
18 port under subsection (a) shall include the following infor-
19 mation for the period covered by the report:

20 (1) The number of draft Government Account-
21 ability Office reports for which the Government Ac-
22 countability Office requested comments from the De-
23 partment of Defense, including an identification of
24 the reports for which a sensitivity or security review
25 was requested (separated by reports potentially con-
26 taining only controlled unclassified information and

1 reports potentially containing classified information)
2 and the reports for which such a review was not re-
3 quested.

4 (2) The median and average number of days
5 between the date of the request for Department of
6 Defense comments and the receipt of such com-
7 ments.

8 (3) The average number of days between the
9 date of the request for a Department of Defense
10 sensitivity or security review and the receipt of the
11 results of such review.

12 (4) In the case of any such draft report for
13 which the Department of Defense failed to provide
14 such comments or review within 30 days of the re-
15 quest for such comments or review—

16 (A) the number of days between the date
17 of the request and the receipt of such comments
18 or review; and

19 (B) a unique identifier, for purposes of
20 identifying the draft report.

21 (5) In the case of any such draft report for
22 which the Government Accountability Office pro-
23 vided an extension to the Department of Defense—

1 (A) whether the Department provided the
2 comments or review within the time period of
3 the extension; and

4 (B) a unique identifier, for purposes of
5 identifying the draft report.

6 (6) Any other information the Comptroller Gen-
7 eral determines appropriate.

8 (c) DOD RESPONSES.—Not later than 30 days after
9 the Comptroller General submits a report under sub-
10 section (a), the Secretary of Defense shall submit to the
11 congressional defense committees a response to such re-
12 port that includes each of the following:

13 (1) An identification of factors that contributed
14 to any delays identified in the report with respect to
15 Department of Defense comments and sensitivity or
16 security reviews requested by the Government Ac-
17 countability Office.

18 (2) A description of any actions the Depart-
19 ment of Defense has taken or plans to take to ad-
20 dress such factors.

21 (3) A description of any improvements the De-
22 partment has made in the ability to track timeliness
23 in providing such comments and sensitivity or secu-
24 rity reviews.

1 (4) Any other information the Secretary deter-
2 mines relevant to the information contained in the
3 report submitted by the Comptroller General.

4 **SEC. 1070. REPORTS ON HOSTILITIES INVOLVING UNITED**
5 **STATES ARMED FORCES.**

6 (a) IN GENERAL.—Not later than 48 hours after any
7 incident in which the United States Armed Forces are in-
8 volved in an attack or hostilities, whether in an offensive
9 or defensive capacity, the President shall transmit to the
10 congressional defense committees, the Committee on For-
11 eign Relations of the Senate, and the Committee on For-
12 eign Affairs of the House of Representatives a report on
13 the incident, unless the President—

14 (1) otherwise reports the incident within 48
15 hours pursuant to section 4 of the War Powers Res-
16 olution (50 U.S.C. 1543); or

17 (2) has determined prior to the incident, and so
18 reported pursuant to section 1264 of the National
19 Defense Authorization Act for Fiscal Year 2018 (50
20 U.S.C. 1549), that the United States Armed Forces
21 involved in the incident would be operating under
22 specific statutory authorization within the meaning
23 of section 5(b) of the War Powers Resolution (50
24 U.S.C. 1544(b)).

1 (b) MATTERS TO BE INCLUDED.—Each report re-
2 quired by subsection (a) shall include—

3 (1) the statutory and operational authorities
4 under which the United States Armed Forces were
5 operating when the incident occurred, including any
6 relevant executive orders and an identification of the
7 operational activities authorized under any such ex-
8 ecutive orders;

9 (2) the date, location, and duration of the inci-
10 dent and the other parties involved;

11 (3) a description of the United States Armed
12 Forces involved in the incident and the mission of
13 such Armed Forces;

14 (4) the numbers of any combatant casualties
15 and civilian casualties that occurred as a result of
16 the incident; and

17 (5) any other information the President deter-
18 mines appropriate.

19 (c) FORM.—Each report required by subsection (a)
20 shall be submitted in unclassified form, but may include
21 a classified annex.

1 **SEC. 1071. ANNUAL REPORT ON CIVILIAN CASUALTIES IN**
2 **CONNECTION WITH UNITED STATES MILI-**
3 **TARY OPERATIONS.**

4 Section 1057(b) of the National Defense Authoriza-
5 tion Act for Fiscal Year 2018 (Public Law 115–91) is
6 amended—

7 (1) in paragraph (1), by striking “that were
8 confirmed, or reasonably suspected, to have resulted
9 in civilian casualties” and inserting “that resulted in
10 civilian casualties that have been confirmed or are
11 reasonably suspected to have occurred”;

12 (2) in paragraph (2)—

13 (A) in subparagraph (B), by inserting “,
14 including, to the extent practicable, geographic
15 coordinates of any strike resulting in civilian
16 casualties occurring as a result of the conduct
17 of the operation.” after “location”;

18 (B) in subparagraph (D), by inserting be-
19 fore the period the following: “, including the
20 justification for each strike conducted as part of
21 the operation”;

22 (C) in subparagraph (E), by inserting be-
23 fore the period at the end the following: “, for-
24 mulated as a range, if necessary, and including,
25 to the extent practicable, information regarding

1 the number of men, women, and children in-
2 volved”; and

3 (D) by adding at the end the following new
4 subparagraphs:

5 “(F) For each strike carried out as part of
6 the operation, an assessment of the destruction
7 of civilian property.

8 “(G) A summary of the determination of
9 each completed civilian casualty assessment or
10 investigation.

11 “(H) For each investigation into an inci-
12 dent that resulted in civilian casualties—

13 “(i) whether the Department con-
14 ducted any witness interviews or site visits
15 occurred, and if not, an explanation of why
16 not; and

17 “(ii) whether information pertaining
18 to the incident that was collected by one or
19 more non-governmental entities was con-
20 sidered, if such information exists.”; and

21 (3) by striking paragraph (4) and inserting the
22 following new paragraph (4):

23 “(4) A description of any new or updated civil-
24 ian harm policies and procedures implemented by
25 the Department of Defense.”.

1 **SEC. 1072. JUSTIFICATION FOR TRANSFER OR ELIMI-**
2 **NATION OF FLYING MISSIONS.**

3 (a) IN GENERAL.—Prior to the relocation or elimi-
4 nation of any flying mission, either with respect to an ac-
5 tive or reserve component of a covered Armed Force, the
6 Secretary of Defense shall submit to the congressional de-
7 fense committees a report describing the justification of
8 the Secretary for the decision to relocate or eliminate such
9 mission. Such report shall include each of the following:

10 (1) A description of how the decision supports
11 the national defense strategy, the national military
12 strategy, the North American Aerospace Defense
13 Command strategy, and other relevant strategies.

14 (2) A specific analysis and metrics supporting
15 such decision.

16 (3) An analysis and metrics to show that the
17 elimination or relocation of the flying mission would
18 not negatively affect the homeland defense mission.

19 (4) A plan for how the Department of Defense
20 intends to fulfill or continue the mission require-
21 ments of the eliminated or relocated flying mission.

22 (5) An assessment of the effect of the elimi-
23 nation or relocation on the national defense strategy,
24 the national military strategy, the North American
25 Aerospace Defense Command strategy, and the
26 homeland defense mission.

1 (6) An analysis and metrics to show that the
2 elimination or relocation of the flying mission and its
3 secondary and tertiary impacts would not degrade
4 capabilities and readiness of the Joint Force.

5 (7) An analysis and metrics to show that the
6 elimination or relocation of the flying mission would
7 not negatively affect the national military airspace
8 system.

9 (b) COVERED ARMED FORCE.—In this section, the
10 term “covered Armed Force” means—

11 (1) The Army.

12 (2) The Navy.

13 (3) The Air Force.

14 **SEC. 1073. EQUIPMENT OF ARMY RESERVE COMPONENTS:**
15 **ANNUAL REPORT TO CONGRESS.**

16 Section 10541(b)(10) of title 10, United States Code,
17 is amended—

18 (1) in subparagraph (E), by striking “and”;

19 (2) by redesignating subparagraph (F) as sub-
20 paragraph (G); and

21 (3) by inserting, after subparagraph (E), the
22 following new subparagraph (F):

23 “(F) MQ-1C Gray Eagle Extended Range;
24 and”.

1 **SEC. 1074. PUBLIC AVAILABILITY OF REPORTS.**

2 (a) REQUIREMENTS FOR WITHHOLDING CERTAIN
3 REPORTS.—Section 122a(b)(2)(D) of title 10, United
4 States Code, is amended—

5 (1) by striking the period at the end and insert-
6 ing “, if the Secretary—”;

7 (2) by adding at the end the following new
8 clauses:

9 “(A) gives public notice that the report will
10 be withheld pursuant to such determination;
11 and

12 “(B) submits to the congressional defense
13 committees the reason for the determination
14 that the information should not be made avail-
15 able to the public.”.

16 (b) REPORT TO CONGRESS.—Not later than 180 days
17 after the date of the enactment of this Act, the Secretary
18 of Defense shall submit to the congressional defense com-
19 mittees, and make publicly available on an appropriate
20 website of the Department of Defense, a report on the im-
21 plementation of section 122a of title 10, United States
22 Code, as amended by subsection (a). Such report shall ad-
23 dress—

24 (1) the procedures under which members of the
25 public may request a covered report under sub-
26 section (a)(2) of such section 122a; and

1 (2) the procedures and criteria under which the
2 Secretary determines that a report that would other-
3 wise be a covered report should not be made publicly
4 available pursuant to subsection (b)(2)(D) of such
5 section, as amended by subsection (a).

6 **SEC. 1075. QUARTERLY REPORTS ON EXPENDITURES FOR**
7 **PLANNING AND DESIGN OF INFRASTRUC-**
8 **TURE TO SUPPORT PERMANENT UNITED**
9 **STATES FORCE PRESENCE ON EUROPE'S**
10 **EASTERN FLANK.**

11 (a) **IN GENERAL.**—The Commander of United States
12 European Command shall submit to the congressional de-
13 fense committees quarterly reports on the use of the funds
14 described in subsection (c) until the date on which all such
15 funds are expended.

16 (b) **CONTENTS.**—Each report required under sub-
17 section (a) shall include an expenditure plan for the estab-
18 lishment of infrastructure to support permanent United
19 States force presence in the covered region.

20 (c) **FUNDS DESCRIBED.**—The funds described in this
21 subsection are the amounts authorized to be appropriated
22 or otherwise made available for fiscal year 2023 for—

23 (1) Operation and Maintenance, Air Force, for
24 Advanced Planning for Infrastructure to Support
25 Presence on NATO's Eastern Flank;

1 (2) Operation and Maintenance, Army, for Ad-
2 vanced Planning for Infrastructure to Support Pres-
3 ence on NATO's Eastern Flank; and

4 (3) Military Construction, Defense-wide, Plan-
5 ning & Design: EUCOM—Infrastructure to Support
6 Presence on NATO's Eastern Flank.

7 (d) COVERED REGION.—In this section, the term
8 “covered region” means Romania, Poland, Lithuania, Lat-
9 via, Estonia, Hungary, Bulgaria, and Slovakia.

10 **SEC. 1076. STUDY ON MILITARY TRAINING ROUTES AND**

11 **SPECIAL USE AIR SPACE NEAR WIND TUR-**
12 **BINES.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) renewable energy development is expanding
16 rapidly as the United States continues to invest in
17 diversifying its energy portfolio;

18 (2) this expansion has to be carefully consid-
19 ered in its potential impacts to low-level military
20 training routes and special use airspace of the De-
21 partment of Defense;

22 (3) it is imperative that the United States pre-
23 serves access to national airspace for military test
24 and training and activities to ensure military readi-
25 ness while facilitating deployment of renewable en-

1 ergy projects, such as wind turbines, that enhance
2 national and economic security in ways that are
3 compatible with military airspace needs; and

4 (4) the rapid proliferation of wind turbines
5 around the world may require the Armed Forces to
6 develop tactics, training, and procedures for oper-
7 ations in the vicinity of wind turbines in order to ex-
8 ploit potential adversaries' turbines for tactical ad-
9 vantage.

10 (b) STUDY AND REPORT.—

11 (1) IN GENERAL.—The Secretary of Defense
12 shall seek to enter into an agreement with a feder-
13 ally funded research and development center to con-
14 duct a study to identify low-level military training
15 routes and special use airspace that may be used by
16 the Department of Defense to conduct realistic
17 training over and near wind turbines.

18 (2) ELEMENTS.—As part of the study under
19 paragraph (1), the federally funded research and de-
20 velopment center that conducts the study shall—

21 (A) identify and define the requirements
22 for military airspace that may be used for the
23 training described in paragraph (1), taking into
24 consideration—

1 (i) the operational and training needs
2 of the Armed Forces; and

3 (ii) the threat environments of adver-
4 saries of the United States, including the
5 People's Republic of China;

6 (B) identify possibilities for combining live,
7 virtual, and constructive flight training near
8 wind projects, both onshore and offshore;

9 (C) describe the airspace inventory re-
10 quired for low-level training proficiency given
11 current and projected force structures;

12 (D) provide recommendations for rede-
13 signing and properly sizing special use air space
14 and military training routes to combine live and
15 synthetic training in a realistic environment;

16 (E) describe ongoing research and develop-
17 ment programs being utilized to mitigate im-
18 pacts of wind turbines on low-level training
19 routes; and

20 (F) identify current training routes im-
21 pacted by wind turbines, any previous training
22 routes that are no longer in use because of wind
23 turbines, and any training routes projected to
24 be lost due to wind turbines.

1 (3) COORDINATION.—In carrying out para-
2 graph (1), the Secretary of Defense shall coordinate
3 with—

4 (A) the Under Secretary of Defense for
5 Personnel and Readiness;

6 (B) the Department of Defense Policy
7 Board on Federal Aviation; and

8 (C) the Federal Aviation Administration.

9 (4) SUBMITTAL TO DOD.—

10 (A) IN GENERAL.—Not later than one year
11 after the date of the enactment of this Act, the
12 federally funded research and development cen-
13 ter that conducts the study under paragraph
14 (1) shall submit to the Secretary of Defense a
15 report on the results of the study.

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

19 (5) SUBMITTAL TO CONGRESS.—Not later than
20 60 days after the date on which the Secretary of De-
21 fense receives the report under paragraph (4), the
22 Secretary shall submit to the appropriate congres-
23 sional committees an unaltered copy of the report to-
24 gether with any comments the Secretary may have
25 with respect to the report.

1 (c) DEFINITIONS.—In this section:

2 (1) The term “appropriate congressional com-
3 mittees” means the following:

4 (A) The congressional defense committees.

5 (B) The Committee on Transportation and
6 Infrastructure of the House of Representatives.

7 (C) The Committee on Commerce, Science,
8 and Transportation of the Senate.

9 (2) The term “impacted by wind turbines”
10 means a situation in which the presence of wind tur-
11 bines in the area of a low-level military training
12 route or special use airspace—

13 (A) prompted the Department of Defense
14 to alter a testing and training mission or to re-
15 duce previously planned training activities; or

16 (B) prevented the Department from meet-
17 ing testing and training requirements.

18 **SEC. 1077. STUDY ON JOINT TASK FORCE INDO-PACIFIC.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Commander of
21 United States Indo-Pacific Command shall submit to the
22 congressional defense committees a report on the results
23 of a study conducted by the Commander on the desir-
24 ability and feasibility of establishing any of the following
25 for the Indo-Pacific region:

1 (1) A Joint Task Force.

2 (2) A sub-unified command.

3 (3) Another organizational structure to assume
4 command and control responsibility for contingency
5 response in the region.

6 (b) ELEMENTS.—The study conducted under sub-
7 section (a) shall include each of the following:

8 (1) An assessment of whether an additional or-
9 ganizational structure would better facilitate the
10 planning and execution of contingency response in
11 the Indo-Pacific region.

12 (2) An assessment of existing components and
13 sub-unified commands to determine if any such com-
14 ponents or commands are best positioned to assume
15 the role of such an additional organizational struc-
16 ture.

17 (3) An assessment of the risks and benefits of
18 headquartering such an additional organizational
19 structure on Guam (or additional locations if the
20 Commander determines appropriate), including a de-
21 scription and expected cost of any required com-
22 mand and control or associated upgrades.

23 (4) An identification of any additional entities
24 that could be integrated, on a standing basis, into
25 the staff of such an additional organizational struc-

1 ture, along with associated benefits, risks, and op-
2 tions to mitigate any risks.

3 (5) An assessment of whether the best option
4 for such an additional organizational structure
5 would be a Joint Task Force, a sub-unified com-
6 mand, or another organizational structure, and what
7 the best relationship would be with respect to other
8 current or future United States commands and task
9 forces in the Indo-Pacific region.

10 (6) A description of any additional resources or
11 authorizations that would be required to establish
12 such an additional organizational structure.

13 (c) FORM OF REPORT.—The report required under
14 subsection (a) shall be submitted in unclassified form, but
15 may contain a classified annex.

16 **SEC. 1078. BIENNIAL DEPARTMENT OF DEFENSE INSPEC-**
17 **TOR GENERAL REPORTING ON RESPONSE TO**
18 **RUSSIAN AGGRESSION AND ASSISTANCE TO**
19 **UKRAINE.**

20 (a) IN GENERAL.—The Inspector General of the De-
21 partment of Defense shall provide to the appropriate con-
22 gressional committees biannual briefings on the status and
23 findings of Inspector General oversight, reviews, audits,
24 and inspections of the activities conducted by the Depart-
25 ment of Defense response to Russia's further invasion of

1 Ukraine, initiated on February 24, 2022, including mili-
2 tary assistance provided to Ukraine by the Department
3 of Defense and the programs, operations, and contracts
4 carried out with such funds, including—

5 (1) the oversight and accounting of the obliga-
6 tion and expenditure of funds used to assist Ukraine
7 and to respond to Russia’s further invasion of
8 Ukraine;

9 (2) the monitoring and review of contracts sup-
10 ported by such funds;

11 (3) the investigation of any relevant overpay-
12 ments issues and of legal compliance by Department
13 of Defense officials, contractors, and other relevant
14 entities; and

15 (4) the investigation of any end-use monitoring
16 issues associated with articles provided to Ukraine.

17 (b) TERMINATION.—No briefing shall be required
18 under subsection (a) after December 31, 2026.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—
20 In this section, the term “appropriate congressional com-
21 mittees” means—

22 (1) the congressional defense committees;

23 (2) the Committee on Oversight and Reform
24 and the Committee on Foreign Affairs of the House
25 of Representatives; and

1 (3) the Committee on Homeland Security and
2 Governmental Affairs and the Committee on Foreign
3 Relations of the Senate.

4 **SEC. 1079. REVIEW OF SECURITY ASSISTANCE PROVIDED**
5 **TO ELIE WIESEL COUNTRIES.**

6 (a) REVIEW REQUIRED.—Not later than 30 days
7 after the transmission of the first report required after
8 the date of the enactment of this Act under section 5 of
9 the Elie Wiesel Genocide and Atrocities Prevention Act of
10 2018 (Public Law 115–441; 22 U.S.C. 2651 note), the
11 Secretary of Defense shall conduct a review of risks re-
12 lated to the Department of Defense provision of security
13 assistance to countries identified in the report as being
14 at high or medium risk for atrocities. Such review shall
15 include an assessment of risk associated with providing
16 weapons and other forms of security cooperation programs
17 and assistance, including special operations forces pro-
18 grams, to the governments of such countries, with respect
19 to atrocities, conflict, violence, and other forms of insta-
20 bility.

21 (b) CONGRESSIONAL NOTIFICATION OF CERTAIN
22 CHANGES.—If, as a result of the review required under
23 subsection (a), the Secretary determines that the Depart-
24 ment of Defense should stop or change the security assist-

1 ance provided to a country, the Secretary shall submit no-
2 tice of such determination to—

3 (1) the Committee on Armed Services and the
4 Committee on Foreign Affairs of the House of Rep-
5 resentatives; and

6 (2) the Committee on Armed Services and the
7 Committee on Foreign Relations of the Senate.

8 **Subtitle G—Other Matters**

9 **SEC. 1081. TECHNICAL AND CONFORMING AMENDMENTS.**

10 (a) TITLE 10, UNITED STATES CODE.—Title 10,
11 United States Code, is amended as follows:

12 (1) The table of chapters at the beginning of
13 subtitle A is amended by striking the item relating
14 to the second chapter 19 (relating to cyber matters).

15 (2) Section 113 is amended—

16 (A) in subsection (l)(2)(F), by inserting a
17 period after “inclusion in the armed forces”;
18 and

19 (B) in subsection (m), by redesignating the
20 section paragraph (8) as paragraph (9).

21 (3) The section heading for section 2691 is
22 amended by striking “**state**” and inserting
23 “**State**”.

1 (4) Section 3014 is amended by striking “sec-
2 tion 4002(a) or 4003” and inserting “section
3 4021(a) or 4023”.

4 (5) Section 4423(e) is amended by striking
5 “section 4003” and inserting “section 4023”.

6 (6) Section 4831(a) is amended by striking
7 “section 4002” and inserting “section 4022”.

8 (7) Section 4833(c) is amended by striking
9 “section 4002” and inserting “section 4022”.

10 (b) NDAA FOR FISCAL YEAR 2022.—Effective as of
11 December 27, 2021, and as if included therein as enacted,
12 the National Defense Authorization Act for Fiscal Year
13 2022 (Public Law 117–81) is amended as follows:

14 (1) Section 907(a) is amended by striking
15 “116–283” and inserting “115–232”.

16 (c) NATIONAL DEFENSE AUTHORIZATION ACT FOR
17 FISCAL YEAR 2020.—Effective as of December 27, 2021,
18 and as if included therein as enacted, the National De-
19 fense Authorization Act for Fiscal Year 2020 (Public Law
20 116–92) is amended as follows:

21 (1) Section 905 is amended—

22 (A) in subsection (a)(2), by inserting a pe-
23 riod at the end; and

24 (B) in subsection (d)(1), by striking “sub-
25 paragraph (B)” and inserting “paragraph (2)”.

1 (d) NATIONAL DEFENSE AUTHORIZATION ACT FOR
2 FISCAL YEAR 2014.—Effective as of December 27, 2021,
3 and as if included therein as enacted, the National De-
4 fense Authorization Act for Fiscal Year 2022 (Public Law
5 117–81) is amended as follows:

6 (1) Section 932(c)(2)(D) of the National De-
7 fense Authorization Act for Fiscal Year 2014 (Pub-
8 lic Law 113–66; 10 U.S.C. 2224 note) is amended
9 by striking “of subsection (c)(3)” and inserting
10 “paragraph (3)”.

11 (e) AUTOMATIC EXECUTION OF CONFORMING
12 CHANGES TO TABLES OF SECTIONS, TABLES OF CON-
13 TENTS, AND SIMILAR TABULAR ENTRIES IN DEFENSE
14 LAWS.—

15 (1) ELIMINATION OF NEED FOR SEPARATE
16 CONFORMING AMENDMENT.—Chapter 1 of title 10,
17 United States Code, is amended by adding at the
18 end the following new section:

19 **“§ 102. Effect of certain amendments on conforming**
20 **changes to tables of sections, tables of**
21 **contents, and similar tabular entries**

22 “(a) AUTOMATIC EXECUTION OF CONFORMING
23 CHANGES.—When an amendment to a covered defense law
24 adds a section or larger organizational unit to the covered
25 defense law, repeals or transfers a section or larger organi-

1 zational unit in the covered defense law, or amends the
2 designation or heading of a section or larger organiza-
3 tional unit in the covered defense law, that amendment
4 also shall have the effect of amending any table of sec-
5 tions, table of contents, or similar tabular entries in the
6 covered defense law to alter the table to conform to the
7 changes made by the amendment.

8 “(b) EXCEPTIONS.—Subsection (a) shall not apply to
9 an amendment described in such subsection when—

10 “(1) the amendment or a clerical amendment
11 enacted at the same time expressly amends a table
12 of sections, table of contents, or similar tabular en-
13 tries in the covered defense law to alter the table to
14 conform to the changes made by the amendment; or

15 “(2) the amendment otherwise expressly ex-
16 empts itself from the operation of this section.

17 “(c) COVERED DEFENSE LAW.—In this section, the
18 term ‘covered defense law’ means—

19 “(1) this title;

20 “(2) titles 32 and 37;

21 “(3) any national defense authorization Act
22 that authorizes funds to be appropriated for a fiscal
23 year to the Department of Defense; and

1 “(4) any other law designated in the text there-
2 of as a covered defense law for purposes of applica-
3 tion of this section.”.

4 (2) CONFORMING AMENDMENT.—The heading
5 of chapter 1 of title 10, United States Code, is
6 amended to read as follows:

7 **“CHAPTER 1—DEFINITIONS, RULES OF**
8 **CONSTRUCTION, CROSS REFERENCES,**
9 **AND RELATED MATTERS”.**

10 (3) APPLICATION OF AMENDMENT.—Section
11 102 of title 10, United States Code, as added by
12 paragraph (1), shall apply to the amendments made
13 by this section and other amendments made by this
14 Act.

15 (f) COORDINATION WITH OTHER AMENDMENTS
16 MADE BY THIS ACT.—For purposes of applying amend-
17 ments made by provisions of this Act other than this sec-
18 tion, the amendments made by this section shall be treated
19 as having been enacted immediately before any such
20 amendments by other provisions of this Act.

21 **SEC. 1082. RONALD V. DELLUMS MEMORIAL FELLOWSHIP**
22 **FOR WOMEN OF COLOR IN STEAM.**

23 (a) ESTABLISHMENT.—The Secretary of Defense
24 shall establish a fellowship program, which shall be known
25 as the “Ronald V. Dellums Memorial Fellowship for

1 Women of Color in STEAM”, to provide scholarships and
2 internships for eligible students with high potential talent
3 in STEAM.

4 (b) OBJECTIVES.—In carrying out the program, the
5 Secretary shall—

6 (1) consult with institutions of higher education
7 and relevant professional associations, nonprofit or-
8 ganizations, and relevant defense industry represent-
9 atives on the design of the program; and

10 (2) design the program in a manner such that
11 the program—

12 (A) increases awareness of and interest in
13 employment in the Department of Defense
14 among underrepresented students in the
15 STEAM fields, particularly women of color,
16 who are pursuing a degree in a STEAM field;

17 (B) supports the academic careers of
18 underrepresented students, especially women of
19 color, in STEAM fields; and

20 (C) builds a pipeline of women of color
21 with exemplary academic achievements in a
22 STEAM field relevant to national security who
23 can pursue careers in national security and in
24 areas of national need.

1 (c) COMPONENTS.—The fellowship program shall
2 consist of—

3 (1) a scholarship program under subsection (d);

4 and

5 (2) an internship program under subsection (e).

6 (d) SELECTION.—

7 (1) IN GENERAL.—Each fiscal year, subject to
8 the availability of funds, the Secretary shall seek to
9 select at least 30 eligible students to participate in
10 the fellowship program under this section.

11 (2) STUDENTS FROM MINORITY-SERVING INSTI-
12 TUTIONS AND HISTORICALLY BLACK COLLEGES AND
13 UNIVERSITIES.—The Secretary may not award fewer
14 than 50 percent of the fellowships under this section
15 to eligible students who attend historically Black col-
16 leges and universities and minority-serving institu-
17 tions.

18 (3) PRIORITY.—In awarding scholarships under
19 this section, the Secretary shall give priority to stu-
20 dents who are eligible to receive Federal Pell Grants
21 under section 401 of the Higher Education Act of
22 1965 (20 U.S.C. 1070a).

23 (4) SCHOLARSHIP.—

1 (A) AWARD.—Each fellow shall receive a
2 scholarship for each academic year of the fel-
3 lowship program.

4 (B) AMOUNT.—The amounts of scholar-
5 ships awarded under this section shall not ex-
6 ceed—

7 (i) \$10,000 per student in an aca-
8 demic year; and

9 (ii) \$40,000 per student in the aggre-
10 gate.

11 (C) USE OF SCHOLARSHIP FUNDS.—A fel-
12 low who receives a scholarship may only use the
13 scholarship funds to pay for the cost of attend-
14 ance at an institution of higher education.

15 (5) CONSIDERATION OF UNDERREPRESENTED
16 STUDENTS IN STEAM FIELDS.—In awarding a fel-
17 lowship under this section, the Secretary shall con-
18 sider—

19 (A) the number and distribution of minor-
20 ity and female students nationally in science
21 and engineering majors;

22 (B) the projected need for highly trained
23 individuals in all fields of science and engineer-
24 ing;

1 (C) the present and projected need for
2 highly trained individuals in science and engi-
3 neering career fields in which minorities and
4 women are underrepresented; and

5 (D) the lack of minorities and women in
6 national security, especially in science and engi-
7 neering fields in which such individuals are tra-
8 ditionally underrepresented.

9 (6) STUDENT AGREEMENT.—As a condition of
10 the receipt of a scholarship under this section, a fel-
11 low shall agree—

12 (A) to maintain standard academic
13 progress;

14 (B) to complete an internship described in
15 subsection (e) in a manner that the Secretary
16 determines is satisfactory; and

17 (C) upon completion of the degree that the
18 student pursues while in the fellowship pro-
19 gram, to work for the Federal Government or
20 in the field of education in the area of study for
21 which the scholarship or fellowship was award-
22 ed, for a period specified by the Secretary,
23 which shall not be longer than the period for
24 which scholarship assistance was provided to
25 such student.

1 (7) ENFORCEMENT OF AGREEMENT.—The Sec-
2 retary may enforce the agreement under paragraph
3 (6) as the Secretary determines appropriate.

4 (8) DIRECT HIRE AUTHORITY.—Any appoint-
5 ment of a fellow under paragraph (6)(C) to a posi-
6 tion in the Federal Government shall be made with-
7 out regard to the provisions of section 3304 and sec-
8 tions 3309 through 3318 of title 5, United States
9 Code.

10 (e) INTERNSHIP.—

11 (1) IN GENERAL.—The Secretary shall establish
12 an internship program that provides each student
13 who is awarded a fellowship under this section with
14 an internship in a an organization or element of the
15 Department of Defense.

16 (2) REQUIREMENTS.—Each internship shall—

17 (A) to the extent practicable, last for a pe-
18 riod of at least 10 weeks;

19 (B) include a stipend for transportation
20 and living expenses incurred by the fellow dur-
21 ing the fellowship; and

22 (C) be completed during the initial 2-year
23 period of the fellowship.

24 (3) MENTORSHIP.—To the extent practicable,
25 each fellow shall be paired with a mid-level or a sen-

1 ior-level official of the relevant organization or ele-
2 ment of the Department of Defense who shall serve
3 as a mentor during the internship.

4 (f) DURATION AND EXTENSIONS.—

5 (1) DURATION.—Each fellowship awarded
6 under this section shall be for a period of two years.

7 (2) EXTENSIONS.—Subject to this paragraphs
8 (3) through (6), a fellow may apply for, and the Sec-
9 retary may grant, a 1-year extension of the fellow-
10 ship.

11 (3) NUMBER OF EXTENSIONS.—There shall be
12 no limit on the number of extensions under para-
13 graph (1) that the Secretary may grant an eligible
14 student.

15 (4) LIMITATION ON DEGREES.—A fellow may
16 use an extension of a fellowship under this section
17 for the pursuit of not more than the following num-
18 ber of graduate degrees:

19 (A) Two master's degrees, each of which
20 must be in a STEAM field.

21 (B) One doctoral degree in a STEAM
22 field.

23 (5) TREATMENT OF EXTENSIONS.—An exten-
24 sion granted under this subsection does not count
25 for the purposes of determining—

1 (A) the number of fellowships authorized
2 to be granted for a year under subsection
3 (d)(1); or

4 (B) the percentage of fellowships granted
5 to eligible students for a year, as determined
6 under subsection (d)(2).

7 (6) EXTENSION REQUIREMENTS.—A fellow may
8 receive an extension under this subsection only if—

9 (A) the fellow is in good academic standing
10 with the institution of higher education in
11 which the fellow is enrolled;

12 (B) the fellow has satisfactorily completed
13 an internship under subsection (e); and

14 (C) the fellow is currently enrolled full-
15 time at an institution of higher education and
16 pursuing, in a STEAM field—

17 (i) a bachelor's degree;

18 (ii) a master's degree; or

19 (iii) a doctoral degree.

20 (g) LIMITATION ON ADMINISTRATIVE COSTS.—For
21 each academic year, the Secretary may use not more than
22 5 percent of the funds made available to carry out this
23 section for administrative purposes, including for purposes
24 of—

1 (1) outreach to institutions of higher education
2 to encourage participation in the program; and

3 (2) promotion of the program to eligible stu-
4 dents.

5 (h) ADMINISTRATION OF PROGRAM.—The Secretary
6 may appoint a lead program officer to administer the pro-
7 gram and to market the program among students and in-
8 stitutions of higher education.

9 (i) REPORTS.—Not later than 2 years after the date
10 on which the first fellowship is awarded under this section,
11 and each academic year thereafter, the Secretary of De-
12 fense shall submit to the appropriate congressional com-
13 mittees a report containing—

14 (1) a description and analysis of the demo-
15 graphic information of students who receive fellow-
16 ships under this section, including information with
17 respect to such students regarding—

18 (A) race, in the aggregate and
19 disaggregated by the same major race groups
20 as the decennial census of the population;

21 (B) ethnicity;

22 (C) gender identity;

23 (D) eligibility to receive a Federal Pell
24 Grant under section 401 of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1070a); and

1 (E) in the case of graduate students,
2 whether the students would be eligible to receive
3 a Federal Pell Grant under section 401 of the
4 Higher Education Act of 1965 (20 U.S.C.
5 1070a) if they were studying at the under-
6 graduate level;

7 (2) an analysis of the effects of the program;

8 (3) a description of—

9 (A) the total number of students who ob-
10 tain a degree with fellowship funds each year;
11 and

12 (B) the type and total number of degrees
13 obtained by fellows; and

14 (4) recommendations for changes to the pro-
15 gram and to this section to ensure that women of
16 color are being effectively served by such program.

17 (j) DEFINITIONS.—In this section:

18 (1) The term “appropriate congressional com-
19 mittees” means—

20 (A) the congressional defense committees;

21 (B) the Committee on Help, Education,
22 Labor, and Pensions of the Senate; and

23 (C) the Committee on Education and
24 Labor of the House of Representatives.

1 (2) The term “cost of attendance” has the
2 meaning given that term in section 472 of the High-
3 er Education Act of 1965 (20 U.S.C. 1087II).

4 (3) The term “eligible student” means an indi-
5 vidual who—

6 (A) submits an application for a fellowship
7 under this section;

8 (B) is enrolled, or will be enrolled for the
9 first year for which the student applies for a
10 fellowship, in either the third or fourth year of
11 a four-year academic program; and

12 (C) is enrolled, or will be enrolled for the
13 first year for which the student applies for a
14 fellowship, in an institution of higher education
15 on at least a half-time basis.

16 (4) The term “fellow” means a student that
17 was selected for the fellowship program under sub-
18 section (d).

19 (5) The term “historically Black college or uni-
20 versity” has the meaning given the term “part B in-
21 stitution” in section 322 of the Higher Education
22 Act of 1965 (20 U.S.C. 1061).

23 (6) The term “institution of higher education”
24 has the meaning given the term in section 101 of the
25 Higher Education Act of 1965 (20 U.S.C. 1001).

1 (7) The term “minority-serving institution”
2 means an institution specified in section 371(a) of
3 the Higher Education Act of 1965 (20 U.S.C.
4 1067q(a)).

5 (8) The term “STEAM” means science, tech-
6 nology, engineering, arts, and mathematics.

7 (9) The term “underrepresented student in a
8 STEAM field” means a student who is a member of
9 a minority group for which the number of individ-
10 uals in such group who receive bachelor’s degrees in
11 STEAM fields per 10,000 individuals in such group
12 is substantially fewer than the number of White,
13 non-Hispanic individuals who receive bachelor’s de-
14 grees in STEAM fields per 10,000 such individuals.

15 **SEC. 1083. COMBATING MILITARY RELIANCE ON RUSSIAN**
16 **ENERGY.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) reliance on Russian energy poses a critical
20 challenge for national security activities in area of
21 responsibility of the United States European Com-
22 mand; and

23 (2) in order to reduce the vulnerability of
24 United States military facilities to disruptions
25 caused by reliance on Russian energy, the Depart-

1 ment of Defense should establish and implement
2 plans to reduce reliance on Russian energy for all
3 main operating bases in area of responsibility of the
4 United States European Command.

5 (b) ELIMINATING USE OF RUSSIAN ENERGY.—It
6 shall be the goal of the Department of Defense to elimi-
7 nate the use of Russian energy on each main operating
8 base in the area of responsibility of the United States Eu-
9 ropean Command by not later than five years after the
10 date of the completion of an installation energy plan for
11 such base, as required under this section.

12 (c) INSTALLATION ENERGY PLANS FOR MAIN OPER-
13 ATING BASES.—

14 (1) IDENTIFICATION OF INSTALLATIONS.—Not
15 later than June 1, 2023, the Secretary of Defense
16 shall submit to the congressional defense committees
17 a list of main operating bases within the area of re-
18 sponsibility of the United States European Com-
19 mand ranked according to mission criticality and
20 vulnerability to energy disruption.

21 (2) SUBMITTAL OF PLANS.—Not later than 12
22 months after the date of the enactment of this Act,
23 the Secretary of Defense shall submit to the con-
24 gressional defense committees—

1 (A) an installation energy plan for each
2 main operating base on the list submitted under
3 paragraph (1); and

4 (B) an assessment of the feasibility of
5 reaching the goal for the elimination of the use
6 of Russian energy pursuant to subsection (b) on
7 that base, including—

8 (i) a description of the steps that
9 would be required to meet such goal; and

10 (ii) an analysis of the effects such
11 steps would have on the national security
12 of the United States.

13 (d) CONTENT OF PLANS.—Each installation energy
14 plan for a main operating base shall include each of the
15 following with respect to that base:

16 (1) An assessment of the energy resilience re-
17 quirements, resiliency gaps, and energy-related cy-
18 bersecurity requirements of the base, including with
19 respect to operational technology, control systems,
20 and facilities-related control systems.

21 (2) An identification of investments in tech-
22 nology required to improve energy resilience, reduce
23 demand, strengthen energy conservation, and sup-
24 port mission readiness.

1 (3) An identification of investments in infra-
2 structure, including microgrids, required to strength-
3 en energy resilience and mitigate risk due to grid
4 disturbance.

5 (4) Recommendations related to opportunities
6 for the use of renewable energy, clean energy, nu-
7 clear energy, and energy storage projects to reduce
8 dependence on natural gas.

9 (5) An assessment of how the requirements and
10 recommendations included pursuant to paragraphs
11 (2) through (4) interact with the energy policies of
12 the country where the base is located, both at
13 present and into the future.

14 (e) IMPLEMENTATION OF PLANS.—

15 (1) DEADLINE FOR IMPLEMENTATION.—Not
16 later than 30 days after the date on which the Sec-
17 retary submits an installation energy plan for a base
18 under subsection (c)(2), the Secretary shall—

19 (A) begin implementing the plan; and

20 (B) provide to the congressional defense
21 committees a briefing on the contents of the
22 plan and the strategy of the Secretary for im-
23 plementing the mitigation measures identified
24 in the plan.

1 (2) PRIORITIZATION OF CERTAIN PROJECTS.—

2 In implementing an installation energy plan for a
3 base under this section, the Secretary shall prioritize
4 projects requested under section 2914 of title 10,
5 United States Code, to mitigate assessed risks and
6 improve energy resilience, energy security, and en-
7 ergy conservation at the base.

8 (3) NONAPPLICATION OF CERTAIN OTHER AU-
9 THORITIES.—Subsection (d) of section 2914 of title
10 10, United States Code, shall not apply with respect
11 to any project carried out pursuant to this section
12 or pursuant to an installation energy plan for a base
13 under this section.

14 (f) POLICY FOR FUTURE BASES.—The Secretary of
15 Defense shall establish a policy to ensure that any new
16 military base in the area of responsibility of the United
17 States European Command is established in a manner
18 that proactively includes the consideration of energy secu-
19 rity, energy resilience, and mitigation of risk due to energy
20 disruption.

21 (g) ANNUAL CONGRESSIONAL BRIEFINGS.—The Sec-
22 retary of Defense shall provide to the congressional de-
23 fense committees annual briefings on the installation en-
24 ergy plans required under this section. Such briefings shall
25 include an identification of each of the following:

1 (1) The actions each main operating base is
2 taking to implement the installation energy plan for
3 that base.

4 (2) The progress that has been made toward re-
5 ducing the reliance of United States bases on Rus-
6 sian energy.

7 (3) The steps being taken and planned across
8 the future-years defense program to meet the goal of
9 eliminating reliance on Russian energy.

10 **SEC. 1084. COMMISSION ON CIVILIAN HARM.**

11 (a) ESTABLISHMENT.—There is hereby established a
12 commission, to be known as the “Commission on Civilian
13 Harm” (in this section referred to as the “Commission”).

14 (b) RESPONSIBILITIES.—

15 (1) GENERAL RESPONSIBILITIES.—The Com-
16 mission shall carry out a study of the following:

17 (A) Civilian harm resulting from, or inci-
18 dental to, the use of force by the United States
19 Armed Forces that occurred during the period
20 of inquiry.

21 (B) The policies, procedures, rules, and
22 regulations of the Department of Defense for
23 the prevention of, mitigation of, and response to
24 civilian harm that were in effect during the pe-
25 riod of inquiry.

1 (2) PARTICULAR DUTIES.—In carrying out the
2 general responsibilities of the Commission under
3 paragraph (1), the Commission shall carry out the
4 following:

5 (A) Conduct an investigation into the
6 record of the United States with respect to ci-
7 vilian harm during the period of inquiry, includ-
8 ing by investigating a representative sample of
9 incidents of civilian harm that occurred where
10 the United States used military force (including
11 incidents confirmed by media and civil society
12 organizations and dismissed by the Department
13 of Defense) by conducting hearings, witness
14 interviews, document and evidence review, and
15 site visits, when practicable.

16 (B) Identify the recurring causes of civil-
17 ian harm, as well as the factors contributing to
18 civilian harm, resulting from the use of force by
19 United States Armed Forces during the period
20 of inquiry and assess whether such causes and
21 factors could be addressed and, if so, whether
22 they were resolved.

23 (C) Assess the extent to which the United
24 States Armed Forces have implemented the rec-
25 ommendations of Congress, the Department of

1 Defense, other Government agencies, or civil so-
2 ciety organizations, or the recommendations
3 contained in studies sponsored or commissioned
4 by the United States Government, with respect
5 to the protection of civilians and efforts to min-
6 imize, investigate, and respond to civilian harm
7 resulting from, or incidental to, United States
8 military operations.

9 (D) Assess the responsiveness of the De-
10 partment of Defense to incidents of civilian
11 harm and the practices for responding to such
12 incidents, including—

- 13 (i) assessments;
14 (ii) investigations;
15 (iii) acknowledgment; and
16 (iv) the provision of compensation
17 payments, including the use of congres-
18 sionally authorized ex gratia payments, as-
19 sistance, and other responses.

20 (E) Assess the extent to which the United
21 States Armed Forces comply with the rules,
22 procedures, policies, memoranda, directives, and
23 doctrine of the Department of Defense for pre-
24 venting, mitigating, and responding to civilian
25 harm.

1 (F) Assess the extent to which the policies,
2 protocols, procedures, and practices of the De-
3 partment of Defense for preventing, mitigating,
4 and responding to civilian harm comply with
5 applicable international humanitarian law, ap-
6 plicable international human rights law, and
7 United States law, including the Uniform Code
8 of Military Justice.

9 (G) Assess incidents of civilian harm that
10 occurred, or allegedly occurred, during the pe-
11 riod of inquiry, by—

12 (i) determining whether any such inci-
13 dents were concealed, and if so by assess-
14 ing the actions taken to conceal;

15 (ii) assessing the policies and proce-
16 dures for whistle-blowers to report such in-
17 cidents;

18 (iii) determining the extent of the re-
19 sponsiveness and effectiveness of Inspector
20 General oversight, as applicable, regarding
21 reports of incidents of civilian harm; and

22 (iv) assessing the accuracy of the
23 United States Government public civilian
24 casualty estimates.

1 (H) Assess the short-, medium-, and long-
2 term consequences of incidents of civilian harm
3 that occurred during the period of inquiry on—

4 (i) the affected communities, including
5 humanitarian consequences;

6 (ii) the strategic interests of the
7 United States; and

8 (iii) the foreign policy goals and objec-
9 tives of the United States.

10 (I) Assess the extent to which the Depart-
11 ment of Defense Instruction on Responding to
12 Civilian Harm in Military Operations, as re-
13 quired by section 936 of the John S. McCain
14 National Defense Authorization Act for Fiscal
15 Year 2019 (Public Law 115–232; 10 U.S.C.
16 134 note), addresses issues identified during
17 the investigation of the Commission and what
18 further measures are needed to address issues
19 that the Commission identifies during its oper-
20 ations.

21 (J) Assess the extent to which United
22 States diplomatic goals and objectives were af-
23 fected by the incidents of civilian harm during
24 the period of inquiry.

25 (c) AUTHORITIES.—

1 (1) SECURITY CLEARANCES.—The appropriate
2 Federal departments or agencies shall cooperate
3 with the Commission in expeditiously providing to
4 the members and staff of the Commission appro-
5 priate security clearances, to the extent possible,
6 pursuant to existing procedures and requirements.
7 No person shall be provided with access to classified
8 information under this section without the appro-
9 priate security clearances.

10 (2) HEARINGS AND EVIDENCE.—The Commis-
11 sion or, on the authority of the Commission, any
12 portion thereof, may, for the purpose of carrying out
13 this section—

14 (A) hold such hearings and sit and act at
15 such times and places, take such testimony, re-
16 ceive such evidence, and administer such oaths
17 as the Commission, or such portion thereof,
18 may determine advisable; and

19 (B) provide for the attendance and testi-
20 mony of such witnesses and the production of
21 such books, records, correspondence, memo-
22 randa, papers, and documents as the Commis-
23 sion, or such portion thereof, may determine
24 advisable.

1 (3) INABILITY TO OBTAIN DOCUMENTS OR TES-
2 TIMONY.—In the event that the Commission is un-
3 able to obtain testimony or documents needed to
4 conduct its work, the Commission shall notify the
5 congressional defense committees and appropriate
6 investigative authorities.

7 (4) ACCESS TO INFORMATION.—The Commis-
8 sion may secure directly from the Department of
9 Defense any information or assistance that the Com-
10 mission considers necessary to enable the Commis-
11 sion to carry out the requirements of this section.
12 Upon receipt of a request of the Commission for in-
13 formation or assistance, the Secretary of Defense
14 shall furnish such information or assistance expedi-
15 tiously to the Commission. Whenever information or
16 assistance requested by the Commission is unreason-
17 ably refused or not provided, the Commission shall
18 report the circumstances to Congress without delay.

19 (d) COMPOSITION.—

20 (1) NUMBER AND APPOINTMENT.—The Com-
21 mission shall be composed of 12 members who are
22 civilian individuals not employed by the Federal Gov-
23 ernment.

24 (2) MEMBERSHIP.—The members shall be ap-
25 pointed as follows:

1 (A) The Majority Leader and the Minority
2 Leader of the Senate shall each appoint one
3 member.

4 (B) The Speaker of the House of Rep-
5 resentatives and the Minority Leader shall each
6 appoint one member.

7 (C) The Chair and the Ranking Member of
8 the Committee on Armed Services of the Senate
9 shall each appoint one member.

10 (D) The Chair and the Ranking Member
11 of the Committee on Armed Services of the
12 House of Representatives shall each appoint
13 one member.

14 (E) The Chair and the Ranking Member of
15 the Committee on Appropriations of the Senate
16 shall each appoint one member.

17 (F) The Chair and Ranking Member of the
18 Committee on Appropriations of the House of
19 Representatives shall each appoint one member.

20 (3) CHAIR AND VICE CHAIR.—The Commission
21 shall elect a Chair and Vice Chair from among its
22 members.

23 (4) DEADLINE FOR APPOINTMENT.—Members
24 shall be appointed to the Commission under para-

1 graph (1) not later than 90 days after the date of
2 the enactment of this Act.

3 (5) NONGOVERNMENTAL APPOINTEES.—An in-
4 dividual appointed to serve as a member of the Com-
5 mission may not be an officer or employee of the
6 Federal Government or of any State or local govern-
7 ment or a member of the United States Armed
8 Forces serving on active duty.

9 (e) MEETINGS.—

10 (1) INITIAL MEETING.—The Commission shall
11 meet and begin the operations of the Commission
12 not later than 120 days after the date of the enact-
13 ment of this Act.

14 (2) QUORUM; VACANCIES.—After its initial
15 meeting, the Commission shall meet upon the call of
16 the Chair or a majority of its members. Five mem-
17 bers of the Commission shall constitute a quorum.
18 Any vacancy in the Commission shall not affect its
19 powers, but shall be filled in the same manner in
20 which the original appointment was made.

21 (f) STAFFING.—

22 (1) APPOINTMENT AND COMPENSATION.—The
23 Chair, in accordance with rules agreed upon by the
24 Commission, may appoint and fix the compensation
25 of a staff director and such other personnel as may

1 be necessary to enable the Commission to carry out
2 its functions, without regard to the provisions of
3 title 5, United States Code, governing appointments
4 in the competitive service, and without regard to the
5 provisions of chapter 51 and subchapter III of chap-
6 ter 53 of such title relating to classification and
7 General Schedule pay rates, except that no rate of
8 pay fixed under this paragraph may exceed the
9 equivalent of that payable for a position at level V
10 of the Executive Schedule under section 5316 of title
11 5, United States Code.

12 (2) PERSONNEL.—The Commission shall have
13 the authorities provided in section 3161 of title 5,
14 United States Code, and shall be subject to the con-
15 ditions set forth in such section, except to the extent
16 that such conditions would be inconsistent with the
17 requirements of this section.

18 (3) PERSONNEL AS FEDERAL EMPLOYEES.—

19 (A) IN GENERAL.—The staff director and
20 any personnel of the Commission who are em-
21 ployees shall be employees under section 2105
22 of title 5, United States Code, for purposes of
23 chapters 63, 81, 83, 84, 85, 87, 89, and 90 of
24 that title.

1 (B) MEMBERS OF COMMISSION.—Subpara-
2 graph (A) shall not be construed to apply to
3 members of the Commission.

4 (4) QUALIFICATIONS.—Commission personnel
5 should have experience and expertise in areas includ-
6 ing—

7 (A) international humanitarian law;

8 (B) human rights law;

9 (C) investigations;

10 (D) humanitarian response;

11 (E) United States military operations;

12 (F) national security policy;

13 (G) the languages, histories, and cultures
14 of regions that have experienced civilian harm
15 during the period of inquiry; and

16 (H) other such areas the members of the
17 Commission determine necessary to carry out
18 the responsibilities of the Commission under
19 subsection (b).

20 (5) CONTRACTING.—The Commission may, to
21 such extent and in such amounts as are provided in
22 appropriation Acts, enter into contracts to enable
23 the Commission to discharge its duties under this
24 section.

1 (6) CONSULTANT SERVICES.—The Commission
2 is authorized to procure the services of experts and
3 consultants in accordance with section 3109 of title
4 5, United States Code, but at rates not to exceed the
5 daily rate paid a person occupying a position at level
6 IV of the Executive Schedule under section 5315 of
7 title 5, United States Code.

8 (g) REPORTS.—

9 (1) INTERIM REPORT.—Not later than June 1,
10 2024, the Commission shall submit to the appro-
11 priate congressional committees an interim report on
12 the study referred to in subsection (b)(1), including
13 the results and findings of such study as of that
14 date.

15 (2) OTHER REPORTS.—The Commission may,
16 from time to time, submit to the appropriate con-
17 gressional committees such other reports on such
18 study as the Commission considers appropriate.

19 (3) FINAL REPORT.—Not later than two years
20 after the date of the appointment of all of the mem-
21 bers of the Commission under subsection (d), the
22 Commission shall submit to the appropriate congres-
23 sional committees a final report on such study. The
24 report shall include—

25 (A) the findings of the Commission; and

1 (B) recommendations based on the find-
2 ings of the Commission to improve the preven-
3 tion, mitigation, assessment, and investigation
4 of incidents of civilian harm.

5 (4) PUBLIC AVAILABILITY.—The Commission
6 shall make publicly available on an appropriate
7 internet website an unclassified version of each re-
8 port submitted by the Commission under this sub-
9 section and shall ensure that such versions are mini-
10 mally redacted only for legitimately classified infor-
11 mation.

12 (h) DEFINITIONS.—In this section:

13 (1) The term “appropriate congressional com-
14 mittees” means—

15 (A) the congressional defense committees;

16 (B) the Committee on Foreign Affairs, the
17 Committee on Oversight and Reform, the Com-
18 mittee on Transportation and Infrastructure,
19 and the Permanent Select Committee on Intel-
20 ligence of the House of Representatives; and

21 (C) the Committee on Foreign Relations,
22 the Committee on Homeland Security and Gov-
23 ernmental Affairs, the Committee on Com-
24 merce, Science, and Transportation, and the
25 Select Committee on Intelligence of the Senate.

1 (2) The term “civilian harm” means—

2 (A) the death or injury of a civilian; or

3 (B) destruction of civilian property.

4 (3) The term “period of inquiry” means the pe-
5 riod beginning on the date of the enactment of the
6 Authorization for Use of Military Force (Public Law
7 107–40; 50 U.S.C. 1541 note) and ending on the
8 date of the enactment of the National Defense Au-
9 thorization Act for Fiscal Year 2023.

10 **SEC. 1085. DEPARTMENT OF DEFENSE CENTER FOR EXCEL-**
11 **LLENCE IN CIVILIAN HARM MITIGATION.**

12 (a) CENTER FOR EXCELLENCE IN CIVILIAN HARM
13 MITIGATION.—

14 (1) IN GENERAL.—Chapter 7 of title 10, United
15 States Code, is amended by inserting after section
16 183a the following new section:

17 **“§ 184. Center for Excellence in Civilian Harm Mitiga-**
18 **tion**

19 “(a) ESTABLISHMENT.—The Secretary of Defense
20 shall operate a Center for Excellence in Civilian Harm
21 Mitigation. The purpose of the center shall be to institu-
22 tionalize and advance knowledge, practices, and tools for
23 preventing, mitigating, and responding to civilian harm.

24 “(b) PURPOSE.—The Center shall be used to—

1 “(1) develop more standardized civilian-harm
2 operational reporting and data management proc-
3 esses to improve data collection, sharing, and learn-
4 ing to enable the Department of Defense to better
5 learn from disparate investigations and events;

6 “(2) develop, recommend, and review guidance,
7 and the implementation of guidance, on how the De-
8 partment responds to civilian harm;

9 “(3) develop recommended guidance for ad-
10 dressing civilian harm across the full spectrum of
11 armed conflict and for use in doctrine and oper-
12 ational plans;

13 “(4) develop and recommend training and exer-
14 cises for the prevention and investigation of civilian
15 harm;

16 “(5) develop a repository of civilian casualty
17 and civilian harm information; and

18 “(6) perform such other functions as the Sec-
19 retary of Defense may specify.

20 “(c) ANNUAL REPORT.—The Secretary of Defense
21 shall submit to the congressional defense committees, and
22 make publicly available on an appropriate website of the
23 Department, an annual report on the activities of the Cen-
24 ter.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by inserting after the item relating to section 183a
4 the following new item:

“184. Center for Excellence in Civilian Harm Mitigation.”.

5 (b) DEADLINE FOR ESTABLISHMENT.—The Center
6 for Excellence in Civilian Harm Mitigation, as required
7 under section 184 of title 10, United States Code, as
8 added by subsection (a), shall be established by not later
9 than 90 days after the date of the enactment of this Act.

10 (c) REPORT TO CONGRESS.—Not later than 90 days
11 after the date of the enactment of this Act, the Secretary
12 of Defense shall submit to the congressional defense com-
13 mittees a report on the establishment of such Center for
14 Excellence in Civilian Harm Mitigation.

15 **SEC. 1086. SENSE OF CONGRESS REGARDING NAMING A**
16 **WARSHIP THE USS FALLUJAH.**

17 It is the sense of Congress that the Secretary of the
18 Navy should name a warship the “USS Fallujah”.

19 **SEC. 1087. STANDARDIZATION OF SECTIONAL BARGE CON-**
20 **STRUCTION FOR DEPARTMENT OF DEFENSE**
21 **USE ON RIVERS AND INTERCOASTAL WATER-**
22 **WAYS.**

23 The Secretary of Defense shall ensure that any sec-
24 tional barge used by the Department of Defense—

1 (1) is built to a design that has been reviewed
2 and approved, to the extent possible, by the Amer-
3 ican Bureau of Shipping, for the intended barge
4 service, and using the rule set of the American Bu-
5 reau of Shipping for building and classing steel ves-
6 sels for service on rivers and intercoastal waterways;
7 and

8 (2) has a deck design that provides for a min-
9 imum concentrated load capacity of 10,000 pounds
10 per square foot.

11 **SEC. 1088. SENSE OF CONGRESS REGARDING NAMING WAR-**
12 **SHIPS AFTER DECEASED NAVY MEDAL OF**
13 **HONOR RECIPIENTS.**

14 It is the sense of Congress that the Secretary of the
15 Navy should name warships after deceased Navy recipi-
16 ents of the Medal of Honor from World War I to the
17 present, who have not had a vessel named in their honor,
18 as follows:

- 19 (1) Tedford H. Cann.
20 (2) Ora Graves.
21 (3) John MacKenzie.
22 (4) Patrick McGunigal.
23 (5) John H. Balch.
24 (6) Joel T. Boone.
25 (7) Jesse W. Covington.

- 1 (8) Edouard Izac.
- 2 (9) David E. Hayden.
- 3 (10) Alexander G. Lyle.
- 4 (11) Francis E. Ormsbee, Jr.
- 5 (12) Orlando H. Petty.
- 6 (13) Oscar Schmidt, Jr.
- 7 (14) Daniel A. J. Sullivan.
- 8 (15) Frank M. Upton.
- 9 (16) John O. Siegel.
- 10 (17) Henry Breault.
- 11 (18) Thomas J. Ryan.
- 12 (19) George R. Cholister.
- 13 (20) Thomas Eadie.
- 14 (21) William R. Huber.
- 15 (22) William Badders.
- 16 (23) James H. McDonald.
- 17 (24) John Mihalowski.
- 18 (25) Samuel G. Fuqua.
- 19 (26) William E. Hall.
- 20 (27) Herbert Schonland.
- 21 (28) Nathan G. Gordon.
- 22 (29) Arthur M. Preston.
- 23 (30) Eugene B. Fluckey.
- 24 (31) Robert Bush.
- 25 (32) Rufus G. Herring.

1 (33) Franklin J. Pierce.

2 (34) George L. Street.

3 (35) George E. Wahlen.

4 (36) William L. McGonagle.

5 **SEC. 1089. SENSE OF CONGRESS REGARDING THE SERVICE**
6 **AND CREW OF THE USS OKLAHOMA CITY.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

9 (1) The USS Oklahoma City is a nuclear-pow-
10 ered fast attack submarine named after Oklahoma
11 City, the capital and most populous city in Okla-
12 homa, and is the second ship in the history of the
13 Navy to bear that name.

14 (2) The motto of the USS Oklahoma City is
15 “The Sooner, The Better”, which is a testament to
16 both the spirit of the people of Oklahoma City and
17 the readiness of the 140-person crew of the USS
18 Oklahoma City.

19 (3) The USS Oklahoma City was christened
20 and launched on November 2, 1985, sponsored by
21 Linda M. Nickles, and was commissioned for service
22 on July 9, 1988, with Commander Kevin John
23 Reardon as the first commanding officer of the sub-
24 marine.

1 (4) Since the commissioning of the USS Okla-
2 homa City, the USS Oklahoma City has traveled
3 around the globe multiple times and has served in
4 the Mediterranean, the Persian Gulf, the Pacific,
5 and, most recently, Apra Harbor, Guam.

6 (5) In the aftermath of the April 19, 1995,
7 bombing of the Alfred P. Murrah Federal Building
8 in Oklahoma City, the crew of the USS Oklahoma
9 City donated blood in support of the victims of the
10 deadliest act of home-grown terrorism in the history
11 of the United States, which resulted in the deaths of
12 168 individuals.

13 (6) The USS Oklahoma City was the first Navy
14 submarine to transition from navigation using paper
15 charts to an all-electronic navigation suite.

16 (7) On Friday, May 20, 2022, the inactivation
17 ceremony for the USS Oklahoma City was held in
18 Puget Sound Naval Shipyard to honor nearly 34
19 years of service.

20 (8) Throughout the career of the USS Okla-
21 homa City, the USS Oklahoma City supported a
22 range of missions, including anti-surface warfare,
23 anti-submarine warfare, targeted strike missions,
24 and intelligence, surveillance, and reconnaissance
25 missions.

1 (b) SENSE OF CONGRESS.—Congress recognizes the
2 service of the Los Angeles-class attack submarine the USS
3 Oklahoma City and the crew of the USS Oklahoma City,
4 who served the United States with valor and bravery.

5 **SEC. 1090. TARGET DATE FOR DEPLOYMENT OF 5G WIRE-**
6 **LESS BROADBAND INFRASTRUCTURE AT ALL**
7 **MILITARY INSTALLATIONS.**

8 (a) TARGET REQUIRED.—The Secretary of Defense
9 shall—

10 (1) establish a target date by which the Sec-
11 retary plans to deploy 5G wireless broadband infra-
12 structure at all military installations; and

13 (2) establish metrics, which shall be identical
14 for each of the military departments, to measure
15 progress toward reaching the target required by
16 paragraph (1).

17 (b) ANNUAL REPORT.—The Secretary shall submit
18 to the congressional defense committees and annual report
19 that includes—

20 (1) the metrics in use pursuant to subsection
21 (a)(2); and

22 (2) the progress of the Secretary in reaching
23 the target required by subsection (a)(1).

1 (c) TERMINATION.—No report shall be required
2 under subsection (b) after the date that is five years after
3 the date of the enactment of this Act.

4 **SEC. 1091. INCLUSION OF AIR FORCE STUDENT PILOTS IN**
5 **PERSONNEL METRICS FOR ESTABLISHING**
6 **AND SUSTAINING DINING FACILITIES AT AIR**
7 **EDUCATION AND TRAINING COMMANDS.**

8 The Secretary of the Air Force shall revise the per-
9 sonnel metrics with respect to establishing and sustaining
10 dining facilities at Air Education and Training Commands
11 in the United States to include Air Force student pilots.

12 **SEC. 1092. SENSE OF CONGRESS REGARDING CONDUCT OF**
13 **INTERNATIONAL NAVAL REVIEW ON JULY 4,**
14 **2026.**

15 (a) FINDING.—Congress finds that July 4, 2026, is
16 the 250th birthday of the United States of America.

17 (b) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that the Navy should conduct an international naval
19 review on July 4, 2026.

20 **SEC. 1093. SENSE OF CONGRESS REGARDING CRISIS AT**
21 **THE SOUTHWEST BORDER.**

22 (a) FINDINGS.—Congress makes the following find-
23 ings:

1 (1) Noncitizens with criminal convictions are
2 routinely encountered at ports of entry and between
3 ports of entry on the Southwest land border.

4 (2) Some of the inadmissible individuals en-
5 countered on the southwest border are known or
6 suspected terrorists.

7 (3) Transnational criminal organizations rou-
8 tinely move illicit drugs, counterfeit products, and
9 trafficked humans across the Southwest land border.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) the current level of illegal crossings and
13 trafficking on the Southwest border represents a na-
14 tional security threat;

15 (2) the Department of Defense has rightly con-
16 tributed personnel to aid the efforts of the United
17 States Government to address the crisis at the
18 Southwest border;

19 (3) the National Guard and active duty mem-
20 bers of the Armed Forces are to be commended for
21 their hard work and dedication in their response to
22 the crisis at the Southwest land border; and

23 (4) border security is a matter of national secu-
24 rity and the failure to address the crisis at the

1 Southwest border introduces significant risk to the
2 people of the United States.

3 **SEC. 1094. NATIONAL COMMISSION ON THE FUTURE OF**
4 **THE NAVY.**

5 (a) NATIONAL COMMISSION ON THE FUTURE OF THE
6 NAVY.—

7 (1) ESTABLISHMENT.—There is established the
8 National Commission on the Future of the Navy (in
9 this section referred to as the “Commission”).

10 (2) MEMBERSHIP.—

11 (A) COMPOSITION.—The Commission shall
12 be composed of eight members, of whom—

13 (i) two shall be appointed by the
14 Chairman of the Committee on Armed
15 Services of the Senate, one of whom shall
16 be a Member of the Senate and one whom
17 shall not be;

18 (ii) two shall be appointed by the
19 Ranking Member of the Committee on
20 Armed Services of the Senate, one of
21 whom shall be a Member of the Senate and
22 one whom shall not be;

23 (iii) two shall be appointed by the
24 Chairman of the Committee on Armed
25 Services of the House of Representatives,

1 one of whom shall be a Member of the
2 House of Representatives and one whom
3 shall not be; and

4 (iv) two shall be appointed by the
5 Ranking Member of the Committee on
6 Armed Services of the House of Represent-
7 atives, one of whom shall be a Member of
8 the House of Representatives and one
9 whom shall not be.

10 (B) APPOINTMENT DATE.—The appoint-
11 ments of the members of the Commission shall
12 be made not later than 90 days after the date
13 of the enactment of this Act.

14 (C) EFFECT OF LACK OF APPOINTMENT
15 BY APPOINTMENT DATE.—If one or more ap-
16 pointments under subparagraph (A)(i) is not
17 made by the appointment date specified in sub-
18 paragraph (B), the authority to make such ap-
19 pointment or appointments shall expire, and the
20 number of members of the Commission shall be
21 reduced by the number equal to the number of
22 appointments so not made. If an appointment
23 under subparagraph (A)(ii), (iii), (iv), or (v) is
24 not made by the appointment date specified in
25 subparagraph (B), the authority to make an ap-

1 pointment under such subparagraph shall ex-
2 pire, and the number of members of the Com-
3 mission shall be reduced by the number equal
4 to the number otherwise appointable under such
5 subparagraph.

6 (D) EXPERTISE.—In making appointments
7 under this subsection, consideration should be
8 given to individuals with expertise in naval pol-
9 icy and strategy, naval forces capability, naval
10 nuclear weapons, Naval force structure design,
11 organization, and employment, shipbuilding,
12 and shipbuilding infrastructure.

13 (3) PERIOD OF APPOINTMENT; VACANCIES.—
14 Members shall be appointed for the life of the Com-
15 mission. Any vacancy in the Commission shall not
16 affect its powers, but shall be filled in the same
17 manner as the original appointment.

18 (4) CHAIR AND VICE CHAIR.—The Commission
19 shall select a Chair and Vice Chair from among its
20 members.

21 (5) INITIAL MEETING.—Not later than 30 days
22 after the date on which all members of the Commis-
23 sion have been appointed, the Commission shall hold
24 its initial meeting.

1 (6) MEETINGS.—The Commission shall meet at
2 the call of the Chair.

3 (7) QUORUM.—A majority of the members of
4 the Commission shall constitute a quorum, but a
5 lesser number of members may hold hearings.

6 (b) DUTIES OF THE COMMISSION.—

7 (1) STUDY ON NAVAL FORCE STRUCTURE.—

8 (A) IN GENERAL.—The Commission shall
9 undertake a comprehensive study of the struc-
10 ture of the Navy and policy assumptions related
11 to the size and force mixture of the Navy, in
12 order—

13 (i) to make recommendations on the
14 size and force mixture of ships; and

15 (ii) to make recommendations on the
16 size and force mixture of naval aviation;

17 (B) CONSIDERATIONS.—In undertaking
18 the study required by paragraph (1), the Com-
19 mission shall carry out each of the following:

20 (i) An evaluation and identification of
21 a structure for the Navy that—

22 (I) has the depth and scalability
23 to meet current and anticipated re-
24 quirements of the combatant com-
25 mands;

1 (II) assumes three different
2 funding levels of 2023 appropriated
3 plus inflation; 2023 appropriated with
4 3-5 percent real growth; and uncon-
5 strained to meet the needs for war in
6 the area of responsibility of United
7 States Indo-Pacific Command and the
8 area of responsibility of United States
9 European Command;

10 (III) ensures that the Navy has
11 the capacity needed to support cur-
12 rent and anticipated homeland defense
13 and disaster assistance missions in
14 the United States;

15 (IV) provides for sufficient num-
16 bers of members of the Navy to en-
17 sure a 115 percent manning level of
18 all deployed ships, similar to United
19 States Special Operations Command;

20 (V) recommends a peacetime ro-
21 tation force operational tempo goals;

22 (VI) recommends forward sta-
23 tioning requirements; and

24 (VII) manages strategic and
25 operational risk by making tradeoffs

1 among readiness, efficiency, effective-
2 ness, capability, and affordability.

3 (ii) An evaluation and identification of
4 combatant command demand and fleet
5 size, including recommendations to support
6 a balance of—

7 (I) readiness;

8 (II) training;

9 (III) routine ship maintenance;

10 (IV) personnel;

11 (V) forward presence; and

12 (VI) depot level ship mainte-
13 nance.

14 (iii) A detailed review of the cost of
15 the recapitalization of the Nuclear Triad in
16 the Department of Defense and its effect
17 on the Navy's budget.

18 (iv) A review of Navy personnel poli-
19 cies and training to determine changes
20 needed across all personnel activities to im-
21 prove training effectiveness and force tac-
22 tical readiness and reduce operational
23 stress.

24 (2) STUDY ON SHIPBUILDING AND INNOVA-
25 TION.—

1 (A) IN GENERAL.—The Commission shall
2 conduct a detail study on shipbuilding, ship-
3 yards, and integrating advanced information
4 technologies such as augmented reality an arti-
5 ficial intelligence on the current fleet.

6 (B) CONSIDERATIONS.—In conducting the
7 study required by subparagraph (A), the Com-
8 mission shall consider the following:

9 (i) Recommendations for specific
10 changes to the Navy’s Shipyard Infrastruc-
11 ture Optimization Program, to include leg-
12 islative changes to providing a multi-year
13 appropriation; additionally provides rec-
14 ommendations for bringing into the ship-
15 yards innovative technology companies as
16 part of the overall modernization effort.

17 (ii) Recommendations for changes to
18 the ship design and build program, to re-
19 duce risk, reduce cost, accelerate build
20 timelines, and takes an incremental ap-
21 proach to change in future ship building.

22 (iii) Recommendations for changes to
23 the ship depot maintenance program in
24 order to reduce overhaul timelines, inte-

1 grate current technologies into ships, and
2 reduces costs.

3 (3) REPORT.—Not later than July 1, 2024, the
4 Commission shall submit to the Committees on
5 Armed Services of the Senate and House of Rep-
6 resentatives an unclassified report, with classified
7 annexes if necessary, that includes the findings and
8 conclusions of the Commission as a result of the
9 studies required by paragraphs (1) and (2), together
10 with its recommendations for such legislative actions
11 as the Commission considers appropriate in light of
12 the results of the studies.

13 (c) POWERS OF THE COMMISSION.—

14 (1) HEARINGS.—The Commission may hold
15 such hearings, sit and act at such times and places,
16 take such testimony, and receive such evidence as
17 the Commission considers advisable to carry out its
18 duties under this section.

19 (2) INFORMATION FROM FEDERAL AGENCIES.—
20 The Commission may secure directly from any Fed-
21 eral department or agency such information as the
22 Commission considers necessary to carry out its du-
23 ties under this section. Upon request of the Chair of
24 the Commission, the head of such department or

1 agency shall furnish such information to the Com-
2 mission.

3 (3) POSTAL SERVICES.—The Commission may
4 use the United States mails in the same manner and
5 under the same conditions as other departments and
6 agencies of the Federal Government.

7 (d) COMMISSION PERSONNEL MATTERS.—

8 (1) COMPENSATION OF MEMBERS.—Each mem-
9 ber of the Commission who is not an officer or em-
10 ployee of the Federal Government may be com-
11 pensated at a rate not to exceed the daily equivalent
12 of the annual rate of \$155,400 for each day (includ-
13 ing travel time) during which such member is en-
14 gaged in the performance of the duties of the Com-
15 mission. All members of the Commission who are of-
16 ficers or employees of the United States or Members
17 of Congress shall serve without compensation in ad-
18 dition to that received for their services as officers
19 or employees of the United States.

20 (2) TRAVEL EXPENSES.—The members of the
21 Commission shall be allowed travel expenses, includ-
22 ing per diem in lieu of subsistence, at rates author-
23 ized for employees of agencies under subchapter I of
24 chapter 57 of title 5, United States Code, while

1 away from their homes or regular places of business
2 in the performance of services for the Commission.

3 (3) STAFF.—

4 (A) IN GENERAL.—The Chair of the Com-
5 mission may, without regard to the civil service
6 laws and regulations, appoint and terminate an
7 executive director and such other additional
8 personnel as may be necessary to enable the
9 Commission to perform its duties. The employ-
10 ment of an executive director shall be subject to
11 confirmation by the Commission.

12 (B) COMPENSATION.—The Chair of the
13 Commission may fix the compensation of the
14 executive director and other personnel without
15 regard to chapter 51 and subchapter III of
16 chapter 53 of title 5, United States Code, relat-
17 ing to classification of positions and General
18 Schedule pay rates, except that the rate of pay
19 for the executive director and other personnel
20 may not exceed the rate payable for level V of
21 the Executive Schedule under section 5316 of
22 such title.

23 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
24 Any Federal Government employee may be detailed
25 to the Commission without reimbursement, and such

1 detail shall be without interruption or loss of civil
2 service status or privilege.

3 (5) PROCUREMENT OF TEMPORARY AND INTER-
4 MITTENT SERVICES.—The Chair of the Commission
5 may procure temporary and intermittent services
6 under section 3109(b) of title 5, United States Code,
7 at rates for individuals which do not exceed the daily
8 equivalent of the annual rate of basic pay prescribed
9 for level V of the Executive Schedule under section
10 5316 of such title.

11 (e) TERMINATION OF THE COMMISSION.—

12 (1) IN GENERAL.—The Commission shall termi-
13 nate on the date that is five years after the date of
14 the enactment of this Act.

15 (2) INAPPLICABILITY OF TERMINATION RE-
16 QUIREMENT UNDER FACa.—Section 14 of the Fed-
17 eral Advisory Committee Act (5 U.S.C. App.) shall
18 not apply to the activities of the Commission under
19 this section.

20 **SEC. 1095. TRANSFER OF AIRCRAFT TO OTHER DEPART-**
21 **MENTS FOR WILDFIRE SUPPRESSION AND**
22 **OTHER PURPOSES.**

23 Section 1098(e)(1) of the National Defense Author-
24 ization Act for Fiscal Year 2014 (Public Law 113–66) is

1 amended by inserting “, search and rescue, or emergency
2 operations pertaining to wildfires” after “purposes”.

3 **SEC. 1096. NATIONAL MUSEUM OF INTELLIGENCE AND SPE-**
4 **CIAL OPERATIONS.**

5 (a) RECOGNITION.—The privately-funded museum to
6 honor the intelligence community and special operations
7 forces that is planned to be constructed in Ashburn, Vir-
8 ginia, may be recognized, upon completion, as the “Na-
9 tional Museum of Intelligence and Special Operations”.

10 (b) PURPOSES.—The purpose of recognizing the Na-
11 tional Museum of Intelligence and Special Operations
12 under subsection (a) are to—

13 (1) commemorate the members of the intel-
14 ligence community and special operations forces who
15 have been critical to securing the Nation against en-
16 emies of the United States for nearly a century;

17 (2) preserve and support the historic role that
18 the intelligence community and special operations
19 forces have played, and continue to play, both in se-
20 crecy as well as openly, to keep the United States
21 and its values and way of life secure; and

22 (3) foster a greater understanding of the intel-
23 ligence community and special operations forces to
24 ensure a common understanding, dispel myths, rec-
25 ognize those who are not otherwise able to be pub-

1 licly recognized, and increase science, technology, en-
2 gineering, and math education through museum pro-
3 grams designed to promote more interest and great-
4 er diversity in recruiting with respect to the intel-
5 ligence and special operations career field.

6 **TITLE XI—CIVILIAN PERSONNEL**
7 **MATTERS**

8 **SEC. 1101. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**
9 **ANNUAL LIMITATION ON PREMIUM PAY AND**
10 **AGGREGATE LIMITATION ON PAY FOR FED-**
11 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**
12 **SEAS.**

13 Subsection (a) of section 1101 of the Duncan Hunter
14 National Defense Authorization Act for Fiscal Year 2009
15 (Public Law 110–417; 122 Stat. 4615), as most recently
16 amended by section 1112 of the National Defense Author-
17 ization Act for Fiscal Year 2022 (Public Law 117–81),
18 is further amended by striking “through 2022” and in-
19 serting “through 2023”.

20 **SEC. 1102. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**
21 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**
22 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**
23 **FICIAL DUTY IN A COMBAT ZONE.**

24 Paragraph (2) of section 1603(a) of the Emergency
25 Supplemental Appropriations Act for Defense, the Global

1 War on Terror, and Hurricane Recovery, 2006 (Public
2 Law 109–234; 120 Stat. 443), as added by section 1102
3 of the Duncan Hunter National Defense Authorization
4 Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat.
5 4616) and as most recently amended by section 1114 of
6 the National Defense Authorization Act for Fiscal Year
7 2022 (Public Law 117–81), is further amended by strik-
8 ing “2023” and inserting “2024”.

9 **SEC. 1103. STANDARDIZED CREDENTIALS FOR LAW EN-**
10 **FORCEMENT OFFICERS OF THE DEPART-**
11 **MENT OF DEFENSE.**

12 (a) STANDARDIZED CREDENTIALS REQUIRED.—Not
13 later than 180 days after the date of the enactment of
14 this Act, the Secretary of Defense shall—

15 (1) develop a standardized identification creden-
16 tial for Defense law enforcement officers;

17 (2) issue such credential to each such officer at
18 no cost to such officer; and

19 (3) ensure that any Department of Defense
20 common access card issued to such an officer clearly
21 identifies the officer as a Defense law enforcement
22 officer.

23 (b) DEFENSE LAW ENFORCEMENT OFFICER DE-
24 FINED.—In this section, the term “Defense law enforce-

1 ment officer” means a member of the Armed Forces or
2 civilian employee of the Department of Defense who—

3 (1) is authorized by law to engage in or super-
4 vise the prevention, detection, investigation, or pros-
5 ecution of, or the incarceration of any person for,
6 any violation of law;

7 (2) has statutory powers of arrest or apprehen-
8 sion under section 807(b) of title 10, United States
9 Code (article 7(b) of the Uniform Code of Military
10 Justice); and

11 (3) is authorized by the Department to carry a
12 firearm.

13 **SEC. 1104. TEMPORARY EXTENSION OF AUTHORITY TO**
14 **PROVIDE SECURITY FOR FORMER DEPART-**
15 **MENT OF DEFENSE OFFICIALS.**

16 During the period beginning on the date of enactment
17 of this Act and ending on January 1, 2024, subsection
18 (b) of section 714 of title 10, United States Code, shall
19 be applied—

20 (1) in paragraph (1)(A), by substituting “a se-
21 rious and credible threat” for “an imminent and
22 credible threat”;

23 (2) in paragraph (2)(B), by substituting “three
24 years” for “two years”; and

25 (3) in paragraph (6)(A), by substituting—

1 (A) “congressional leadership and the con-
2 gressional defense committees” for “the con-
3 gressional defense committees”; and

4 (B) by substituting “the justification for
5 such determination, scope of the protection, and
6 the anticipated cost and duration of such pro-
7 tection” for “the justification for such deter-
8 mination”.

9 **SEC. 1105. INCREASE IN POSITIONS ELIGIBLE FOR EN-**
10 **HANCED PAY AUTHORITY FOR CERTAIN RE-**
11 **SEARCH AND TECHNOLOGY POSITIONS IN**
12 **SCIENCE AND TECHNOLOGY REINVENTION**
13 **LABORATORIES.**

14 (a) IN GENERAL.—Section 4094(e)(2) of title 10,
15 United States Code, is amended by striking “five” and
16 inserting “ten”.

17 (b) APPLICATION.—The amendment made by sub-
18 section (a) shall take effect immediately after section
19 851(a).

20 **SEC. 1106. GAO REPORT ON FEDERAL EMPLOYEE PAID**
21 **LEAVE ACT.**

22 (a) IN GENERAL.—Not later than January 1, 2024,
23 the Comptroller General shall submit, to the Committee
24 on Armed Services and the Committee on Oversight and
25 Reform of the House of Representatives, a report on the

1 implementation of the Federal Employee Paid Leave Act
2 (subtitle A of title LXXVI of division F of Public Law
3 116–92), the Paid Parental Leave Technical Corrections
4 Act of 2020 (section 1103 of Public Law 116–283, and
5 the amendments made by such Acts.

6 (b) CONTENTS.—The report under subsection (a)
7 shall review, assess, and provide recommendations, as ap-
8 propriate, on the following:

9 (1) Any data collected or used by the Office of
10 Personnel Management on the use of paid parental
11 leave provided by such Acts and the amendments
12 made by such Acts.

13 (2) Office of Personnel Management and Fed-
14 eral agencies’ efforts to make employees aware of
15 paid parental leave under such Acts and the amend-
16 ments made by such Acts, address any obstacles to
17 the use of paid parental leave, and monitor the im-
18 pact of such Acts and the amendments made by
19 such Acts on hiring, recruitment, and retention of
20 employees.

21 **SEC. 1107. INFLATION BONUS PAY FOR CERTAIN DEPART-**
22 **MENT OF DEFENSE CIVILIAN EMPLOYEES.**

23 (a) GENERAL SCHEDULE AND OTHER EMPLOY-
24 EES.—

1 (1) BONUS.—On the first day of the first pay
2 period beginning on or after January 1, 2023, and
3 on the first day of each of the months of February
4 through December in calendar year 2023, the Sec-
5 retary of Defense shall pay a bonus to each civilian
6 employee of the Department of Defense who—

7 (A) is under the General Schedule and has
8 an annual rate of basic pay equal to \$45,000 or
9 less; or

10 (B) is within the civil service (as that term
11 is defined in section 2101 of title 5, United
12 States Code), is not under the General Schedule
13 or the Federal Wage System, and has an an-
14 nual rate of basic pay equal to \$45,000 or less.

15 (2) AMOUNT.—The monthly bonus paid under
16 paragraph (1) to an employee shall be in an amount
17 equal to 2.4 percent of the annual rate of basic pay
18 in effect for such employee on the first day of such
19 pay period.

20 (b) FEDERAL WAGE SYSTEM EMPLOYEES.—

21 (1) BONUS.—On the first day that the wage
22 survey adjustment for fiscal year 2023 takes effect
23 in October of that fiscal year, and on and the first
24 day of each of the months of November through
25 September of such fiscal year, the Secretary of De-

1 fense shall pay a bonus to each civilian employee of
2 the Department of Defense who—

3 (A) is a prevailing rate employee under the
4 Federal Wage System; and

5 (B) has an annual rate of basic pay equal
6 to \$45,000 or less.

7 (2) AMOUNT.—The monthly bonus paid under
8 paragraph (1) to an employee shall be in an amount
9 equal to 2.4 percent of the annual rate of basic pay
10 in effect for such employee on the first day that
11 such adjustment takes effect.

12 (c) LIMITATIONS.—A bonus under subsection (a) or
13 (b)—

14 (1) may not be paid after December 1, 2023,
15 or September 1, 2023, respectively; and

16 (2) shall not be considered to be basic pay of
17 an employee for any purpose.

18 **SEC. 1108. FLEXIBLE WORKPLACE PROGRAMS.**

19 Not later than 60 days after the date of the enact-
20 ment of this Act, the Secretary of Defense shall ensure
21 that each Secretary of a military department modifies any
22 guidance relating to flexible workplace programs to ensure
23 that maximum practicable flexibility is allowed to permit
24 employees to perform all or a portion of the duties of such
25 employees—

1 (1) at a telecommuting center established pur-
2 suant to statute; or

3 (2) through the use of flexible workplace serv-
4 ices agreements.

5 **TITLE XII—MATTERS RELATING**
6 **TO FOREIGN NATIONS**
7 **Subtitle A—Assistance and**
8 **Training**

9 **SEC. 1201. MODIFICATIONS TO ANNUAL REPORTS ON SECU-**
10 **RITY COOPERATION.**

11 (a) DEFENSE INSTITUTION CAPACITY BUILDING.—
12 Section 332(b)(2) of title 10, United States Code, is
13 amended—

14 (1) by striking “quarter” each place it appears;
15 and

16 (2) by striking “Each fiscal year” and inserting
17 “Not later than February 1 of each year”.

18 (b) ANNUAL REPORT ON SECURITY COOPERATION
19 ACTIVITIES.—Section 386 of title 10, United States Code,
20 is amended to read as follows:

21 **“§ 386. Annual report**

22 “(a) ANNUAL REPORT REQUIRED.—Not later than
23 March 31 of each year, the Secretary of Defense shall sub-
24 mit to the appropriate congressional committees a report
25 that sets forth, on a country-by-country basis, an overview

1 of security cooperation activities carried out by the De-
2 partment of Defense during the fiscal year preceding the
3 fiscal year in which such report is submitted, pursuant to
4 one or more of the authorities listed in subsection (b).

5 “(b) ELEMENTS OF REPORT.—Each report required
6 under subsection (a) shall include, with respect to each
7 country and for the entirety of the period covered by such
8 report, the following:

9 “(1) A narrative summary that provides a—

10 “(A) brief overview of the primary security
11 cooperation objectives for the activities encom-
12 passed by the report; and

13 “(B) a description of how such activities
14 advance the theater security cooperation strat-
15 egy of the relevant geographic combatant com-
16 mand.

17 “(2) A table that includes an aggregated
18 amount with respect to each of the following:

19 “(A) With respect to amounts made avail-
20 able for section 332(a) of this title, the Depart-
21 ment of Defense cost to provide any Depart-
22 ment personnel as advisors to a ministry of de-
23 fense.

24 “(B) With respect to amounts made avail-
25 able for section 332(b) of this title, the Depart-

1 ment of Defense incremental execution costs to
2 conduct activities under such section.

3 “(C) With respect to section 333 of this
4 title, the value of all programs for which notice
5 is required by such section.

6 “(D) With respect to amounts made avail-
7 able for section 341 of this title, the Depart-
8 ment of Defense manpower and travel costs to
9 conduct bi-lateral state partnership program en-
10 gagements with the partner country.

11 “(E) With respect to amounts made avail-
12 able for section 342 of this title, the Depart-
13 ment of Defense-funded, foreign-partner travel
14 costs to attend a regional center activity that
15 began during the period of the report.

16 “(F) With respect to amounts made avail-
17 able for section 345 of this title, the estimated
18 Department of Defense execution cost to com-
19 plete all training that began during the period
20 of the report.

21 “(G) With respect to amounts made avail-
22 able for section 2561 of this title, the planned
23 execution cost of completing humanitarian as-
24 sistance activities for the partner country that
25 were approved for the period of the report.

1 “(3) A table that includes aggregated totals for
2 each of the following:

3 “(A) Pursuant to section 311 of this title,
4 the number of personnel from a partner country
5 assigned to a Department of Defense organiza-
6 tion.

7 “(B) Pursuant to section 332(a) of this
8 title, the number of Department of Defense per-
9 sonnel assigned as advisors to a ministry of de-
10 fense.

11 “(C) Pursuant to section 332(b) of this
12 title, the number of activities conducted by the
13 Department of Defense.

14 “(D) The number of new programs carried
15 out during the period of the report that re-
16 quired notice under section 333 of this title.

17 “(E) With respect to section 341 of this
18 title, the number of Department of Defense bi-
19 lateral state partnership program engagements
20 with the partner country that began during the
21 period of the report.

22 “(F) With respect to section 342 of this
23 title, the number of partner country officials
24 who participated in regional center activity that
25 began during the period of the report.

1 “(G) Pursuant to the authorities under
2 sections 343, 345, 348, 349, 350 and 352 of
3 this title, the total number of partner country
4 personnel who began training during the period
5 of the report.

6 “(H) Pursuant to section 347 of this title,
7 the number of cadets from the partner country
8 that were enrolled in the Service Academies
9 during the period of the report.

10 “(I) Pursuant to amounts made available
11 to carry out section 2561 of this title, the num-
12 ber of new humanitarian assistance projects
13 funded through the Overseas Humanitarian
14 Disaster and Civic Aid account that were ap-
15 proved during the period of the required report.

16 “(4) A table that includes the following:

17 “(A) For each person from the partner
18 country assigned to a Department of Defense
19 organization pursuant to section 311 of this
20 title—

21 “(i) whether the person is a member
22 of the armed forces or a civilian;

23 “(ii) the rank of the person (if appli-
24 cable); and

1 “(iii) the component of the Depart-
2 ment of Defense and location to which
3 such person is assigned.

4 “(B) With respect to each civilian em-
5 ployee of the Department of Defense or member
6 of the armed forces that was assigned, pursuant
7 to section 332(a) of this title, as an advisor to
8 a ministry of defense during the period of the
9 report, a description of the object of the De-
10 partment of Defense for such support and the
11 name of the ministry or regional organization to
12 which the employee or member was assigned.

13 “(C) With respect to each activity com-
14 menced under section 332(b) of this title during
15 the period of the report—

16 “(i) the name of the supported min-
17 istry or regional organization;

18 “(ii) the component of the Depart-
19 ment of Defense that conducted the activ-
20 ity;

21 “(iii) the duration of the activity; and

22 “(iv) a description of the objective of
23 the activity.

1 “(D) For each program that required no-
2 tice to Congress under section 333 of this title
3 during the period of the report—

4 “(i) the units of the national security
5 forces of the foreign country to which as-
6 sistance was provided;

7 “(ii) the type of operational capability
8 assisted;

9 “(iii) a description of the nature of
10 the assistance being provided; and

11 “(iv) the estimated cost included in
12 the notice provided for such assistance.

13 “(E) With respect to each activity com-
14 menced under section 341 of this title during
15 the period of the report—

16 “(i) a description of the activity;

17 “(ii) the duration of the activity;

18 “(iii) the number of participating
19 members of the National Guard; and

20 “(iv) the number of participating per-
21 sonnel of the foreign country.

22 “(F) With respect to each activity of a Re-
23 gional Center for Security Studies commenced
24 under section 342 of this title during the period
25 of the report—

1 “(i) a description of the activity;

2 “(ii) the name of the Regional Center
3 that sponsored the activity;

4 “(iii) the location and duration of the
5 training; and

6 “(iv) the number of officials from the
7 foreign country who participated in the ac-
8 tivity.

9 “(G) With respect to each training event
10 that commenced under section 343, 345, 348,
11 349, 350, or 352 of this title during the period
12 of the report—

13 “(i) a description of the training;

14 “(ii) the location and duration of the
15 training; and

16 “(iii) the number of personnel of the
17 foreign country trained.

18 “(H) With respect to each new project ap-
19 proved under section 2561 of this title during
20 the period of the report and funded through the
21 Overseas Humanitarian Disaster and Civic Aid
22 account—

23 “(i) the title of the project;

24 “(ii) a description of the assistance to
25 be provided; and

1 “(iii) the anticipated cost to provide
2 such assistance.”.

3 **SEC. 1202. MODIFICATION TO AUTHORITY TO PROVIDE**
4 **SUPPORT FOR CONDUCT OF OPERATIONS.**

5 Notwithstanding subsection (g)(1) of section 331 of
6 title 10, United States Code, the aggregate value of all
7 logistic support, supplies, and services provided under
8 paragraphs (1), (4), and (5) of subsection (c) of such sec-
9 tion 331 in each of fiscal years 2023 and 2024 may not
10 exceed \$950,000,000.

11 **SEC. 1203. EXTENSION AND MODIFICATION OF AUTHORITY**
12 **FOR REIMBURSEMENT OF CERTAIN COALI-**
13 **TION NATIONS FOR SUPPORT PROVIDED TO**
14 **UNITED STATES MILITARY OPERATIONS.**

15 Section 1233 of the National Defense Authorization
16 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.
17 393) is amended—

18 (1) in subsection (a), by striking “for the period
19 beginning on October 1, 2021, and ending on De-
20 cember 31, 2022” and inserting “for the period be-
21 ginning on October 1, 2022, and ending on Decem-
22 ber 31, 2023”; and

23 (2) in subsection (d)—

24 (A) by striking “during the period begin-
25 ning on October 1, 2021, and ending on De-

1 cember 31, 2022” and inserting “during the pe-
2 riod beginning on October 1, 2022, and ending
3 on December 31, 2023”; and

4 (B) by striking “\$60,000,000” and insert-
5 ing “\$30,000,000”.

6 **SEC. 1204. MODIFICATION TO AUTHORITY TO BUILD CAPAC-**
7 **ITY OF FOREIGN SECURITY FORCES.**

8 Subsection (a) of section 333 of title 10, United
9 States Code, is amended—

10 (1) in paragraph (3), by inserting “or other
11 counter-illicit trafficking operations” before the pe-
12 riod at the end; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(10) Operations or activities that maintain or
16 enhance the climate resilience of military or security
17 infrastructure supporting security cooperation pro-
18 grams under this section.”.

19 **SEC. 1205. PUBLIC REPORT ON MILITARY CAPABILITIES OF**
20 **CHINA, IRAN, NORTH KOREA, AND RUSSIA.**

21 (a) PUBLIC REPORT ON MILITARY CAPABILITIES OF
22 COVERED COUNTRIES.—Chapter 23 of title 10, United
23 States Code, is amended by inserting after section 486 the
24 following new section:

1 **“§ 487. Public report on military capabilities of cov-**
2 **ered countries**

3 “(a) ANNUAL REPORT.—Not later than January 30
4 of each year through 2027, the Secretary of Defense, in
5 consultation with the Director of National Intelligence,
6 shall make publicly available on the internet website of the
7 Department of Defense a report on the military capabili-
8 ties of each covered country.

9 “(b) MATTERS INCLUDED.—Each report under sub-
10 section (a) shall include, with respect to each covered
11 country—

12 “(1) an assessment of the grand strategy, secu-
13 rity strategy, and military strategy, including the
14 goals and trends of such strategies;

15 “(2) an estimate of the funds spent annually on
16 developing conventional forces, unconventional
17 forces, and nuclear and missile forces;

18 “(3) an assessment of the size and capabilities
19 of the conventional forces;

20 “(4) an assessment of the size and capability of
21 the unconventional forces and related activities;

22 “(5) with respect to the forces described in sub-
23 section (d)(3)(B), an assessment of the types and
24 amount of support, including—

25 “(A) lethal and non-lethal supplies; and

26 “(B) training provided; and

1 “(6) an assessment of the capabilities of the nu-
2 clear and missile forces and related activities, includ-
3 ing—

4 “(A) the nuclear weapon capabilities;

5 “(B) the ballistic missile forces; and

6 “(C) the development of the nuclear and
7 missile forces since the preceding year.

8 “(c) FORM.—Each report under subsection (a) shall
9 be made available in unclassified form, consistent with the
10 protection of intelligence sources and methods.

11 “(d) NONDUPLICATION OF EFFORTS.—The Sec-
12 retary of Defense may use or add to any existing reports
13 completed by the Secretary of Defense or Director of Na-
14 tional Intelligence to respond to the reporting requirement
15 under subsection (a).

16 “(e) DEFINITIONS.—In this section:

17 “(1) The term ‘conventional forces’ means, with
18 respect to a covered country, military forces de-
19 signed to conduct operations in sea, air, space,
20 cyberspace, the electromagnetic spectrum, or land,
21 other than unconventional forces, ballistic forces,
22 and cruise missile forces.

23 “(2) The term ‘covered country’ means each of
24 the following:

25 “(A) China.

1 “(B) Iran.

2 “(C) North Korea.

3 “(D) Russia.

4 “(3) The term ‘unconventional forces’, with re-
5 spect to a covered country—

6 “(A) means forces that carry out missions
7 typically associated with special operations
8 forces; and

9 “(B) includes any organization that—

10 “(i) has been designated by the Sec-
11 retary of State as a foreign terrorist orga-
12 nization under section 219 of the Immigra-
13 tion and Nationality Act (8 U.S.C. 1189);
14 or

15 “(ii) has been assessed by the Sec-
16 retary of Defense as being willing to act
17 under the control or at the direction of
18 such covered country.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 for chapter 23 of title 10, United States Code, is amended
21 by inserting after the item related to section 486 the fol-
22 lowing item:

“487. Public report on military capabilities of covered countries.”.

1 **SEC. 1206. SECURITY COOPERATION PROGRAMS WITH FOR-**
2 **EIGN PARTNERS TO ADVANCE WOMEN,**
3 **PEACE, AND SECURITY.**

4 (a) IN GENERAL.—Subchapter V of chapter 16 of
5 title 10, United States Code, is amended by adding at the
6 end the following new section:

7 **“§ 353. Women, peace, and security programs**

8 “(a) IN GENERAL.—The Secretary of Defense, with
9 the concurrence of the Secretary of State, may conduct
10 or support security cooperation programs and activities in-
11 volving the national military or national-level security
12 forces of a foreign country or other covered personnel to
13 advise, train, and educate such forces or such other cov-
14 ered personnel with respect to—

15 “(1) the recruitment, employment, development,
16 retention, promotion, and meaningful participation
17 in decision making of women and underrepresented
18 groups;

19 “(2) sexual harassment, sexual assault, domes-
20 tic abuse, and other forms of sexual and gender-
21 based violence that disproportionately impact women
22 and underrepresented groups;

23 “(3) the integration of gender analysis into se-
24 curity sector policy, planning, exercises, and train-
25 ing;

1 “(4) the requirements of women and underrep-
2 resented groups, including providing appropriate
3 gender sensitive equipment and facilities;

4 “(5) the development of educational curriculum
5 on women, peace, and security within professional
6 military education programming and other security
7 forces training;

8 “(6) the establishment, training, and develop-
9 ment of gender advisory workforces within women,
10 peace, and security programs; and

11 “(7) the implementation of activities described
12 in this subsection.

13 “(b) PAYMENT OF EXPENSES FOR ADVANCEMENT OF
14 OBJECTIVES.—The Secretary of Defense may pay for the
15 travel, transportation, and subsistence expenses of na-
16 tional military and national-level security forces of a for-
17 eign country or other covered personnel that the Secretary
18 considers necessary for the advancement of the objectives
19 of this section.

20 “(c) OTHER COVERED PERSONNEL DEFINED.—In
21 this section, the term ‘other covered personnel’ means per-
22 sonnel of—

23 “(1) the ministry of defense, or a governmental
24 entity with a similar function, of a foreign country;

1 “(2) a regional organization with a security
2 mission;

3 “(3) personnel of a friendly foreign government
4 other than personnel of national security forces; or

5 “(4) personnel of a non-governmental organiza-
6 tion.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of subchapter V of chapter 16 of title
9 10, United States Code, is amended by adding at the end
10 the following new item:

“353. Women, peace, and security programs.”.

11 (c) WOMEN, PEACE, AND SECURITY CURRICULA FOR
12 PRE-COMMISSIONING EDUCATION PROGRAMS AND JOINT
13 PROFESSIONAL MILITARY EDUCATION.—

14 (1) INTEGRATION OF WOMEN, PEACE, AND SE-
15 CURITY CURRICULA.—The Secretary of Defense
16 shall develop a plan to incorporate women, peace,
17 and security studies as a component of the core cur-
18 ricula of pre-commissioning education programs and
19 joint professional military education programs to
20 further implementation of the Women, Peace, and
21 Security Act of 2017 (Public Law 115–68; 22
22 U.S.C. 2151 note), including an analysis of the re-
23 sources needed to develop a standardized women,
24 peace, and security curriculum.

1 (2) REPORT.—Not later than one year after the
2 date of the enactment of this Act, the Secretary of
3 Defense shall submit to the appropriate congress-
4 sional committees a report detailing the plan devel-
5 oped under paragraph (1).

6 (3) BRIEFING.—Not later than 180 days after
7 the date of the enactment of this Act, the Secretary
8 of Defense shall brief the appropriate congressional
9 committees on the report under paragraph (2) de-
10 tailing the plan developed under paragraph (1).

11 (4) DEFINITIONS.—In this subsection:

12 (A) The term “appropriate congressional
13 committees” means—

14 (i) the Committee on Armed Services
15 and the Committee on Foreign Affairs of
16 the House of Representatives; and

17 (ii) the Committee on Armed Services
18 and the Committee on Foreign Relations
19 of the Senate.

20 (B) The term “joint professional military
21 education program” means a program or course
22 of instruction established pursuant to a provi-
23 sion of chapter 107 of title 10, United States
24 Code.

1 (C) The term “pre-commissioning edu-
2 cation program” means a program or course of
3 instruction established for—

4 (i) the United States Military Acad-
5 emy;

6 (ii) the United States Naval Academy;

7 or

8 (iii) the United States Air Force
9 Academy.

10 (d) PLAN FOR DEVELOPMENT AND MANAGEMENT OF
11 GENDER ADVISOR WORKFORCE.—

12 (1) PLAN REQUIRED.—The Secretary of De-
13 fense shall develop and implement a plan to stand-
14 ardize the role and duties of the gender advisor
15 workforce of the Department of Defense responsible
16 for supporting the implementation of the Women,
17 Peace, and Security Act of 2017 (Public Law 115–
18 68; 22 U.S.C. 2151 note).

19 (2) ELEMENTS.—The plan required by para-
20 graph (1) shall consist of such elements relating to
21 the development and management of the gender ad-
22 visor workforce, including an assessment of—

23 (A) the funds, resources, and authorities
24 needed to establish and develop the gender advi-
25 sor role into a full-time, billeted, and resourced

1 position across organizations within the Depart-
2 ment of Defense, including the military depart-
3 ments, Armed Forces, the combatant com-
4 mands, and defense agencies and field activities;

5 (B) the actions the Secretary will take to
6 develop and standardize position descriptions of
7 the gender advisor workforce, including gender
8 advisors and gender focal points, across organi-
9 zations within the Department;

10 (C) the Department's existing training pro-
11 grams for gender advisors and gender focal
12 points, including the creation and funding of a
13 credentialing program for gender advisors to
14 foster the development of a professionalized
15 cadre of gender advisors.

16 (D) a self-assessment of the Department's
17 progress in implementing a fully trained cadre
18 of gender advisors appropriately placed within
19 the Department and a plan to address any gaps
20 or deficiencies; and

21 (E) the actions the Secretary will carry out
22 for incorporating the total amount of expendi-
23 tures and proposed appropriations necessary to
24 support the program, projects, and activities of

1 the gender advisor workforce into future years
2 defense program submissions to Congress.

3 (3) REPORT.—Not later than one year after the
4 date of the enactment of this Act, the Secretary of
5 Defense shall submit to the appropriate congress-
6 sional committees a report detailing the Secretary’s
7 progress in implementing the plan required by para-
8 graph (1).

9 (4) DEFINITIONS.—In this subsection—

10 (A) the term “appropriate congressional
11 committees” means—

12 (i) the Committee on Armed Services
13 and the Committee on Foreign Affairs of
14 the House of Representatives; and

15 (ii) the Committee on Armed Services
16 and the Committee on Foreign Relations
17 of the Senate; and

18 (B) the term “gender advisor workforce”
19 means all gender advisors and gender focal
20 points across the Department of Defense.

1 **Subtitle B—Matters Relating to**
2 **Afghanistan and Pakistan**

3 **SEC. 1211. EXTENSION AND MODIFICATION OF THE AF-**
4 **GHAN SPECIAL IMMIGRANT VISA PROGRAM.**

5 Section 602(b)(3)(F) of the Afghan Allies Protection
6 Act of 2009 (8 U.S.C. 1101 note) is amended—

7 (1) in the heading, by striking “2022” and in-
8 serting “2023”; and

9 (2) in clause (ii), by striking “2023” and in-
10 serting “2024”.

11 **SEC. 1212. ADDITIONAL MATTERS FOR INCLUSION IN RE-**
12 **PORTS ON OVERSIGHT IN AFGHANISTAN.**

13 Section 1069(a) of the National Defense Authoriza-
14 tion Act for Fiscal Year 2022 (Public Law 117–81; 135
15 Stat. 1912) is amended—

16 (1) by redesignating paragraphs (9) through
17 (16) as paragraphs (12) through (19), respectively;

18 (2) by inserting after paragraph (8) the fol-
19 lowing new paragraphs:

20 “(9) An assessment of the status of—

21 “(A) defense intelligence assets dedicated
22 to Afghanistan; and

23 “(B) the ability of the United States to de-
24 tect emerging threats emanating from Afghani-

1 stan against the United States and former coa-
2 lition partners.

3 “(10) An assessment of local or indigenous
4 counterterrorism partners of the Department of De-
5 fense.

6 “(11) An assessment of risks to the mission
7 and risks to United States personnel involved in
8 over-the-horizon counterterrorism options.”; and

9 (3) in paragraph (16), as so redesignated, by
10 striking “Afganistan” and inserting “Afghanistan”.

11 **SEC. 1213. PROHIBITION ON TRANSPORTING CURRENCY TO**
12 **THE TALIBAN AND THE ISLAMIC EMIRATE OF**
13 **AFGHANISTAN.**

14 None of the amounts authorized to be appropriated
15 by this Act or otherwise made available to the Department
16 of Defense may be made available for the operation of any
17 aircraft of the Department of Defense to transport cur-
18 rency or other items of value to the Taliban, the Islamic
19 Emirate of Afghanistan, or any subsidiary, agent, or in-
20 strumentality of either the Taliban or the Islamic Emirate
21 of Afghanistan.

1 **Subtitle C—Matters Relating to**
2 **Syria, Iraq, and Iran**

3 **SEC. 1221. EXTENSION OF AUTHORITY TO PROVIDE ASSIST-**
4 **ANCE TO VETTED SYRIAN GROUPS AND INDI-**
5 **VIDUALS.**

6 (a) **IN GENERAL.**—Subsection (a) of section 1209 of
7 the Carl Levin and Howard P. “Buck” McKeon National
8 Defense Authorization Act of Fiscal Year 2015 (Public
9 Law 113–291; 128 Stat. 3451) is amended by striking
10 “December 31, 2022” and inserting “December 31,
11 2023”.

12 (b) **EXTENSION OF WAIVER AUTHORITY.**—Sub-
13 section (l)(3)(D) of such section is amended by striking
14 “December 31, 2022” and inserting “December 31,
15 2023”.

16 **SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY**
17 **TO PROVIDE ASSISTANCE TO COUNTER THE**
18 **ISLAMIC STATE OF IRAQ AND SYRIA.**

19 (a) **IN GENERAL.**—Subsection (a) of section 1236 of
20 the Carl Levin and Howard P. “Buck” McKeon National
21 Defense Authorization Act for Fiscal Year 2015 (Public
22 Law 113–291; 128 Stat. 3558) is amended by striking
23 “December 31, 2022” and inserting “December 31,
24 2023”.

1 (b) FUNDING.—Subsection (g) of such section is
2 amended—

3 (1) by striking “fiscal year 2022” and inserting
4 “fiscal year 2023”; and

5 (2) by striking “\$322,500,000” and inserting
6 “\$358,015,000”.

7 (c) EXTENSION OF WAIVER AUTHORITY.—Sub-
8 section (o)(5) of such section is amended by striking “De-
9 cember 31, 2022” and inserting “December 31, 2023”.

10 (d) LIMITATION ON AVAILABILITY OF FUNDS.—Of
11 the amount of funds made available for fiscal year 2022
12 (and available for obligation as of the date of the enact-
13 ment of this Act) and fiscal year 2023 to carry out section
14 1236 of the Carl Levin and Howard P. “Buck” McKeon
15 National Defense Authorization Act for Fiscal Year 2015
16 (Public Law 113-291; 128 Stat. 3558), not more than 50
17 percent may be obligated or expended until the date on
18 which the Secretary of Defense submits to the appropriate
19 congressional committees the report required by section
20 1223(f) of the National Defense Authorization Act for
21 Fiscal Year 2022 (Public Law 117–81).

1 **SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPER-**
2 **ATIONS AND ACTIVITIES OF THE OFFICE OF**
3 **SECURITY COOPERATION IN IRAQ.**

4 (a) SOURCE OF FUNDS.—Subsection (d) of section
5 1215 of the National Defense Authorization Act for Fiscal
6 Year 2012 (10 U.S.C. 113 note) is amended by striking
7 “fiscal year 2022” and inserting “fiscal year 2023”.

8 (b) LIMITATION ON AVAILABILITY OF FUNDS.—Of
9 the funds authorized to be appropriated by this Act or
10 otherwise made available for fiscal year 2023 for the Of-
11 fice of the Secretary of the Army, the Office of the Sec-
12 retary of the Navy, and the Office of the Secretary of the
13 Air Force for travel expenses, not more than 65 percent
14 may be obligated or expended until the date on which a
15 staffing plan for the Office of Security Cooperation in Iraq
16 is completed.

17 **SEC. 1224. EXTENSION AND MODIFICATION OF REPORT ON**
18 **THE MILITARY CAPABILITIES OF IRAN AND**
19 **RELATED ACTIVITIES.**

20 Subsection (a) of section 1227 of the National De-
21 fense Authorization Act for Fiscal Year 2022 (Public Law
22 117–81; 135 Stat. 1972) is amended—

23 (1) in the matter preceding paragraph (1)—

24 (A) by inserting “and annually thereafter
25 for 1 year” after “enactment of this Act”; and

1 (B) by inserting “, consistent with the pro-
2 tection of intelligence sources and methods,”
3 after “Director of National Intelligence”; and
4 (2) in paragraph (1)(D), by inserting “ Hamas,
5 Palestinian Islamic Jihad, Popular Front for the
6 Liberation of Palestine,” after “Lebanese
7 Hezbollah,”.

8 **SEC. 1225. PROHIBITION ON TRANSFERS TO IRAN.**

9 None of the amounts authorized to be appropriated
10 by this Act or otherwise made available to the Department
11 of Defense may be made available to transfer or facilitate
12 a transfer of pallets of currency, currency, or other items
13 of value to the Government of Iran, any subsidiary of such
14 Government, or any agent or instrumentality of Iran.

15 **Subtitle D—Matters Relating to**
16 **Russia**

17 **SEC. 1231. EXTENSION OF LIMITATION ON MILITARY CO-**
18 **OPERATION BETWEEN THE UNITED STATES**
19 **AND RUSSIA.**

20 Section 1232(a) of the National Defense Authoriza-
21 tion Act for Fiscal Year 2017 (Public Law 114–328; 130
22 Stat. 2488), is amended by striking “2021, or 2022” and
23 inserting “2021, 2022, or 2023”.

1 **SEC. 1232. MODIFICATION AND EXTENSION OF UKRAINE SE-**
2 **CURITY ASSISTANCE INITIATIVE.**

3 (a) **AUTHORITY TO PROVIDE ASSISTANCE.**—Sub-
4 section (a) of section 1250 of the National Defense Au-
5 thorization Act for Fiscal Year 2016 (Public Law 114–
6 92; 129 Stat. 1068) is amended by inserting “salaries and
7 stipends, and sustainment” after “supplies and services,”.

8 (b) **AVAILABILITY OF FUNDS.**—Subsection (c) of
9 such section is amended—

10 (1) in paragraph (1), by striking “funds avail-
11 able for fiscal year 2022 pursuant to subsection
12 (f)(7)” and inserting “funds available for fiscal year
13 2023 pursuant to subsection (f)(8)”;

14 (2) in paragraph (3), by striking “fiscal year
15 2022” and inserting “fiscal year 2023”;

16 (3) in paragraph (5), by striking “Of the funds
17 available for fiscal year 2022 pursuant to subsection
18 (f)(7)” and inserting “Of the funds available for fis-
19 cal year 2023 pursuant to subsection (f)(8)”;

20 (4) by adding at the end the following:

21 “(6) **WAIVER OF CERTIFICATION REQUIRE-**
22 **MENT.**—The Secretary of Defense may waive the
23 certification requirement in paragraph (2) if the
24 Secretary submits to the congressional defense com-
25 mittees, the Committee on Foreign Relations of the
26 Senate, and the Committee on Foreign Affairs of the

1 House of Representatives a written certification, not
2 later than 5 days of exercising the waiver, that doing
3 so is in the national interest of the United States
4 due to exigent circumstances caused by the Russian
5 invasion of Ukraine.”.

6 (c) UNITED STATES INVENTORY AND OTHER
7 SOURCES.—Subsection (d) of such section is amended—

8 (1) in paragraph (1), by inserting “, and to re-
9 cover or dispose of such weapons or other defense
10 articles, or to make available such weapons or arti-
11 cles to ally and partner governments to replenish
12 comparable stocks which ally or partner govern-
13 ments have provided to the Government of
14 Ukraine,” after “and defense services”; and

15 (2) by adding at the end the following:

16 “(3) CONGRESSIONAL NOTIFICATION.—Not
17 later than 10 days before providing replenishment to
18 an ally or partner government pursuant to para-
19 graph (1), the Secretary of Defense shall transmit to
20 the congressional defense committees, the Committee
21 on Foreign Relations of the Senate, and the Com-
22 mittee on Foreign Affairs of the House of Rep-
23 resentatives a notification containing the following:

24 “(A) An identification of the recipient for-
25 eign country.

1 “(B) A detailed description of the articles
2 to be provided, including the amount, dollar
3 value, origin, and capabilities associated with
4 the articles.

5 “(C) A detailed description of the articles
6 provided to Ukraine to be replenished, including
7 the amount, dollar value, origin, and capabili-
8 ties associated with the articles.

9 “(D) The impact on United States stocks
10 and readiness of transferring the articles.

11 “(E) An assessment of any security, intel-
12 lectual property, or end use monitoring issues
13 associated with transferring the articles.

14 “(F) A description, including relevant dol-
15 lar value amounts, of the articles provided to
16 Ukraine by the recipient country which are
17 being replenished.

18 “(G) A certification that the transfer of
19 the articles in the national security interest of
20 the United States, and a justification for that
21 determination.”.

22 (d) FUNDING.—Subsection (f) of such section is
23 amended by adding at the end the following:

24 “(8) For fiscal year 2023, \$1,000,000,000.”.

1 (e) TERMINATION OF AUTHORITY.—Subsection (h)
2 of such section is amended by striking “December 31,
3 2023” and inserting “December 31, 2024”.

4 (f) WAIVER OF CERTIFICATION REQUIREMENT.—

5 Such section is amended—

6 (1) by redesignating the second subsection (g)
7 as subsection (i); and

8 (2) by adding at the end the following:

9 “(j) EXPEDITED NOTIFICATION REQUIREMENT.—

10 Not later than 15 days before providing assistance or sup-
11 port under subsection (a), or as far in advance as is prac-
12 ticable if the Secretary of Defense determines, on a case-
13 by-case basis, that extraordinary circumstances exist that
14 impact the national security of the United States, the Sec-
15 retary shall transmit to the congressional defense commit-
16 tees, the Committee on Foreign Relations of the Senate,
17 and the Committee on Foreign Affairs of the House of
18 Representatives a notification containing a detailed de-
19 scription of the assistance or support to be provided, in-
20 cluding—

21 “(1) the objectives of such assistance or sup-
22 port;

23 “(2) the budget for such assistance or support;

24 and

1 “(3) the expected or estimated timeline for de-
2 livery of such assistance or support.”.

3 **SEC. 1233. PROHIBITION ON AVAILABILITY OF FUNDS RE-**
4 **LATING TO SOVEREIGNTY OF RUSSIA OVER**
5 **CRIMEA.**

6 (a) PROHIBITION.—None of the funds authorized to
7 be appropriated by this Act or otherwise made available
8 for fiscal year 2023 for the Department of Defense may
9 be obligated or expended to implement any activity that
10 recognizes the sovereignty of Russia over Crimea.

11 (b) WAIVER.—The Secretary of Defense, with the
12 concurrence of the Secretary of State, may waive the re-
13 striction on the obligation or expenditure of funds required
14 by subsection (a) if the Secretary of Defense—

15 (1) determines that to do so is in the national
16 security interest of the United States; and

17 (2) submits a notification of the waiver, at the
18 time the waiver is invoked, to the Committee on
19 Armed Services and the Committee on Foreign Af-
20 fairs of the House of Representatives and the Com-
21 mittee on Armed Services and the Committee on
22 Foreign Relations of the Senate.

1 **SEC. 1234. ASSESSMENT OF RUSSIAN STRATEGY IN**
2 **UKRAINE.**

3 (a) **IN GENERAL.**—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Defense
5 shall submit to the appropriate congressional committees
6 an assessment of the strategic, operational, and organiza-
7 tional strengths and weaknesses of the Russian Federa-
8 tion’s military strategy for the invasion and occupation of
9 Ukraine, including an assessment of efforts and sources
10 of leverage that could be used to exploit the weaknesses
11 in that strategy as part of the effort to provide assistance
12 to Ukraine.

13 (b) **MATTERS TO BE INCLUDED.**—The assessment of
14 Russia’s military strategy required by subsection (a) shall
15 include at a minimum a description of the following:

- 16 (1) Strategic strengths and weaknesses.
- 17 (2) Operational strengths and weaknesses.
- 18 (3) Organizational and logistical strengths and
19 weaknesses.
- 20 (4) Strengths and weaknesses related to Rus-
21 sian employment of Russia’s Federal Security Serv-
22 ice (FSB), national guard, and reserve units.

23 (c) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—
24 In this section, the term “appropriate congressional com-
25 mittees” means—

- 26 (1) the congressional defense committees;

1 (2) the Permanent Select Committee on Intel-
2 ligence and the Committee on Foreign Affairs of the
3 House of Representatives; and

4 (3) the Select Committee on Intelligence and
5 the Committee on Foreign Relations of the Senate.

6 (d) MODIFICATION TO ANNUAL REPORT ON MILI-
7 TARY AND SECURITY DEVELOPMENTS INVOLVING THE
8 RUSSIAN FEDERATION.—Section 1234 of the National
9 Defense Authorization Act for Fiscal Year 2021 (134
10 Stat. 3936) is amended—

11 (1) in subsection (b)—

12 (A) by redesignating paragraph (24) as
13 paragraph (25); and

14 (B) by inserting after paragraph (23) the
15 following:

16 “(24) The impacts of United States sanctions
17 on improvements to the Russian military and its
18 proxies, including an assessment of the impacts of
19 the maintenance or revocation of such sanctions.”;
20 and

21 (2) in subsection (e)—

22 (A) in paragraph (1), by inserting “, the
23 Permanent Select Committee on Intelligence,”
24 after “the Committee on Armed Services”; and

1 (B) in paragraph (2), by inserting “, the
2 Select Committee on Intelligence,” after “the
3 Committee on Armed Services”.

4 **SEC. 1235. REPORT ON EFFORTS BY THE RUSSIAN FEDERA-**
5 **TION TO EXPAND ITS PRESENCE AND INFLU-**
6 **ENCE IN LATIN AMERICA AND THE CARIB-**
7 **BEAN.**

8 (a) REPORT.—Not later than June 30, 2023, the
9 Secretary of State, in coordination with the Secretary of
10 Defense and the Director of National Intelligence and in
11 consultation with the heads of other appropriate Federal
12 departments and agencies, as necessary, shall submit to
13 the appropriate congressional committees a report that
14 identifies efforts by the Government of the Russian Fed-
15 eration to expand its presence and influence in Latin
16 America and the Caribbean through diplomatic, military,
17 intelligence, and other means, and describes the implica-
18 tions of such efforts on the national defense and security
19 interests of the United States.

20 (b) ELEMENTS.—The report required by subsection
21 (a) shall include the following:

22 (1) An identification of—

23 (A) the countries of Latin America and the
24 Caribbean with which the Government of the
25 Russian Federation maintains especially close

1 diplomatic, military, and intelligence relation-
2 ships;

3 (B) the number and content of strategic
4 partnership agreements or similar agreements,
5 including any non-public, secret, or informal
6 agreements, that the Government of the Rus-
7 sian Federation has established with countries
8 and regional organizations of Latin America
9 and the Caribbean;

10 (C) the countries of Latin America and the
11 Caribbean to which the Government of the Rus-
12 sian Federation provides foreign assistance or
13 disaster relief (including access to COVID-19
14 vaccines), including a description of the amount
15 and purpose of, and any conditions attached to,
16 such assistance;

17 (D) recent visits by senior officials of the
18 Government of the Russian Federation, includ-
19 ing its state-owned or state-directed enterprises,
20 to Latin America and the Caribbean, and visits
21 by senior officials from Latin America and the
22 Caribbean to the Russian Federation; and

23 (E) the existence of any defense exchanges,
24 military or police education or training, and ex-
25 ercises between any military or police organiza-

1 tion of the Government of the Russian Federa-
2 tion and military, police, or security-oriented or-
3 ganizations of countries of Latin America and
4 the Caribbean, including port visits by the Rus-
5 sian Navy.

6 (2) A detailed description of—

7 (A) the impact Russia’s war in Ukraine
8 has or may have on its diplomatic, military, and
9 intelligence activities in Latin America and the
10 Caribbean;

11 (B) the relationship between the Govern-
12 ment of the Russian Federation and the Govern-
13 ments of Venezuela, Cuba, Nicaragua, and
14 Bolivia;

15 (C) attempts by the Government of the
16 Russian Federation to develop relations with
17 the Governments of Brazil and Argentina, two
18 countries whose leaders met with Russian
19 President Vladimir Putin in Moscow shortly be-
20 fore the invasion of Ukraine;

21 (D) military installations, assets, and ac-
22 tivities of the Government of the Russian Fed-
23 eration in Latin America and the Caribbean
24 that currently exist or are planned for the fu-
25 ture, including the size, location, and purpose of

1 any deployed Russian Federation Armed Forces
2 or security contractors associated with the Rus-
3 sian Federation;

4 (E) the purpose of and operations ema-
5 nating from the Russian Federation's oper-
6 ations center in Managua, Nicaragua;

7 (F) the Russian Federation's subversion of
8 United States sanctions on Venezuela's oil sec-
9 tor;

10 (G) the Russian Federation's involvement
11 in the border dispute between Venezuela and
12 Guyana;

13 (H) sales or transfers of defense articles
14 and services by the Russian Federation to coun-
15 tries of Latin America and the Caribbean;

16 (I) any other form of military or security
17 cooperation or assistance between the Govern-
18 ment of the Russian Federation or its associ-
19 ated paramilitary organizations, and para-
20 military organizations and countries in Latin
21 America and the Caribbean;

22 (J) the nature, extent, and purpose of the
23 Government of the Russian Federation's intel-
24 ligence activities in Latin America and the Car-
25ibbean;

1 (K) the role of the Government of the Rus-
2 sian Federation in transnational crime in Latin
3 America and the Caribbean, including drug
4 trafficking, money laundering, and organized
5 crime;

6 (L) the methods by which the Government
7 of the Russian Federation expands its influence
8 through support to transnational criminal orga-
9 nizations in Latin America and the Caribbean;
10 and

11 (M) efforts by the Government of the Rus-
12 sian Federation to build its media presence
13 through government-directed disinformation,
14 misinformation, or information warfare cam-
15 paigns in Latin America and the Caribbean, in-
16 cluding attempts to influence electoral out-
17 comes, realize military objectives, or destabilize
18 governments.

19 (3) An assessment of—

20 (A) the specific objectives that the Govern-
21 ment of the Russian Federation seeks to
22 achieve by expanding its presence and influence
23 in Latin America and the Caribbean, including
24 any objectives articulated in official documents
25 or statements;

1 (B) the degree to which the Government of
2 the Russian Federation uses its presence and
3 influence in Latin America and the Caribbean
4 to encourage, pressure, or coerce governments
5 in the region to support its defense and na-
6 tional security goals, including policy positions
7 taken by the Government of the Russian Fed-
8 eration at international institutions;

9 (C) how the Russian Federation uses mul-
10 tilateral organizations, in particular the Com-
11 munity of Latin American and Caribbean
12 States (CELAC), a regional organization that
13 excludes the United States, to expand its pres-
14 ence and influence in Latin America and the
15 Caribbean; and

16 (D) the specific actions and activities un-
17 dertaken by the Government of the Russian
18 Federation in Latin America and the Caribbean
19 that present the greatest threats or challenges
20 to the United States' defense and national secu-
21 rity interests in the region.

22 (4) Any other matters the Secretary of State
23 determines is appropriate.

24 (c) FORM.—The report required by subsection (a)
25 shall be submitted in unclassified form without any des-

1 ignition relating to dissemination control, but may include
2 a classified annex. The report and its classified annex shall
3 be prepared consistent with the protection of intelligence
4 sources and methods.

5 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
6 DEFINED.—In this section, the term “appropriate con-
7 gressional committees” means—

- 8 (1) the congressional defense committees; and
- 9 (2) the Committee on Foreign Relations and
10 the Select Committee on Intelligence of the Senate
11 and the Committee on Foreign Affairs and the Per-
12 manent Select Committee on Intelligence of the
13 House of Representatives.

14 **Subtitle E—Matters Relating to** 15 **Europe and NATO**

16 **SEC. 1261. SENSE OF CONGRESS ON UNITED STATES DE-** 17 **FENSE POSTURE IN EUROPE FOLLOWING** 18 **THE FURTHER INVASION OF UKRAINE.**

19 It is the sense of Congress as follows:

- 20 (1) The further invasion of Ukraine presents a
21 sea change to the security environment in Europe
22 that requires a long-term shift in the force posture
23 of the United States and its allies, in order to ensure
24 the maintenance of collective deterrence. As General
25 Milley, Chairman of the Joint Chiefs, recently noted,

1 “We are witness to the greatest threat to peace and
2 security of Europe and perhaps the world in my 42
3 years of service in uniform. The Russian invasion of
4 Ukraine is threatening to undermine not only Euro-
5 pean peace and stability but global peace and sta-
6 bility. . . . We are at a pivot point in the
7 geostrategic history of Europe and perhaps the
8 globe.”.

9 (2) Adjustments to force posture in Europe
10 must be commensurate to this challenge. Alongside
11 allied investments, it is necessary for the United
12 States to alter its force posture to establish addi-
13 tional permanently stationed and continuous rota-
14 tional forces along Europe’s eastern flank. Given the
15 current conditions, it would be untenable for the
16 United States to seek to revert to United States
17 force levels and positioning present in Europe before
18 Russia’s further invasion of Ukraine, to rely solely
19 on allied forces for further force posture enhance-
20 ments, or adopt a path to transition away from in-
21 vestments in Europe through the European Deter-
22 rence Initiative (EDI), except for exceptional cases.

23 (3) As General Tod Wolters, Commander of
24 U.S. European Command, has stated, investments
25 made through EDI since 2014 have proved essential

1 to the United States ability to respond to the
2 Ukraine crisis, deploying units in 5 days that would
3 have taken as long as 21 days. General Wolters fur-
4 ther stated, “To take an Armored Brigade Combat
5 Team and launch it from the continental United
6 States, and put it on European turf, and have the
7 tanks that comprise that Brigade Combat Team to
8 shoot, move, and communicate and fire on range in
9 one week is an amazing accomplishment. And that
10 was facilitated by those Army Prepositioned Stocks
11 and it was practiced in previous exercises which are
12 part of the EDI fund. I would just say that when
13 we demonstrated to the European community, and
14 to the NATO community, and to the world how well
15 we can shoot, move, and communicate and transition
16 a large force from CONUS to Europe at that pace,
17 it’s something that demonstrates the great value of
18 EDI.”.

19 (4) Past decisions made by the Department of
20 Defense and Congress about prepositioned stocks,
21 mobility, and funding for EDI led directly to this
22 ability to quickly reinforce the area of operations in
23 this crisis, and EDI investments will be crucial for
24 adaptation to the new European security environ-
25 ment. The Department of Defense should continue

1 to strongly support EDI investments with a focus on
2 adapting deterrence to the new security environment
3 and incorporating lessons learned from the conflict
4 in Ukraine, and it should not seek a path to EDI's
5 sunset.

6 (5) The United States recognizes that strong
7 alliances and partnerships are crucial to the mainte-
8 nance of United States national and global security.
9 The NATO alliance has grown more robust and
10 more united in response to Russia's aggression in
11 Ukraine. Members of NATO have announced sub-
12 stantial changes in their defense commitments,
13 adopting measures to meet and exceed their Wales
14 Pledge commitments to spend 2 percent of Gross
15 Domestic Product on defense and increasing com-
16 mitments to NATO battle group and air policing
17 missions, while sending vital defense assistance to
18 Ukraine. Congress commends such members of
19 NATO for their adoption and sustainment of these
20 efforts. Such commitments are vital to the long-term
21 effort required to maintain deterrence in the Euro-
22 pean theater. The United States should continue to
23 work with allies on complementary investments to
24 establish in Europe a mature, fully integrated deter-
25 rence platform capable of responding to the ex-

1 panded threat of Russian aggression and supporting
2 NATO allies' ongoing efforts to collectively resist di-
3 rect and hybrid threats to shared values, interests,
4 and ideals.

5 (6) The United States should also redouble ef-
6 forts to assist NATO allies, particularly on Europe's
7 eastern periphery, in modernizing and integrating
8 their defense capabilities taking into account lessons
9 from Russia's war in Ukraine, including efforts to
10 provide artillery, MLRS, MANPADS, air defenses,
11 and other capabilities.

12 (7) As it reinforces deterrence, the United
13 States should recognize the acute risks now facing
14 allies on Russia's periphery and pursue national se-
15 curity investments and strategies commensurate to
16 the challenge, including additional EDI programs, in
17 the Black Sea, the Baltics, the Arctic, and Central
18 Europe, in order to maintain the credibility of the
19 "sacred obligation under Article 5 of the North At-
20 lantic Treaty to defend every inch of NATO terri-
21 tory."

22 (8) Likewise, the United States should keep in
23 mind the particularly significant challenges posed to
24 non-NATO European partners and seek security
25 strategies to continue cooperation and support their

1 sovereign rights, while also pursuing security policies
2 that support stability in areas of substantial malign
3 effort such as the Western Balkans.

4 (9) The United States continues to recognize
5 the importance of the long-term Baltic Security Ini-
6 tiative assistance plan that the Department of De-
7 fense is carrying out under section 333 of title 10,
8 United States Code, and the crucial role that such
9 investments play in deterring Russian aggression in
10 that region.

11 **SEC. 1262. SENSE OF CONGRESS ON NATO MEMBERSHIP**
12 **FOR FINLAND AND SWEDEN.**

13 It is the sense of Congress that the United States
14 strongly supports membership for Finland and Sweden in
15 the North Atlantic Treaty Organization (NATO).

1 **TITLE XIII—OTHER MATTERS**
2 **RELATING TO FOREIGN NA-**
3 **TIONS**

4 **Subtitle A—Matters Relating to the**
5 **Indo-Pacific Region**

6 **SEC. 1301. MODIFICATION TO ANNUAL REPORT ON MILI-**
7 **TARY AND SECURITY DEVELOPMENTS IN-**
8 **VOLVING THE PEOPLE’S REPUBLIC OF**
9 **CHINA.**

10 Section 1202(b) of the National Defense Authoriza-
11 tion Act for Fiscal Year 2000 (10 U.S.C. 113 note) is
12 amended as follows:

13 (1) In paragraph (5)—

14 (A) in subparagraph (B)—

15 (i) by striking “A summary” and in-
16 serting “a summary”; and

17 (ii) by striking “; and” at the end and
18 inserting a semicolon;

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

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

23 “(D) the doctrine, capabilities, organiza-
24 tion, and operational employment of the Peo-

1 ple’s Liberation Army special operations
2 forces.”.

3 (2) In paragraph (8), by adding at the end the
4 following new subparagraph:

5 “(F) Special operations capabilities.”.

6 **SEC. 1302. SENSE OF CONGRESS ON SOUTH KOREA.**

7 It is the sense of Congress that—

8 (1) South Korea continues to be a critical ally
9 of the United States;

10 (2) the presence of United States Armed Forces
11 in South Korea serves as a strong deterrent against
12 North Korean military aggression and as a critical
13 support platform for national security engagements
14 in the Indo-Pacific region;

15 (3) the presence of approximately 28,500 mem-
16 bers of the United States Armed Forces deployed to
17 South Korea serves not only as a stabilizing force to
18 the Korean peninsula but also as a reassurance to
19 all our allies in the region; and

20 (4) the United States should continue to—

21 (A) maintain and strengthen its bilateral
22 relationship with South Korea and with other
23 regional allies such as Japan; and

24 (B) maintain its existing robust military
25 presence in South Korea to deter aggression

1 against the United States and its allies and
2 partners.

3 **SEC. 1303. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**
4 **LATIONS.**

5 It is the sense of Congress that—

6 (1) the Taiwan Relations Act (Public Law 96-
7 8; 22 U.S.C. et seq.) and the Six Assurances pro-
8 vided by the United States to Taiwan in July 1982
9 are the foundation for United States-Taiwan rela-
10 tions;

11 (2) as set forth in the Taiwan Relations Act,
12 the United States decision to establish diplomatic re-
13 lations with the People's Republic of China rests
14 upon the expectation that the future of Taiwan will
15 be determined by peaceful means, and that any ef-
16 fort to determine the future of Taiwan by other than
17 peaceful means, including boycotts and embargoes,
18 is of grave concern to the United States;

19 (3) the increasingly coercive and aggressive be-
20 havior of the People's Republic of China toward Tai-
21 wan is contrary to the expectation of the peaceful
22 resolution of the future of Taiwan;

23 (4) as set forth in the Taiwan Relations Act,
24 the capacity to resist any resort to force or other
25 forms of coercion that would jeopardize the security,

1 or the social or economic system, of the people on
2 Taiwan should be maintained;

3 (5) the United States should continue to sup-
4 port the development of capable, ready, and modern
5 defense forces necessary for Taiwan to maintain a
6 sufficient self-defense capability, including by—

7 (A) supporting acquisition by Taiwan of
8 defense articles and services through foreign
9 military sales, direct commercial sales, and in-
10 dustrial cooperation, with an emphasis on capa-
11 bilities that support the asymmetric defense
12 strategy of Taiwan, including anti- ship, coastal
13 defense, anti-armor, air defense, undersea war-
14 fare, advanced command, control, communica-
15 tions, computers, intelligence, surveillance, and
16 reconnaissance, and resilient command and con-
17 trol capabilities;

18 (B) ensuring timely review of and response
19 to requests of Taiwan for defense articles and
20 services;

21 (C) conducting practical training and mili-
22 tary exercises with Taiwan that enable Taiwan
23 to maintain a sufficient self- defense capability,
24 as described in the Taiwan Relations Act;

1 (D) exchanges between defense officials
2 and officers of the United States and Taiwan at
3 the strategic, policy, and functional levels, con-
4 sistent with the Taiwan Travel Act (Public Law
5 115-135; 132 Stat. 341), especially for the pur-
6 poses of—

7 (i) enhancing cooperation on defense
8 planning;

9 (ii) improving the interoperability of
10 the military forces of the United States
11 and Taiwan; and

12 (iii) improving the reserve force of
13 Taiwan;

14 (E) identifying improvements in Taiwan's
15 ability to use asymmetric military capabilities to
16 enhance its defensive capabilities, as described
17 in the Taiwan Relations Act; and

18 (F) expanding cooperation in humanitarian
19 assistance and disaster relief; and

20 (6) the United States should be committed to
21 the defense of a free and open society in the face of
22 aggressive efforts by the Government of the People's
23 Republic of China to curtail or influence the free ex-
24 ercise of rights and democratic franchise.

1 **SEC. 1304. SENSE OF CONGRESS AND REPORT ON UNITED**
2 **STATES SECURITY COOPERATION WITH**
3 **INDIA.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States—

6 (1) should build upon the 2016 designation of
7 India as a Major Defense Partner of the United
8 States by seeking to improve interoperability and ac-
9 tively looking for opportunities for joint military ex-
10 ercises; and

11 (2) should strengthen security cooperation with
12 India in the Indian Ocean by—

13 (A) conducting high-end exercises and in-
14 creasing joint training exercises;

15 (B) expanding the geographic scope of
16 joint military activities between relevant United
17 States commands and the Indian military in the
18 Western Indian Ocean; and

19 (C) expanding military training programs
20 and exercises, including humanitarian assist-
21 ance and disaster relief exercises.

22 (b) REPORT REQUIRED.—Not later than March 1,
23 2023, the Under Secretary of Defense for Policy, in co-
24 ordination with the Commander of United States Indo-
25 Pacific Command and the Director of the Defense Secu-
26 rity Cooperation Agency, shall submit to the congressional

1 defense committees, the Committee on Foreign Affairs of
2 the House of Representatives, and the Committee on For-
3 eign Relations of the Senate a report regarding—

4 (1) opportunities for deeper defense cooperation
5 with India;

6 (2) the defense relationship between the Rus-
7 sian Federation and India;

8 (3) the defense relationship between the Peo-
9 ple’s Republic of China and India; and

10 (4) the defense relationship between the United
11 States, Australia, Japan, and India.

12 **SEC. 1305. MODIFICATION TO REPORT ON RESOURCING**
13 **UNITED STATES DEFENSE REQUIREMENTS**
14 **FOR THE INDO-PACIFIC REGION AND REPORT**
15 **ON ENHANCING DEFENSE COOPERATION**
16 **WITH ALLIES AND PARTNERS IN THE INDO-**
17 **PACIFIC.**

18 (a) IN GENERAL.—Section 1251 of the William M.
19 (Mac) Thornberry National Defense Authorization Act for
20 Fiscal Year 2021 (Public Law 116–283) is amended in
21 subsection (d)(1)(B) by amending clause (v) to read as
22 follows:

23 “(v) An assessment of security co-
24 operation authorities, activities, or re-

1 sources required to achieve such objec-
2 tives.”.

3 (b) REPORT REQUIRED.—Not later than 180 days
4 after the date of the enactment of this Act, the Com-
5 mander of United States Indo-Pacific Command shall sub-
6 mit to the appropriate congressional committees a report
7 on the feasibility and advisability of enhancing defense co-
8 operation with allies and partners in the Indo-Pacific re-
9 gion that includes the following:

10 (1) A description of relevant cooperation be-
11 tween key allies and leading partners in the Indo-
12 Pacific region and the United States during the pre-
13 ceding calendar year, including mutual visits, exer-
14 cises, training, and equipment opportunities.

15 (2) An evaluation of the feasibility of enhancing
16 cooperation between key allies and leading partners
17 in the Indo-Pacific region on a range of activities,
18 including—

19 (A) interoperability and coordination;

20 (B) disaster and emergency response;

21 (C) enhancing maritime domain awareness
22 and maritime security;

23 (D) cyber defense and communications se-
24 curity;

25 (E) military medical cooperation;

1 (F) virtual combined exercises and training
2 activities;

3 (G) advancing programs for United States
4 military advisors to assist in training the active
5 and reserve components of key allies and lead-
6 ing partners in the Indo-Pacific region; and

7 (H) expanding the activities of the Na-
8 tional Guard in the Indo-Pacific region.

9 (3) Any other matters the Commander of
10 United States Indo-Pacific Command considers ap-
11 propriate.

12 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
13 FINED.—In this section, the term “appropriate congres-
14 sional committees” means—

15 (1) the congressional defense committees;

16 (2) the Committee on Foreign Affairs of the
17 House of Representatives; and

18 (3) the Committee on Foreign Relations of the
19 Senate.

1 **SEC. 1306. REPORT ON SUPPORT AND SUSTAINMENT FOR**
2 **CRITICAL CAPABILITIES IN THE AREA OF RE-**
3 **SPONSIBILITY OF THE UNITED STATES INDO-**
4 **PACIFIC COMMAND NECESSARY TO MEET**
5 **OPERATIONAL REQUIREMENTS IN CERTAIN**
6 **CONFLICTS WITH STRATEGIC COMPETITORS.**

7 (a) REPORT REQUIRED.—

8 (1) IN GENERAL.—Not later than one year
9 after the date of the enactment of this Act, the
10 Commander of the United States Indo-Pacific Com-
11 mand, in consultation with the Commander of the
12 United States Transportation Command, the Direc-
13 tor of the Defense Logistics Agency, and other Fed-
14 eral officials that the Commander of United States
15 Indo-Pacific Command determines to be appropriate,
16 shall submit to the appropriate congressional com-
17 mittees a report that describes the support and
18 sustainment for critical capabilities in the area of re-
19 sponsibility of the United States Indo-Pacific Com-
20 mand that are necessary to meet operational re-
21 quirements in a conflict with a strategic competitor
22 of a duration that exceeds 6 months.

23 (2) MATTERS TO BE INCLUDED.—The report
24 required by paragraph (1) shall include the fol-
25 lowing:

1 (A) An assessment of the posture and ca-
2 pabilities of the current strategic force laydown
3 of the United States Indo-Pacific Command, in-
4 cluding capabilities such as—

5 (i) command, control, communica-
6 tions, computers, cyber, intelligence, sur-
7 veillance, and reconnaissance (commonly
8 referred to as “C5ISR”) assets;

9 (ii) surface, subsurface, land, air, and
10 space disposition and capabilities;

11 (iii) strategic long-range precision
12 fires, missile defense, and anti-air capabili-
13 ties;

14 (iv) force protection of assets and crit-
15 ical infrastructure;

16 (v) logistics and sustainment capabili-
17 ties, including positioning, quantity, and
18 distribution of fuels; and

19 (vi) munitions required to meet oper-
20 ational requirements.

21 (B) A detailed assessment of any gaps in
22 the required capabilities described in subpara-
23 graph (A) relative to the requirements of the
24 United States Indo-Pacific Command in both
25 steady state and in such a conflict with a stra-

1 tegie competitor, including gaps in any capabili-
2 ties described in the report required by section
3 1251(d) of the National Defense Authorization
4 Act for Fiscal Year 2021 (Public Law 116–
5 283).

6 (C) An assessment of measures required to
7 mitigate the gaps described in subparagraph
8 (B) before December 31, 2025. The assessment
9 shall include associated costs with enhancing
10 United States, allied, and partner military pos-
11 ture, basing, and sustainment infrastructure in
12 the area of responsibility of the United States
13 Indo-Pacific Command to best meet the oper-
14 ational requirements described in subparagraph
15 (A), including in States, territories, and posses-
16 sions of the United States and regional allies
17 and partners.

18 (b) FORM.—The report required by subsection (a)
19 shall be submitted in unclassified form, but may include
20 a classified annex.

21 (c) DEFINITIONS.—In this section—

22 (1) the term “appropriate congressional com-
23 mittees” means—

24 (A) the congressional defense committees;
25 and

1 (B) the Committee on Foreign Affairs of
2 the House of Representatives and the Com-
3 mittee on Foreign Relations of the Senate; and

4 (2) the term “strategic competitor” means a
5 country labeled as a strategic competitor in the
6 “Summary of the 2018 National Defense Strategy
7 of the United States of America: Sharpening the
8 American Military’s Competitive Edge”, issued by
9 the Department of Defense pursuant to section 113
10 of title 10, United States Code.

11 **SEC. 1307. MODIFICATION TO PACIFIC DETERRENCE INI-**
12 **TIATIVE.**

13 Section 1251(d) of the William M. (Mac) Thornberry
14 National Defense Authorization Act for Fiscal Year 2021
15 (Public Law 116–283; 134 Stat. 3951) is amended—

16 (1) by redesignating paragraph (2) as para-
17 graph (3); and

18 (2) by inserting after paragraph (1) the fol-
19 lowing:

20 “(2) SUBSEQUENT REPORT.—Not later than 15
21 days after the submission of the report required by
22 paragraph (1) for fiscal year 2024, the Commander
23 of the United States Indo-Pacific Command shall
24 submit to the congressional defense committees a
25 subsequent report containing a comparison of the

1 specific cost estimates required by items (aa)
2 through (ff) of paragraph (1)(B)(vi)(II) to the fund-
3 ing provided in the budget of the President (sub-
4 mitted to Congress pursuant to section 1105 of title
5 31, United States Code) for such items for such fis-
6 cal year.”.

7 **SEC. 1308. SEIZE THE INITIATIVE.**

8 (a) IN GENERAL.—There shall be established in the
9 Department of Defense an initiative, to be known as the
10 “Seize The Initiative Fund” (referred to in this section
11 as the “Fund”), for the use of the Commander of United
12 States Indo-Pacific Command to increase the ability of
13 covered Armed Forces to respond to contingencies in the
14 Indo-Pacific.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated \$1,000,000,000 for the De-
17 partment of Defense for fiscal year 2023 for the allowable
18 uses described in subsection (c).

19 (c) ALLOWABLE USES.—The funds authorized to be
20 appropriated by this section shall be used by the Com-
21 mander of United States Indo-Pacific Command, in con-
22 sultation with the Secretary of Defense and the Secre-
23 taries of the military departments, for the following pur-
24 poses:

1 (1) Activities to increase the presence of cov-
2 ered Armed Forces west of the international dateline
3 in the United States Indo-Pacific Command area of
4 responsibility.

5 (2) Activities to improve infrastructure to en-
6 hance the responsiveness of covered Armed Forces
7 west of the international dateline in the United
8 States Indo-Pacific Command area of responsibility.

9 (3) Activities to enhance prepositioning in the
10 United States Indo-Pacific Command area of re-
11 sponsibility of equipment of covered Armed Forces.

12 (4) Activities to enhance contingency response
13 in the United States Indo-Pacific Command area of
14 responsibility.

15 (d) INITIAL PLAN REQUIRED.—The Commander of
16 United States Indo-Pacific Command shall, within 180
17 days of the enactment of this act, provide the congres-
18 sional defense committees with a plan to use funds author-
19 ized pursuant to this section. Such plan, to the extent
20 practicable, shall be consistent with other plans required
21 to be produced by the Commander of United States Indo-
22 Pacific Command, including under section 1242 of the
23 National Defense Authorization Act for Fiscal Year 2022
24 (Public Law 117–81; 135 Stat. 1978).

1 (e) COVERED ARMED FORCES.—In this section, the
2 term “covered Armed Force” means the following forces
3 of the United States:

- 4 (1) The Army.
- 5 (2) The Navy.
- 6 (3) The Marine Corps.
- 7 (4) The Air Force.
- 8 (5) The Space Force.

9 **SEC. 1309. MODIFICATION TO CHINA MILITARY POWER RE-**
10 **PORT.**

11 Section 1202(b)(7)(B) of the National Defense Au-
12 thorization Act for Fiscal Year 2000 (10 U.S.C. 113 note)
13 is amended—

14 (1) by redesignating clauses (ii) and (iii) as
15 clauses (iii) and (iv), respectively; and

16 (2) by inserting after clause (i) the following:

17 “(ii) the Middle East and North Afri-
18 ca, especially with respect to Iran and Chi-
19 na’s relationship with Iranian proxies such
20 as Hezbollah in Lebanon, the Houthis
21 (“Ansar Allah”) in Yemen, the Assad re-
22 gime in Syria, and Iranian-backed militias
23 in Iraq;”.

1 **SEC. 1310. MODIFICATIONS TO PUBLIC REPORTING OF CHI-**
2 **NESE MILITARY COMPANIES OPERATING IN**
3 **THE UNITED STATES.**

4 (a) **IN GENERAL.**—Section 1260H(c) of the William
5 M. (Mac) Thornberry National Defense Authorization Act
6 for Fiscal Year 2021 (10 U.S.C. 113 note) is amended
7 by adding at the end the following sentence: “The Sec-
8 retary of Defense shall also consider information related
9 to a Chinese military company operating directly or indi-
10 rectly in the United States or any of its territories and
11 possessions that is provided jointly by the chairperson and
12 ranking member of each of the congressional defense com-
13 mittees in making such determinations.”.

14 (b) **DETERMINATION PROMPTED BY JOINT SUBMIS-**
15 **SION OF INFORMATION.**—Section 1260H of the William
16 M. (Mac) Thornberry National Defense Authorization Act
17 for Fiscal Year 2021 (10 U.S.C. 113 note) is amended—

18 (1) by redesignating subsection (d) as sub-
19 section (e); and

20 (2) by inserting after subsection (c) (as amend-
21 ed) the following:

22 “(d) **DETERMINATION REQUIRED.**—Not later than
23 30 days after receiving information described in the sec-
24 ond sentence of subsection (c) with respect to an entity,
25 the Secretary of Defense shall—

1 “(1) determine if that entity meets the criteria
2 for inclusion on the list required under subsection
3 (b); and

4 “(2) submit an unclassified report, without any
5 designation relating to dissemination control, to the
6 chairperson and ranking member of the committee
7 that provided the information with respect to such
8 determination, including whether the Secretary in-
9 tends to list such entity publicly.”.

10 **SEC. 1311. REPORTING ON INSTITUTIONS OF HIGHER EDU-**
11 **CATION DOMICILED IN THE PEOPLE’S RE-**
12 **PUBLIC OF CHINA THAT PROVIDE SUPPORT**
13 **TO THE PEOPLE’S LIBERATION ARMY.**

14 (a) DETERMINATION.—

15 (1) IN GENERAL.—The Secretary of Defense, in
16 consultation with the Office of the Director of Na-
17 tional Intelligence, shall identify each entity that is
18 an institution of higher education domiciled in the
19 People’s Republic of China that provides support to
20 the People’s Liberation Army.

21 (2) FACTORS.—In making a determination
22 under paragraph (1) with respect to an entity, the
23 Secretary shall consider the following factors:

24 (A) Involvement in the implementation of
25 the military-civil fusion strategy of China.

1 (B) Participation in the defense industrial
2 base of China.

3 (C) Affiliation with the Chinese State Ad-
4 ministration for Science, Technology, and In-
5 dustry for the National Defense.

6 (D) Funding received from any organiza-
7 tion subordinate to the Central Military Com-
8 mission of the Chinese Communist Party.

9 (E) Relationship with any security, de-
10 fense, police, or within the Government of
11 China or the Chinese Communist Party.

12 (F) Any other factor the Secretary deter-
13 mines is appropriate.

14 (b) REPORT.—

15 (1) ANNUAL REPORT.—Not later than Sep-
16 tember 30, 2023, and annually thereafter for 5
17 years, the Secretary shall submit to the appropriate
18 congressional committees a list of each entity identi-
19 fied pursuant to subsection (a) in classified and un-
20 classified forms, and shall include in such submis-
21 sion, as applicable, an explanation of any entities de-
22 leted from such list with respect to a prior list.

23 (2) CONCURRENT PUBLICATION.—Concurrent
24 with the submission of each list described in para-

1 graph (1), the Secretary shall publish the unclassi-
2 fied portion of such list in the Federal Register.

3 (3) ONGOING REVISIONS.—The Secretary, in
4 consultation with the Office of the Director of Na-
5 tional Intelligence, shall make additions or deletions
6 to the most recent list submitted under paragraph
7 (1) on an ongoing basis based on the latest informa-
8 tion available.

9 (4) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES DEFINED.—In this subsection, the term “ap-
11 propriate congressional committees” means—

12 (A) the Committee on Armed Services and
13 the Select Committee on Intelligence of the
14 Senate; and

15 (B) the Committee on Armed Services and
16 the Permanent Select Committee on Intelligence
17 of the House of Representatives.

18 (c) PEOPLE’S LIBERATION ARMY DEFINED.—In this
19 section, the term “People’s Liberation Army” means the
20 land, naval, and air military services, the People’s Armed
21 Police, the Strategic Support Force, the Rocket Force,
22 and any other related security element within the Govern-
23 ment of China or the Chinese Communist Party that the
24 Secretary determines is appropriate.

1 **SEC. 1312. SENSE OF CONGRESS ON INVITING TAIWAN TO**
2 **THE RIM OF THE PACIFIC EXERCISE.**

3 It is the sense of Congress that the naval forces of
4 Taiwan should be invited to participate in the Rim of the
5 Pacific exercise conducted in 2024.

6 **SEC. 1313. JOINT EXERCISES WITH TAIWAN.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) joint military exercises with Taiwan are an
10 important component of improving military readi-
11 ness and joint operability of both countries;

12 (2) the Commander of United States Indo-Pa-
13 cific Command, and other commands in the United
14 States Indo-Pacific Command area of responsibility,
15 already possess the legal authority to carry out such
16 exercises; and

17 (3) the United States should better use existing
18 authorities to improve the readiness and joint oper-
19 ability of United States and Taiwanese forces.

20 (b) AUTHORITY RECOGNIZED.—The Commander of
21 United States Indo-Pacific Command is authorized to
22 carry out military exercises with Taiwan that—

23 (1) include multiple warfare domains and make
24 extensive use of military common operations network
25 used by United States, allied, and Taiwanese forces;

1 (2) to the maximum extent practical, incor-
2 porate the cooperation of 2 or more combatant and
3 subordinate unified commands; and

4 (3) present a complex military problem and in-
5 clude a force presentation of a strategic competitor.

6 **Subtitle B—Other Matters Relating**
7 **to Foreign Nations**

8 **SEC. 1331. SUPPORT OF SPECIAL OPERATIONS FOR IRREG-**
9 **ULAR WARFARE.**

10 (a) CODIFICATION.—

11 (1) IN GENERAL.—Chapter 3 of title 10, United
12 States Code, is amended by inserting after section
13 127e a new section 127d consisting of—

14 (A) a heading as follows:

15 **“§ 127d. Support of special operations for irregular**
16 **warfare”; and**

17 (B) a text consisting of the text of sub-
18 sections (a) through (i) of section 1202 of the
19 National Defense Authorization Act for Fiscal
20 Year 2018 (Public Law 115–91; 131 Stat.
21 1639).

22 (2) CLERICAL AMENDMENT.—The table of sec-
23 tions at the beginning of such chapter is amended
24 by inserting after the item relating to section 127e
25 the following new item:

“127d. Support of special operations for irregular warfare.”.

1 (b) MODIFICATION OF DOLLAR AMOUNT.—Section
2 127d of title 10, United States Code, as so amended, is
3 further amended in subsection (a) by striking
4 “\$15,000,000” and inserting “\$25,000,000”.

5 (c) CONFORMING REPEAL.—Section 1202 of the Na-
6 tional Defense Authorization Act for Fiscal Year 2018 is
7 repealed.

8 **SEC. 1332. PERMANENT EXTENSION OF AUTHORITY FOR**
9 **CERTAIN PAYMENTS TO REDRESS INJURY**
10 **AND LOSS.**

11 Section 1213(a) of the National Defense Authoriza-
12 tion Act for Fiscal Year 2020 (Public Law 116–92; 10
13 U.S.C. 2731 note) is amended by striking “During” and
14 all that follows through “December 31, 2023, not” and
15 inserting “Not”.

16 **SEC. 1333. EXTENSION OF UNITED STATES-ISRAEL CO-**
17 **OPERATION TO COUNTER UNMANNED AER-**
18 **IAL SYSTEMS.**

19 Section 1278(f) of the National Defense Authoriza-
20 tion Act, 2020 (Public Law 116–92; 133 Stat. 1702; 22
21 U.S.C. 8606 note) is amended by striking “December 31,
22 2024” and inserting “December 31, 2026”.

1 **SEC. 1334. MODIFICATION AND EXTENSION OF UNITED**
2 **STATES-ISRAEL COOPERATION TO COUNTER**
3 **UNMANNED AERIAL SYSTEMS.**

4 (a) **AUTHORITY TO ESTABLISH CAPABILITIES TO**
5 **COUNTER UNMANNED AERIAL SYSTEMS.**—Subsection
6 (a)(1) of section 1278 of the National Defense Authoriza-
7 tion Act for Fiscal Year 2020 (Public Law 116–92; 133
8 Stat. 1702; 22 U.S.C. 8606 note) is amended in the first
9 sentence by inserting after “to establish capabilities for
10 countering unmanned aerial systems” the following “, in-
11 cluding directed energy capabilities,”.

12 (b) **SUPPORT IN CONNECTION WITH THE PRO-**
13 **GRAM.**—Subsection (b) of such section is amended—

14 (1) in paragraph (3)(B), by inserting at the end
15 before the period the following: “, including directed
16 energy capabilities”; and

17 (2) in paragraph (4), by striking
18 “\$25,000,000” and inserting “\$40,000,000”.

19 (c) **SUNSET.**—Subsection (f) of such section is
20 amended by striking “December 31, 2024” and inserting
21 “December 31, 2026”.

1 **SEC. 1335. MODIFICATION TO INITIATIVE TO SUPPORT PRO-**
2 **TECTION OF NATIONAL SECURITY ACADEMIC**
3 **RESEARCHERS FROM UNDUE INFLUENCE**
4 **AND OTHER SECURITY THREATS.**

5 (a) IN GENERAL.—Clause (iii) of section
6 1286(c)(8)(A) of the John S. McCain National Defense
7 Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358
8 note; Public Law 115–232) is amended—

9 (1) in subclause (I), by striking “or” at the
10 end; and

11 (2) by adding at the end the following:

12 “(III) to provide documented
13 support to a defense or an intelligence
14 agency of the applicable country; or”.

15 (b) PROHIBITION ON FUNDS.—

16 (1) IN GENERAL.—None of the funds author-
17 ized to be appropriated by this Act or otherwise
18 made available for fiscal year 2023 or any subse-
19 quent fiscal year for the Department of Defense for
20 research, development, test, and evaluation may be
21 provided to an entity that maintains a contract be-
22 tween the entity and a Chinese or Russian academic
23 institution identified on the list developed under sec-
24 tion 1286(c)(8)(A) of the John S. McCain National
25 Defense Authorization Act for Fiscal Year 2019 by

1 reason of meeting the requirements of clause (ii) or
2 (iii) (as amended by subsection (a)) of such section.

3 (2) WAIVER.—The Secretary of Defense may
4 waive the prohibition on funds under this subsection
5 with respect to an entity if the Secretary determines
6 that such a waiver is appropriate.

7 **TITLE XIV—OTHER**
8 **AUTHORIZATIONS**
9 **Subtitle A—Military Programs**

10 **SEC. 1401. WORKING CAPITAL FUNDS.**

11 Funds are hereby authorized to be appropriated for
12 fiscal year 2023 for the use of the Armed Forces and other
13 activities and agencies of the Department of Defense for
14 providing capital for working capital and revolving funds,
15 as specified in the funding table in section 4501.

16 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**
17 **TION, DEFENSE.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
19 are hereby authorized to be appropriated for the Depart-
20 ment of Defense for fiscal year 2023 for expenses, not oth-
21 erwise provided for, for Chemical Agents and Munitions
22 Destruction, Defense, as specified in the funding table in
23 section 4501.

24 (b) USE.—Amounts authorized to be appropriated
25 under subsection (a) are authorized for—

1 (1) the destruction of lethal chemical agents
2 and munitions in accordance with section 1412 of
3 the Department of Defense Authorization Act, 1986
4 (50 U.S.C. 1521); and

5 (2) the destruction of chemical warfare materiel
6 of the United States that is not covered by section
7 1412 of such Act.

8 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**
9 **TIVITIES, DEFENSE-WIDE.**

10 Funds are hereby authorized to be appropriated for
11 the Department of Defense for fiscal year 2023 for ex-
12 penses, not otherwise provided for, for Drug Interdiction
13 and Counter-Drug Activities, Defense-wide, as specified in
14 the funding table in section 4501.

15 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

16 Funds are hereby authorized to be appropriated for
17 the Department of Defense for fiscal year 2023 for ex-
18 penses, not otherwise provided for, for the Office of the
19 Inspector General of the Department of Defense, as speci-
20 fied in the funding table in section 4501.

21 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

22 Funds are hereby authorized to be appropriated for
23 fiscal year 2023 for the Defense Health Program for use
24 of the Armed Forces and other activities and agencies of
25 the Department of Defense for providing for the health

1 of eligible beneficiaries, as specified in the funding table
2 in section 4501.

3 **Subtitle B—Other Matters**

4 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT** 5 **DEPARTMENT OF DEFENSE-DEPARTMENT OF** 6 **VETERANS AFFAIRS MEDICAL FACILITY DEM-** 7 **ONSTRATION FUND FOR CAPTAIN JAMES A.** 8 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

9 (a) **AUTHORITY FOR TRANSFER OF FUNDS.**—Of the
10 funds authorized to be appropriated for section 1405 and
11 available for the Defense Health Program for operation
12 and maintenance, \$168,000,000 may be transferred by the
13 Secretary of Defense to the Joint Department of Defense—
14 Department of Veterans Affairs Medical Facility Dem-
15 onstration Fund established by subsection (a)(1) of sec-
16 tion 1704 of the National Defense Authorization Act for
17 Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).
18 For purposes of subsection (a)(2) of such section 1704,
19 any funds so transferred shall be treated as amounts au-
20 thorized and appropriated specifically for the purpose of
21 such a transfer.

22 (b) **USE OF TRANSFERRED FUNDS.**—For the pur-
23 poses of subsection (b) of such section 1704, facility oper-
24 ations for which funds transferred under subsection (a)
25 may be used are operations of the Captain James A.

1 Lovell Federal Health Care Center, consisting of the
2 North Chicago Veterans Affairs Medical Center, the Navy
3 Ambulatory Care Center, and supporting facilities des-
4 ignated as a combined Federal medical facility under an
5 operational agreement covered by section 706 of the Dun-
6 can Hunter National Defense Authorization Act for Fiscal
7 Year 2009 (Public Law 110–417; 122 Stat. 4500).

8 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**
9 **ARMED FORCES RETIREMENT HOME.**

10 There is hereby authorized to be appropriated for fis-
11 cal year 2023 from the Armed Forces Retirement Home
12 Trust Fund the sum of \$152,360,000 of which—

13 (1) \$75,360,000 is for operation, maintenance,
14 construction and renovation; and

15 (2) \$77,000,000 is for major construction.

16 **SEC. 1413. STUDY AND PILOT PROGRAM ON SEMICONDUCTORS AND THE NATIONAL DEFENSE STOCK-
17 PILE.**

18 (a) STUDY REQUIRED.—

19 (1) IN GENERAL.—Not later than one year
20 after the date of the enactment of this Act, the Sec-
21 retary of Defense shall—

22 (A) conduct a study on the strategic mate-
23 rials required by the Department of Defense to
24 execute the operational plans of the Depart-
25

1 ment in a conflict with a strategic competitor
2 lasting not less than six months; and

3 (B) submit to the congressional defense
4 committees a report on such study.

5 (2) ELEMENTS.—The report required under
6 paragraph (1) shall include the following:

7 (A) A description of the specific number
8 and type of semiconductors for key systems and
9 munitions, delineated by technical specifica-
10 tions, performance requirements, and end-use
11 applications, that the Department of Defense
12 requires to execute and sustain the operational
13 plans of the Department during a conflict with
14 a strategic competitor in the Indo-Pacific for
15 not less than six months.

16 (B) A description of any supply chain
17 vulnerabilities or choke points, including from
18 sole sources of supply or geographic proximity
19 to strategic competitors, involving the critical
20 minerals and strategic raw materials (including
21 chemicals) required to produce the semiconduc-
22 tors described in subparagraph (A).

23 (C) A description of any supply chain
24 vulnerabilities or choke points, including from
25 sole sources, geographic proximity to strategic

1 competitors, or legacy technology, involving the
2 manufacturing equipment required for each
3 step in the manufacturing process from the raw
4 materials described in subparagraph (B) to the
5 finished and operational semiconductor chip de-
6 scribed in subparagraph (A), and an identifica-
7 tion of potential secure sources of supply or
8 manufacturing involving the United States, al-
9 lied, or partner nations.

10 (D) An analysis of the ability of the De-
11 partment of Defense and private industry, as
12 appropriate, to procure the semiconductors de-
13 scribed in subparagraph (A) and mitigate the
14 vulnerabilities identified in subparagraphs (B)
15 and (C), during a conflict with a strategic com-
16 petitor in the Indo-Pacific lasting not less than
17 six months, along with associated recommenda-
18 tions, any additional necessary authorities to
19 carry out such recommendations, and the cost
20 of each recommendation.

21 (E) A feasibility assessment, expected cost,
22 and recommendations for acquiring strategic
23 materials for the National Defense Stockpile.

1 (F) A description of options to finance the
2 cost of the recommendations described in sub-
3 paragraph (D).

4 (G) The anticipated annual cost, through
5 fiscal year 2028, of a pilot program to acquire
6 for the National Defense Stockpile the highest
7 priority strategic materials.

8 (b) PILOT PROGRAM.—

9 (1) ESTABLISHMENT.—Upon the submission of
10 the report under subsection (a), the Secretary of De-
11 fense shall carry out a pilot program to, subject to
12 the availability of appropriations, acquire for the
13 National Defense Stockpile the highest priority stra-
14 tegic materials identified in such report.

15 (2) REPORT.—Not later than 1 year after the
16 establishment of the pilot program described in this
17 subsection, and annually thereafter until the date
18 described in paragraph (3), the Secretary of Defense
19 shall submit to the congressional defense committees
20 a report on the status and effects of the pilot pro-
21 gram.

22 (3) TERMINATION.—The pilot program estab-
23 lished under this subsection shall terminate on Sep-
24 tember 30, 2028.

1 (c) STRATEGIC MATERIALS DEFINED.—In this sec-
2 tion, the term “strategic materials” means—

3 (1) semiconductors described in subsection
4 (a)(2)(A);

5 (2) critical minerals and strategic raw materials
6 described in subsection (a)(2)(B); and

7 (3) manufacturing equipment described in para-
8 graph (2)(C).

9 **SEC. 1414. RESTORING ESSENTIAL ENERGY AND SECURITY**

10 **HOLDINGS ONSHORE FOR RARE EARTHS.**

11 (a) ACQUISITION AUTHORITY.—Of the funds author-
12 ized to be appropriated for the National Defense Stockpile
13 Transaction Fund by section 4501, the National Defense
14 Stockpile Manager may use up to \$253,500,000 for acqui-
15 sition of the following materials determined to be strategic
16 and critical materials required to meet the defense, indus-
17 trial, and essential civilian needs of the United States:

18 (1) Neodymium oxide, praseodymium oxide, and
19 neodymium iron boron (NdFeB) magnet block.

20 (2) Titanium.

21 (3) Energetic materials.

22 (4) Iso-molded graphite.

23 (5) Grain-oriented electric steel.

24 (6) Tire cord steel.

25 (7) Cadmium zinc telluride.

1 (b) COMPLIANCE WITH STRATEGIC AND CRITICAL
2 MATERIALS STOCK PILING ACT.—Any acquisition using
3 funds appropriated pursuant to this section shall be car-
4 ried out in accordance with the provisions of the Strategic
5 and Critical Materials Stock Piling Act (50 U.S.C. 98 et
6 seq.).

7 (c) DISCLOSURES CONCERNING RARE EARTH ELE-
8 MENTS AND COVERED CRITICAL MINERALS BY CONTRAC-
9 TORS OF DEPARTMENT OF DEFENSE.—

10 (1) REQUIREMENT.—Beginning on the date
11 that is 30 months after the date of the enactment
12 of this Act, the Secretary of Defense shall require
13 that any contractor that provides to the Department
14 of Defense a system with a permanent magnet that
15 contains rare earth elements or covered critical min-
16 erals to disclose in a classified form, along with de-
17 livery of the system, the provenance of the magnet.

18 (2) ELEMENTS.—A disclosure under paragraph
19 (1) shall include an identification of the country or
20 countries in which—

21 (A) any rare earth elements and covered
22 critical minerals used in the magnet were
23 mined;

24 (B) such elements and minerals were re-
25 fined into oxides;

1 (C) such elements and minerals were made
2 into metals and alloys; and

3 (D) the magnet was sintered or bonded
4 and magnetized.

5 (3) IMPLEMENTATION OF SUPPLY CHAIN
6 TRACKING SYSTEM.—If a contractor cannot make
7 the disclosure required by paragraph (1) with re-
8 spect to a system described in that paragraph, the
9 Secretary shall require the contractor to establish
10 and implement a supply chain tracking system in
11 order to make the disclosure not later than 180 days
12 after providing the system to the Department of De-
13 fense.

14 (4) WAIVERS.—

15 (A) IN GENERAL.—The Secretary may
16 waive a requirement under paragraph (1) or (3)
17 with respect to a system described in paragraph
18 (1) for a period of not more than 180 days if
19 the Secretary certifies to the appropriate con-
20 gressional committees that—

21 (i) the continued procurement of the
22 system is necessary to meet the demands
23 of a national emergency declared under
24 section 201 of the National Emergencies
25 Act (50 U.S.C. 1621); or

1 (ii) the contractor cannot currently
2 make the disclosure required by paragraph
3 (1) but is making significant efforts to
4 comply with the requirements of that para-
5 graph.

6 (B) WAIVER RENEWALS.—The Secretary—

7 (i) may renew a waiver under sub-
8 paragraph (A)(i) as many times as the
9 Secretary considers appropriate; and

10 (ii) may not renew a waiver under
11 subparagraph (A)(ii) more than twice.

12 (5) BRIEFING REQUIRED.—Not later than 30
13 days after the submission of each report required by
14 subsection (e)(3), the Secretary of Defense shall pro-
15 vide to the appropriate congressional committees a
16 briefing that includes—

17 (A) a summary of the disclosures made
18 under this subsection;

19 (B) an assessment of the extent of reliance
20 by the United States on foreign countries, and
21 especially countries that are not allies of the
22 United States, for rare earth elements and cov-
23 ered critical minerals;

24 (C) a determination with respect to which
25 systems described in paragraph (1) are of the

1 greatest concern for interruptions of supply
2 chains with respect to rare earth elements and
3 covered critical minerals; and

4 (D) any suggestions for legislation or fund-
5 ing that would mitigate security gaps in such
6 supply chains.

7 (d) EXPANSION OF RESTRICTIONS ON PROCURE-
8 MENT OF MILITARY AND DUAL-USE TECHNOLOGIES BY
9 CHINESE MILITARY COMPANIES.—Section 1211 of the
10 National Defense Authorization Act for Fiscal Year 2006
11 (10 U.S.C. 4651 note pre c.) is amended—

12 (1) in the section heading, by striking “**COM-**
13 **MUNIST CHINESE MILITARY COMPANIES**” and
14 inserting “**CHINESE MILITARY COMPANIES**”;

15 (2) in subsection (a), by inserting after “mili-
16 tary company” the following: “, any Chinese military
17 company, or any Non-SDN Chinese military-indus-
18 trial complex company”;

19 (3) by amending subsection (b) to read as fol-
20 lows:

21 “(b) GOODS AND SERVICES COVERED.—

22 “(1) IN GENERAL.—For purposes of subsection
23 (a), and except as provided in paragraph (2), the
24 goods and services described in this subsection are
25 goods and services—

1 “(A) on the munitions list of the Inter-
2 national Traffic in Arms Regulations; or

3 “(B) on the Commerce Control List that—

4 “(i) are classified in the 600 series; or

5 “(ii) contain rare earth elements or
6 covered critical minerals.

7 “(2) EXCEPTIONS.—Goods and services de-
8 scribed in this subsection do not include goods or
9 services procured—

10 “(A) in connection with a visit by a vessel
11 or an aircraft of the United States Armed
12 Forces to the People’s Republic of China;

13 “(B) for testing purposes; or

14 “(C) for purposes of gathering intel-
15 ligence.”;

16 (4) in subsection (e)—

17 (A) by striking paragraph (3);

18 (B) by redesignating paragraphs (1) and
19 (2) as paragraphs (3) and (6), respectively;

20 (C) by inserting before paragraph (3), as
21 redesignated by subparagraph (B), the fol-
22 lowing:

23 “(1) The term ‘Chinese military company’ has
24 the meaning given that term by section 1260H(d)(1)
25 of the William M. (Mac) Thornberry National De-

1 fense Authorization Act for Fiscal Year 2021 (Pub-
2 lic Law 116–283; 10 U.S.C. 113 note).

3 “(2) The term ‘Commerce Control List’ means
4 the list maintained by the Bureau of Industry and
5 Security and set forth in Supplement No. 1 to part
6 774 of the Export Administration Regulations.”;
7 and

8 (D) by inserting after paragraph (3), as so
9 redesignated, the following:

10 “(4) The term ‘covered critical mineral’
11 means—

12 “(A) antimony;

13 “(B) beryllium;

14 “(C) cobalt;

15 “(D) graphite;

16 “(E) lithium;

17 “(F) manganese;

18 “(G) nickel;

19 “(H) tantalum;

20 “(I) tungsten; or

21 “(J) vanadium.

22 “(5) The term ‘Export Administration Regula-
23 tions’ has the meaning given that term in section
24 1742 of the Export Control Reform Act of 2018 (50
25 U.S.C. 4801).”; and

1 (5) by adding at the end the following:

2 “(7) The term ‘Non-SDN Chinese military-in-
3 dustrial complex company’ means any entity on the
4 Non-SDN Chinese Military-Industrial Complex Com-
5 panies List—

6 “(A) established pursuant to Executive
7 Order 13959 (50 U.S.C. 1701 note; relating to
8 addressing the threat from securities invest-
9 ments that finance Communist Chinese military
10 companies), as amended before, on, or after the
11 date of the enactment of the Restoring Essen-
12 tial Energy and Security Holdings Onshore for
13 Rare Earths Act of 2022; and

14 “(B) maintained by the Office of Foreign
15 Assets Control of the Department of the Treas-
16 ury.

17 “(8) The term ‘rare earth element’ means—

18 “(A) cerium;

19 “(B) dysprosium;

20 “(C) erbium;

21 “(D) europium;

22 “(E) gadolinium;

23 “(F) holmium;

24 “(G) lanthanum;

25 “(H) lutetium;

1 “(I) neodymium;
2 “(J) praseodymium;
3 “(K) promethium;
4 “(L) samarium;
5 “(M) scandium;
6 “(N) terbium;
7 “(O) thulium;
8 “(P) ytterbium; or
9 “(Q) yttrium.”.

10 (e) REVIEW OF COMPLIANCE WITH CONTRACTING
11 REQUIREMENTS.—

12 (1) IN GENERAL.—Not later than one year
13 after the date of the enactment of this Act, and peri-
14 odically thereafter until the termination date speci-
15 fied in paragraph (5), the Comptroller General of
16 the United States shall assess the extent of the ef-
17 forts of the Department of Defense to comply with
18 the requirements of—

19 (A) subsection (c);

20 (B) section 1211 of the National Defense
21 Authorization Act for Fiscal Year 2006, as
22 amended by subsection (d) of this section; and

23 (C) section 4872 of title 10, United States
24 Code.

1 (2) BRIEFING REQUIRED.—The Comptroller
2 General shall periodically, until the termination date
3 specified in paragraph (5), provide to the appro-
4 priate congressional committees a briefing on the re-
5 sults of the assessments conducted under paragraph
6 (1) that includes an assessment of—

7 (A) the inclusion by the Department of
8 Defense of necessary contracting clauses in rel-
9 evant contracts to meet the requirements de-
10 scribed in subparagraphs (A), (B), and (C) of
11 paragraph (1); and

12 (B) the efforts of the Department of De-
13 fense to assess the compliance of contractors
14 with such clauses.

15 (3) REPORT REQUIRED.—The Comptroller Gen-
16 eral shall, not less frequently than every 2 years
17 until the termination date specified in paragraph
18 (5), submit to the appropriate congressional commit-
19 tees a report on the results of the assessments con-
20 ducted under paragraph (1) that includes an assess-
21 ment of—

22 (A) the inclusion by the Department of
23 Defense of necessary contracting clauses in rel-
24 evant contracts to meet the requirements de-

1 scribed in subparagraphs (A), (B), and (C) of
2 paragraph (1); and

3 (B) the efforts of the Department of De-
4 fense to assess the compliance of contractors
5 with such clauses.

6 (4) REFERRAL.—If, in conducting an assess-
7 ment under paragraph (1), the Comptroller General
8 determines that a contractor has failed to comply
9 with any of the requirements described in subpara-
10 graphs (A), (B), and (C) of paragraph (1), the rel-
11 evant Inspectors General, or other enforcement
12 agencies, as appropriate, for further examination
13 and possible enforcement actions.

14 (5) TERMINATION.—The requirements of this
15 subsection shall terminate on the date that is 10
16 years after the date of the enactment of this Act.

17 (f) DEFINITIONS.—In this section, the terms “cov-
18 ered critical minerals” and “rare earth element” have the
19 meanings given to such terms in section 1211 of the Na-
20 tional Defense Authorization Act for Fiscal Year 2006 (10
21 U.S.C. 4651 note prec.).

1 **Subtitle C—Homeland Acceleration**
2 **of Recovering Deposits and Re-**
3 **newing Onshore Critical Key-**
4 **stones**

5 **SEC. 1421. AUTHORITY TO ACQUIRE MATERIALS FOR NA-**
6 **TIONAL DEFENSE STOCKPILE TO ADDRESS**
7 **SHORTFALLS.**

8 (a) MODIFICATION OF ACQUISITION AUTHORITY.—
9 Section 5 of the Strategic and Critical Materials Stock Pil-
10 ing Act (50 U.S.C. 98d) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1)—

13 (i) in the first sentence, by inserting
14 “under the authority of paragraph (3) or”
15 after “Except for acquisitions made”; and

16 (ii) in the second sentence, by striking
17 “for such acquisition” and inserting “for
18 any acquisition of materials under this
19 Act”;

20 (B) in paragraph (2), by striking “any
21 such transaction” and inserting “any trans-
22 action”; and

23 (C) by adding at the end the following:

24 “(3) From amounts appropriated after the date of
25 the enactment of this paragraph, the National Defense

1 Stockpile Manager may acquire materials determined to
2 be strategic and critical under section 3(a) without regard
3 to the requirement of the first sentence of paragraph (1)
4 if the Stockpile Manager determines there is a shortfall
5 of such materials in the stockpile.”; and

6 (2) in subsection (c), by striking “to carry out
7 the purposes for which appropriated for a period of
8 two fiscal years, if so provided in appropriation
9 Acts” and inserting “until expended, unless other-
10 wise provided in appropriations Acts”.

11 (b) CLARIFICATION THAT STOCKPILE MAY NOT BE
12 USED FOR BUDGETARY PURPOSES.—Section 2(c) of the
13 Strategic and Critical Materials Stock Piling Act (50
14 U.S.C. 98a(c)) is amended by striking “is not to be used”
15 and inserting “shall not be used”.

16 (c) ANNUAL BRIEFINGS.—Section 11 of the Strategic
17 and Critical Materials Stock Piling Act (50 U.S.C. 98h–
18 2) is amended by adding at the end the following:

19 “(c)(1) Not later than 30 days after submitting a re-
20 port required by subsection (a), the National Defense
21 Stockpile Manager shall brief the committees specified in
22 paragraph (2) on the state of the stockpile and the acqui-
23 sitions intended to be made within the next fiscal year.

24 “(2) The committees specified in this paragraph
25 are—

1 “(A) the Committee on Armed Services,
2 the Committee on Foreign Relations, the Com-
3 mittee on Energy and Natural Resources, the
4 Committee on Commerce, Science, and Trans-
5 portation, and the Select Committee on Intel-
6 ligence of the Senate; and

7 “(B) the Committee on Armed Services,
8 the Committee on Foreign Affairs, the Com-
9 mittee on Natural Resources, the Committee on
10 Energy and Commerce, and the Permanent Se-
11 lect Committee on Intelligence of the House of
12 Representatives.”.

13 **SEC. 1422. REPORT ON MODIFICATIONS TO THE NATIONAL**
14 **TECHNOLOGY AND INDUSTRIAL BASE.**

15 (a) IN GENERAL.—Not later than December 1, 2023,
16 the Secretary of Defense shall submit to the congressional
17 defense committees, the Committee on Financial Services
18 of the House of Representatives, the Permanent Select
19 Committee on Intelligence of the House of Representa-
20 tives, the Select Committee on Intelligence of the Senate,
21 and the Committee on Banking, Housing, and Urban Af-
22 fairs of the Senate a report on the benefits and risks of
23 potential legislative proposals to increase the availability
24 of strategic and critical materials that are, as of the date

1 of the enactment of this Act, sourced primarily from the
2 People’s Republic of China or the Russian Federation.

3 (b) ELEMENTS.—The report required by subsection
4 (a) shall include an assessment of the following:

5 (1) The implications of modifying the term “do-
6 mestic source” for purposes of the Defense Produc-
7 tion Act of 1950 (50 U.S.C. 4501 et seq.) to “do-
8 mestic and allied source” and including in the defini-
9 tion of such term business concerns in other coun-
10 tries, including, but not limited to, Canada, the
11 United Kingdom, and Australia.

12 (2) The benefits of facilitating more effective
13 integration of the national technology and industrial
14 base with the technology and industrial bases of
15 countries that are allies or partners of the United
16 States with respect to technology transfer, socio-
17 economic procurement requirements, and export con-
18 trols.

19 (c) FORM.—The report required by subsection (a)
20 shall be in an unclassified form but may contain a classi-
21 fied annex.

22 (d) DEFINITIONS.—In this section:

23 (1) NATIONAL TECHNOLOGY AND INDUSTRIAL
24 BASE.—The term “national technology and indus-

1 trial base” has the meaning given that term in sec-
2 tion 4801 of title 10, United States Code.

3 (2) STRATEGIC AND CRITICAL MATERIALS.—

4 The term “strategic and critical materials” has the
5 meaning given that term in section 12 of the Stra-
6 tegic and Critical Materials Stock Piling Act (50
7 U.S.C. 98h–3).

8 **TITLE XV—CYBER AND INFOR-**
9 **MATION OPERATIONS MAT-**
10 **TERS**

11 **Subtitle A—Cyber Matters**

12 **SEC. 1501. IMPROVEMENTS TO PRINCIPAL CYBER ADVI-**
13 **SORS.**

14 (a) CERTIFICATION AUTHORITY FOR CYBERSPACE
15 OPERATIONS.—Subsection (c) of section 932 of the Na-
16 tional Defense Authorization Act for Fiscal Year 2014
17 (Public Law 113–66; 10 U.S.C. 2224 note) is amended
18 by adding at the end the following new paragraph:

19 “(4) BUDGET CERTIFICATION.—Not later than
20 January 31 of the year preceding each fiscal year
21 for which a budget is proposed, the Principal Cyber
22 Advisor shall certify to the Secretary of Defense and
23 the congressional defense committees the adequacy
24 of the portions of that budget regarding cyberspace
25 activities not covered by the review of the Chief In-

1 formation Officer under section 142(b)(2) of this
2 title.”.

3 (b) CODIFICATION OF PRINCIPAL CYBER ADVI-
4 SORS.—

5 (1) TITLE 10.—Chapter 19 of title 10, United
6 States Code, is amended by inserting after section
7 392 the following new section (and conforming the
8 table of sections at the beginning of such chapter ac-
9 cordingly):

10 **“§ 392a. Principal Cyber Advisors”.**

11 (2) PRINCIPAL CYBER ADVISOR TO SECRETARY
12 OF DEFENSE.—Subsection (c) of section 932 of the
13 National Defense Authorization Act for Fiscal Year
14 2014 (Public Law 113–66; 10 U.S.C. 2224 note), as
15 amended by subsection (a), is—

16 (A) transferred to section 392a of title 10,
17 United States Code, as added by paragraph (1);

18 (B) redesignated as subsection (a); and

19 (C) amended in the subsection heading by
20 inserting “TO SECRETARY OF DEFENSE” after
21 “ADVISOR”.

22 (3) DEPUTY CYBER ADVISOR.—Section 905 of
23 the National Defense Authorization Act for Fiscal
24 Year 2020 (Public Law 116–92; 10 U.S.C. 391
25 note) is—

1 (A) transferred to chapter 19 of title 10,
2 United States Code, designated as subsection
3 (b) of section 392a, as added by paragraph (1),
4 and redesignating each subordinate provision
5 and the margins thereof accordingly; and

6 (B) amended—

7 (i) by striking “this subsection” each
8 place it appears and inserting “this para-
9 graph”; and

10 (ii) by striking “subsection (a)” each
11 place it appears and inserting “paragraph
12 (1)”.

13 (4) PRINCIPAL CYBER ADVISORS TO SECRE-
14 TARIES OF MILITARY DEPARTMENTS.—Section 1657
15 of the National Defense Authorization Act for Fiscal
16 Year 2020 (Public Law 116–92; 10 U.S.C. 391
17 note) is—

18 (A) transferred to chapter 19 of title 10,
19 United States Code, designated as subsection
20 (c) of section 392a, as added by paragraph (1),
21 and redesignating each subordinate provision
22 and the margins thereof accordingly; and

23 (B) amended—

24 (i) by striking “subparagraph (B)”
25 and inserting “clause (ii)”;

1 (ii) by striking “paragraph (1)” each
2 place it appears and inserting “subpara-
3 graph (A)”;

4 (iii) by striking “paragraph (2)” each
5 place it appears and inserting “subpara-
6 graph (B)”;

7 (iv) by striking “subsection (a)(1)”
8 and inserting “paragraph (1)(A)”;

9 (v) by striking “subsection (a)” each
10 place it appears and inserting “paragraph
11 (1)”;

12 (vi) by striking “subsection (b)” each
13 place it appears and inserting “paragraph
14 (2)”;

15 (vii) by striking paragraph (6) (as re-
16 designated pursuant to subparagraph (A)).

17 (c) CONFORMING AMENDMENTS.—

18 (1) TITLE 10.—Section 167b(d)(2)(A) of title
19 10, United States Code, is amended by inserting “to
20 the Secretary of Defense under section 392a(a) of
21 this title” after “Principal Cyber Advisor”.

22 (2) FY22 NDAA.—Section 1528(e)(2) of the
23 National Defense Authorization Act for Fiscal Year
24 2022 (Public Law 117–81; 10 U.S.C. 2224 note) is
25 amended by striking “section 1657(d) of the Na-

1 tional Defense Authorization Act for Fiscal Year
2 2020 (Public Law 116–92; 10 U.S.C. 391 note)”
3 and inserting “section 392a(c)(4) of title 10, United
4 States Code”.

5 (3) FY17 NDAA.—Section 1643(b) of the Na-
6 tional Defense Authorization Act for Fiscal Year
7 2017 (Public Law 114–328; 10 U.S.C. 2224 note)
8 is amended by striking “The Principal Cyber Advi-
9 sor, acting through the cross-functional team estab-
10 lished by section 932(c)(3) of the National Defense
11 Authorization Act for Fiscal Year 2014 (Public Law
12 113-66; 10 U.S.C. 2224 note)” and inserting “The
13 Principal Cyber Advisor to the Secretary of Defense,
14 acting through the cross-functional team under sec-
15 tion 392a(a)(3) of title 10, United States Code,”.

16 **SEC. 1502. MODIFICATION OF OFFICE OF PRIMARY RE-**
17 **SPONSIBILITY FOR STRATEGIC CYBERSECU-**
18 **RITY PROGRAM.**

19 Paragraph (2) of section 1640(c) of the National De-
20 fense Authorization Act for Fiscal Year 2018 (Public Law
21 115–91; 10 U.S.C. 2224 note) is amended to read as fol-
22 lows:

23 “(2) OFFICE OF PRIMARY RESPONSIBILITY.—
24 Not later than 30 days after the date of the enact-
25 ment of the National Defense Authorization Act for

1 Fiscal Year 2023, the Secretary of Defense shall
2 designate a principal staff assistant from within the
3 Office of the Secretary of Defense whose office shall
4 serve as the office of primary responsibility for the
5 Program, providing policy, direction, and oversight
6 regarding the execution of the responsibilities of the
7 program manager described in paragraph (5).”.

8 **SEC. 1503. ESTABLISHMENT OF CYBER OPERATIONS DESIG-**
9 **NATOR AND RATING FOR THE NAVY.**

10 (a) **MILITARY CAREER DESIGNATOR.**—

11 (1) **OFFICERS.**—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary
13 of the Navy, in coordination with the Chief of Naval
14 Operations, shall establish and use a cyber warfare
15 operations designator for officers and warrant offi-
16 cers, which shall be a separate designator from the
17 cryptologic warfare officer designator.

18 (2) **ENLISTED.**—Not later than 90 days after
19 the date of the enactment of this Act, the Secretary,
20 in coordination with the Chief, shall establish and
21 use a cyber warfare rating for enlisted personnel,
22 which shall be a separate rating from the cryptologic
23 technician enlisted rating.

24 (b) **PROHIBITION.**—

1 (1) IN GENERAL.—Beginning June 1, 2024, the
2 Secretary may not assign a member of the Navy to
3 a billet within the core work roles at teams or com-
4 ponents within the cyber mission force if such mem-
5 ber—

6 (A) has a designator of cryptologic war-
7 fare, intelligence, or information professional; or

8 (B) has a rating of cryptologic technician,
9 intelligence specialist, or information systems
10 technician.

11 (2) EXCEPTION.—The prohibition in paragraph
12 (1) shall not apply with respect to a member of the
13 Navy who is assigned to a billet described in such
14 paragraph under orders issued before June 1, 2024.

15 (c) REPORT.—Not later than one year after the date
16 of the enactment of this Act, the Secretary shall submit
17 to the Committees on Armed Services of the House of
18 Representatives and Senate a report certifying whether
19 the following actions have been carried out (including de-
20 tailed explanations):

21 (1) The Secretary establishing cyberspace oper-
22 ations as a military discipline that is a community
23 separate from the information warfare community.

24 (2) The Chief of Naval Operations identifying
25 who in the Office of the Chief of Naval Operations

1 will serve as the resource manager and who will be
2 responsible for staffing and training with respect to
3 the designator and rating established under sub-
4 section (a).

5 (3) The Secretary establishing a training pipe-
6 line for the designator and rating established under
7 subsection (a) that is aligned with the requirements
8 and standards established by the Commander of the
9 United States Cyber Command.

10 (4) The Secretary establishing a funding profile
11 detailing with requisite investments toward the
12 training requirements, requisite courses, and costs
13 associated with the designator and rating established
14 under subsection (a) for the period covered by the
15 most recent future-years defense program submitted
16 to Congress under section 221 of title 10, United
17 States Code.

18 (5) The Secretary establishing an inventory of
19 all flag officer positions with direct leadership or ex-
20 ecutive direction over the designator and rating es-
21 tablished under subsection (a), including with re-
22 spect to—

23 (A) the United States Cyber Command;

24 (B) the Fleet Cyber Command;

1 (C) Joint Forces Headquarters-Cyber,
2 Navy;

3 (D) 10th Fleet;

4 (E) The Deputy Chief of Naval Operations
5 for Information Warfare and the Director of
6 Naval Intelligence; and

7 (F) Naval Information Forces.

8 (6) The Secretary establishing an implementa-
9 tion plan, including timelines and procedures, for
10 filling the positions within the cyber mission force
11 for which the Secretary is responsible.

12 (7) Any anticipated changes to the end-strength
13 of the Navy by reason of establishing the designator
14 and rating under subsection (a).

15 (d) DETERMINATION BY CYBER COMMAND.—Not
16 later than 60 days after the date on which the Secretary
17 submits the report under subsection (c), the Commander
18 of United States Cyber Command shall submit to the
19 Committees on Armed Services of the House of Represent-
20 atives and Senate a determination with respect to whether
21 the matters contained in the report satisfy the require-
22 ments of the United States Cyber Command.

1 **SEC. 1504. CYBER THREAT INFORMATION COLLABORATION**
2 **ENVIRONMENT PROGRAM.**

3 (a) PROGRAM.—Not later than 120 days after the
4 date of the enactment of this Act, pursuant to the require-
5 ments established by the Cyber Threat Data Interoper-
6 ability Council under subsection (c), the Secretary of
7 Homeland Security, acting through the Director of the Cy-
8 bersecurity and Infrastructure Security Agency, in con-
9 sultation with the Director of the National Security Agen-
10 cy, shall develop an information collaboration environment
11 consisting of a digital environment containing technical
12 tools for information analytics and a portal through which
13 relevant parties may submit and automate information in-
14 puts and access the environment to enable interoperable
15 data flow that enables Federal and non-Federal entities
16 to identify, mitigate, and prevent malicious cyber activity
17 by—

18 (1) providing access to appropriate and oper-
19 ationally relevant data from unclassified and classi-
20 fied information about cybersecurity risks and cyber-
21 security threats, as well as malware forensics and
22 data from network sensor programs or network-mon-
23 itoring programs, on a platform that enables
24 querying and analysis;

25 (2) enabling cross-correlation of data on cyber-
26 security risks and cybersecurity threats at the speed

1 and scale necessary for rapid detection and identi-
2 fication;

3 (3) facilitating a comprehensive understanding
4 of cybersecurity risks and cybersecurity threats; and

5 (4) facilitating collaborative analysis between
6 the Federal Government and public and private sec-
7 tor critical infrastructure entities and information
8 sharing and analysis organizations.

9 (b) IMPLEMENTATION OF INFORMATION COLLABO-
10 RATION ENVIRONMENT.—

11 (1) EVALUATION.—Not later than 180 days
12 after the date of the enactment of this Act, the Sec-
13 retary of Homeland Security, acting through the Di-
14 rector of the Cybersecurity and Infrastructure Secu-
15 rity Agency, in coordination with other departments
16 and agencies of the Federal Government, shall—

17 (A) identify existing Federal sources of
18 classified and unclassified information on cyber-
19 security threats;

20 (B) evaluate current programs, applica-
21 tions, or platforms intended to detect, identify,
22 analyze, and monitor cybersecurity risks and
23 cybersecurity threats;

24 (C) consult with public and private sector
25 critical infrastructure entities to identify public

1 and private critical infrastructure cyber threat
2 capabilities, needs, and gaps; and

3 (D) identify existing tools, capabilities, and
4 systems that may be adapted to achieve the
5 purposes of the information collaboration envi-
6 ronment developed pursuant to subsection (a)
7 to maximize return on investment and minimize
8 cost.

9 (2) IMPLEMENTATION.—

10 (A) IN GENERAL.—Not later than one year
11 after completing the evaluation required under
12 paragraph (1), the Secretary of Homeland Se-
13 curity, acting through the Director of the Cy-
14 bersecurity and Infrastructure Security Agency,
15 in consultation with the Director of the Na-
16 tional Security Agency, shall achieve initial op-
17 erating capability of the information collabora-
18 tion environment developed pursuant to sub-
19 section (a).

20 (B) REQUIREMENTS.—The information
21 collaboration environment and the technical
22 tools for information analytics under subsection
23 (a) shall—

24 (i) operate in a manner consistent
25 with relevant privacy, civil rights, and civil

1 liberties policies and protections, including
2 such policies and protections established
3 pursuant to section 1016 of the Intel-
4 ligence Reform and Terrorism Prevention
5 Act of 2004 (6 U.S.C. 485);

6 (ii) reflect the requirements set forth
7 by the Cyber Threat Data Interoperability
8 Council under subsection (c);

9 (iii) enable integration of current ap-
10 plications, platforms, data, and informa-
11 tion, including classified information, in a
12 manner that supports the voluntary inte-
13 gration of unclassified and classified infor-
14 mation on cybersecurity risks and cyberse-
15 curity threats;

16 (iv) incorporate tools to manage ac-
17 cess to classified and unclassified data, as
18 appropriate, for appropriate individuals
19 who have the security clearance necessary
20 to access the highest level of classified data
21 included in the environment;

22 (v) ensure accessibility by Federal en-
23 tities that the Secretary of Homeland Se-
24 curity, in consultation with the Director of
25 National Intelligence, the Attorney Gen-

1 eral, the Secretary of Defense, and the Di-
2 rector of the Office of Management and
3 Budget, determines appropriate;

4 (vi) allow for access by public and pri-
5 vate sector critical infrastructure entities
6 and other private sector partners, at the
7 discretion of the Secretary of Homeland
8 Security and after consulting the appro-
9 priate Sector Risk Management Agency;

10 (vii) deploy analytic tools across clas-
11 sification levels to leverage all relevant
12 data sets, as appropriate;

13 (viii) identify tools and analytical soft-
14 ware that can be applied and shared to
15 manipulate, transform, and display data
16 and other identified needs; and

17 (ix) anticipate the integration of new
18 technologies and data streams, including
19 data from network sensor programs or net-
20 work-monitoring programs deployed in
21 support of non-Federal entities.

22 (C) ACCESS CONTROLS.—The owner of any
23 data shared in the information collaboration en-
24 vironment shall have the authority to set and
25 maintain access controls for such data and may

1 restrict access to any particular data asset for
2 any purpose, including for the purpose of pro-
3 tecting intelligence sources and methods from
4 unauthorized disclosure in accordance with sec-
5 tion 102A(i) of the National Security Act (50
6 U.S.C. 3024(i)).

7 (3) ANNUAL REPORT REQUIREMENT ON THE
8 IMPLEMENTATION, EXECUTION, AND EFFECTIVE-
9 NESS OF THE PROGRAM.—

10 (A) REQUIREMENT.—Not later than one
11 year after the date of the enactment of this Act
12 and annually thereafter, the Secretary of
13 Homeland Security shall submit to the National
14 Cyber Director and appropriate congressional
15 committees a report that details—

16 (i) Federal Government participation
17 in the information collaboration environ-
18 ment, including the Federal entities par-
19 ticipating in the environment and the cat-
20 egories of information shared by Federal
21 entities into the environment;

22 (ii) non-Federal entities' participation
23 in the information collaboration environ-
24 ment, including the non-Federal entities
25 participating in the environment and the

1 categories of information shared by non-
2 Federal entities into the environment;

3 (iii) the impact of the information col-
4 laboration environment on positive security
5 outcomes for the Federal Government and
6 non-Federal entities;

7 (iv) barriers identified to fully real-
8 izing the benefit of the information collabo-
9 ration environment for both the Federal
10 Government and non-Federal entities;

11 (v) additional authorities or resources
12 necessary to successfully execute the infor-
13 mation collaboration environment; and

14 (vi) identified shortcomings or risks to
15 data security and privacy, and the steps
16 necessary to improve the mitigation of
17 such shortcomings or risks.

18 (B) FORM.—Each report under subpara-
19 graph (A) shall be submitted in unclassified
20 form, but may include a classified annex.

21 (4) COLLABORATION BY NSA.—Any actions
22 taken by the Director of the National Security Agen-
23 cy to assist in building or maintaining the informa-
24 tion collaboration environment developed pursuant to
25 subsection (a)—

1 (A) shall be carried out using amounts au-
2 thorized to be appropriated to the National Se-
3 curity Agency for the Information Systems Se-
4 curity program; and

5 (B) may not be carried out using amounts
6 made available under the National Intelligence
7 Program.

8 (c) CYBER THREAT DATA INTEROPERABILITY COUN-
9 CIL.—

10 (1) ESTABLISHMENT.—There is established an
11 interagency council, to be known as the “Cyber
12 Threat Data Interoperability Council” (in this sub-
13 section referred to as the “council”), chaired by the
14 National Cyber Director, to establish data interoper-
15 ability requirements for data streams to be accessed
16 in the information collaboration environment.

17 (2) ESTABLISHMENT DATE.—The council shall
18 commence the activities under this subsection by not
19 later than 120 days after the date of the enactment
20 of this Act.

21 (3) MEMBERSHIP.—

22 (A) PRINCIPAL MEMBERS.—In addition to
23 the National Cyber Director, the council shall
24 have as its principal members the Secretary of
25 Homeland Security, the Director of National

1 Intelligence, the Attorney General, the Sec-
2 retary of Defense, and the Director of the Of-
3 fice of Management and Budget.

4 (B) ADDITIONAL FEDERAL MEMBERS.—
5 Based on recommendations submitted by the
6 principal members, the National Cyber Director
7 shall identify and appoint council members
8 from Federal entities that oversee programs
9 that generate, collect, disseminate, or analyze
10 data or information related to cybersecurity
11 risks and cybersecurity threats.

12 (C) ADVISORY MEMBERS.—The National
13 Cyber Director shall identify and appoint advi-
14 sory members from non-Federal entities that
15 shall advise the council based on recommenda-
16 tions submitted by the principal members.

17 (4) DATA STREAMS.—The council shall identify,
18 designate, and periodically update programs that
19 shall participate in or be interoperable with the in-
20 formation collaboration environment, which may in-
21 clude—

22 (A) network-monitoring and intrusion de-
23 tection programs;

24 (B) cyber threat indicator sharing pro-
25 grams;

1 (C) certain network sensor programs or
2 network-monitoring programs;

3 (D) incident response and cybersecurity
4 technical assistance programs; or

5 (E) malware forensics and reverse-engi-
6 neering programs.

7 (5) DATA PRIVACY.—

8 (A) REQUIREMENT.—The council shall es-
9 tablish a committee to establish procedures and
10 data governance structures, as necessary, to
11 protect data shared in the information collabo-
12 ration environment, comply with Federal regu-
13 lations and statutes, and respect existing con-
14 sent agreements with public and private sector
15 critical infrastructure entities that apply to crit-
16 ical infrastructure information.

17 (B) MEMBERSHIP.—The committee shall
18 be comprised of—

19 (i) the senior official for privacy of the
20 Office of Management and Budget, who
21 shall serve as the chair of the committee;
22 and

23 (ii) privacy officers from the Depart-
24 ment of Homeland Security, the Depart-
25 ment of Defense, the Department of Jus-

1 tice, and the Office of the Director of Na-
2 tional Intelligence.

3 (6) RULE OF CONSTRUCTION.—Nothing in this
4 subsection may be construed as changing existing
5 ownership or protection of, or policies and processes
6 for access to, agency data.

7 (d) NATIONAL SECURITY SYSTEMS.—Nothing in this
8 section shall apply to a national security system, or to cy-
9 bersecurity threat intelligence related to such systems,
10 without the consent of the owner and operator of the sys-
11 tem.

12 (e) DEFINITIONS.—In this section:

13 (1) The term “appropriate congressional com-
14 mittees” means the following:

15 (A) The Committee on Homeland Security,
16 the Committee on the Judiciary, the Committee
17 on Armed Services, the Committee on Oversight
18 and Reform, and the Permanent Select Com-
19 mittee on Intelligence of the House of Rep-
20 resentatives.

21 (B) The Committee on Homeland Security
22 and Governmental Affairs, the Committee on
23 the Judiciary, the Committee on Armed Serv-
24 ices, and the Select Committee on Intelligence
25 of the Senate.

1 (2) The term “critical infrastructure informa-
2 tion” has the meaning given such term in section
3 2222 of the Homeland Security Act of 2002 (6
4 U.S.C. 671).

5 (3) The term “cyber threat indicator” has the
6 meaning given such term in section 102 of the Cy-
7 bersecurity Act of 2015 (6 U.S.C. 1501).

8 (4) The term “cybersecurity threat” has the
9 meaning given such term in section 102 of the Cy-
10 bersecurity Act of 2015 (6 U.S.C. 1501).

11 (5) The term “data asset” has the meaning
12 given such term in section 3502 of title 44, United
13 States Code.

14 (6) The term “environment” means the infor-
15 mation collaboration environment established under
16 subsection (a).

17 (7) The term “information sharing and analysis
18 organization” has the meaning given such term in
19 section 2222 of the Homeland Security Act of 2002
20 (6 U.S.C. 671).

21 (8) The term “intelligence community” has the
22 meaning given such term in section 3(4) of the Na-
23 tional Security Act of 1947 (50 U.S.C. 3003(4)).

1 (9) The term “national security system” has
2 the meaning given such term in section 3552 of title
3 44, United States Code.

4 (10) The term “non-Federal entity” has the
5 meaning given such term in section 102 of the Cy-
6 bersecurity Act of 2015 (6 U.S.C. 1501).

7 (11) The term “Sector Risk Management Agen-
8 cy” has the meaning given such term in section
9 2201 of the Homeland Security Act of 2002 (6
10 U.S.C. 651).

11 **SEC. 1505. DEPARTMENT OF DEFENSE ENTERPRISE-WIDE**
12 **PROCUREMENT OF CYBER DATA PRODUCTS**
13 **AND SERVICES.**

14 Section 1521 of the National Defense Authorization
15 Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C.
16 2224 note) is amended—

17 (1) in subsection (a)(5), by inserting “, includ-
18 ing the use of artificial intelligence-based endpoint
19 security that prevents cyber attacks and does not re-
20 quire constant internet connectivity to function,”
21 after “services”; and

22 (2) in subsection (b), by inserting “, including
23 by enhancing the security of the software supply
24 chain of the Department” after “best interests of
25 the Department”.

1 **SEC. 1506. CYBERSECURITY OF MILITARY STANDARDS FOR**
2 **DATA.**

3 (a) IN GENERAL.—No later than 270 days after en-
4 actment of this act, the principal staff assistant des-
5 ignated with primary responsibility for the Strategic Cy-
6 bersecurity Program of the Department of Defense pursu-
7 ant to paragraph (2) of section 1640(c) of the National
8 Defense Authorization Act for Fiscal Year 2018 (Public
9 Law 115–91; 10 U.S.C. 2224 note), as amended by sec-
10 tion 1502 of this Act, shall conduct a comprehensive re-
11 view of Military Standard 1553 (in this section referred
12 to as “MIL–STD–1553”). At the discretion of the Sec-
13 retary of Defense, the review required under this sub-
14 section may include reviews of additional serial data
15 standards beyond MIL–STD–1553.

16 (b) ELEMENTS.—The review required under sub-
17 section (a) shall include the following elements:

18 (1) An identification of programs and weapon
19 systems currently employing MIL–STD–1553 and
20 other serial data standards, as appropriate, across
21 the Department of Defense, the military depart-
22 ments, and components, with notations for any pro-
23 grams previously assessed by the Strategic Cyberse-
24 curity Program.

1 (2) An evaluation of, and inventory for, the
2 vulnerabilities to MIL–STD–1553 and other serial
3 data standards, as appropriate.

4 (3) An inventory of potential commercial- and
5 Government-sourced mitigations and solutions, ei-
6 ther in use or available to program offices.

7 (4) An assessment of potential changes to ad-
8 dress identified vulnerabilities to MIL–STD–1553
9 and other serial data standards, as appropriate.

10 (c) DETERMINATION.—Based on the findings of the
11 review required under subsection (a), the Secretary of De-
12 fense shall determine whether to revise or update MIL–
13 STD–1553 and other serial data standards, as appro-
14 priate.

15 (d) GUIDANCE.—Subsequent to the completion of the
16 review required under subsection (a), the head of the Stra-
17 tegic Cybersecurity Program shall issue guidance across
18 the Department for program managers involved in pro-
19 curing weapon systems that use MIL–STD–1553 and
20 other serial data standards, as appropriate. The guidance
21 shall include information related to the potential threats
22 to MIL–STD–1553, available mitigations and solutions,
23 and technical resources for program managers to use in
24 addressing issues with MIL–STD–1553 and other data se-
25 rial standards, as appropriate.

1 (e) COMPLIANCE CERTIFICATION.—Subject to the
2 findings for the review required under subsection (a), the
3 senior official identified pursuant to section 1647(j) of the
4 National Defense Authorization Act for Fiscal Year 2016
5 (Public Law 114–92) for a military department and the
6 service acquisition executive (as such term is defined in
7 section 101(10) of title 10, United States Code) shall, if
8 applicable, issue a certification that mitigations identified
9 by the Strategic Cybersecurity Program for assessed
10 weapons systems have been applied and corrected. Not
11 later than one year after the date of the enactment of this
12 Act, such senior official and the service acquisition execu-
13 tive shall submit to the congressional defense committees
14 such assessment.

15 (f) TEST AND EVALUATION.—The Director of Oper-
16 ational Test and Evaluation may include evaluations of
17 MIL–STD–1553 and other serial data standards, as ap-
18 propriate, in reports required to be provided to the con-
19 gressional defense committees pursuant to law.

20 (g) REPORT.—Not later than 45 days after comple-
21 tion of the review required under subsection (a), the head
22 of the Strategic Cybersecurity Program shall submit to the
23 congressional defense committees—

24 (1) a report on the review required under sub-
25 section (a); and

1 (2) a copy of the guidance required under sub-
2 section (d).

3 **Subtitle B—Information** 4 **Operations**

5 **SEC. 1511. MILITARY OPERATIONS IN INFORMATION ENVI-**
6 **RONMENT: AUTHORITY AND NOTIFICATIONS.**

7 (a) **IN GENERAL.**—Chapter 19 of title 10, United
8 States Code, is amended by inserting after section 397 the
9 following new section (and conforming the table of con-
10 tents at the beginning of such chapter accordingly):

11 **“§ 398. Military operations in information environ-**
12 **ment: authority and notification require-**
13 **ments**

14 “(d) **NOTIFICATION REQUIREMENTS.**—(1) The Sec-
15 retary of Defense shall promptly submit to the appropriate
16 congressional committees notice in writing of any clandes-
17 tine military operation in the information environment
18 conducted under this title no later than 48 hours following
19 such operation.

20 “(2)(A) The Secretary shall establish and submit to
21 the appropriate congressional committees procedures for
22 complying with the requirements of paragraph (1). The
23 Secretary shall promptly notify the appropriate congres-
24 sional committees in writing of any changes to such proce-

1 dures at least 14 days prior to the adoption of any such
2 changes.

3 “(B) The appropriate congressional committees shall
4 ensure that committee procedures designed to protect
5 from unauthorized disclosure classified information relat-
6 ing to national security of the United States are sufficient
7 to protect the information that is submitted to the com-
8 mittees pursuant to this section.

9 “(C) In the event of an unauthorized disclosure of
10 a clandestine military operation in the information envi-
11 ronment covered by this section, the Secretary shall en-
12 sure, to the maximum extent practicable, that the appro-
13 priate congressional committees are notified immediately
14 of the clandestine military operation in the information en-
15 vironment concerned. The notification under this para-
16 graph may be verbal or written, but in the event of a
17 verbal notification a written notification shall be provided
18 by not later than 48 hours after the provision of the verbal
19 notification.

20 “(e) PROHIBITION.—No clandestine military oper-
21 ation in the information environment may be conducted
22 which is intended to influence United States political proc-
23 esses, public opinion, policies, or media.”.

1 (b) TRANSFER.—Section 1631 of the National De-
2 fense Authorization Act for Fiscal Year 2020 (Public Law
3 116–92; 133 Stat. 1741) is amended as follows:

4 (1) Subsections (b), (c), and (d) are—

5 (A) transferred to section 398 of title 10,
6 United States Code, as added by subsection (a)
7 of this section;

8 (B) inserted before subsection (b) of such
9 section 398; and

10 (C) redesignated as subsections (a), (b),
11 and (c), respectively.

12 (2) Subsection (e) is—

13 (A) transferred to such section 398;

14 (B) inserted after subsection (e) of such
15 section; and

16 (C) redesignated as subsection (f).

17 (3) Subsection (i) is—

18 (A) transferred to such section 398;

19 (B) inserted after subsection (f) of such
20 section; and

21 (C) redesignated as subsection (g).

22 (c) QUARTERLY BRIEFINGS.—Subsection (c) of sec-
23 tion 398 of title 10, United States Code, as added by sub-
24 section (a) of this section and designated by subsection
25 (b), is amended by striking “congressional defense com-

1 mittees” and inserting “appropriate congressional com-
2 mittees”.

3 (d) DEFINITIONS.—Subsection (g) of section 398 of
4 title 10, United States Code, as added by subsection (a)
5 of this section and designated by subsection (b), is amend-
6 ed—

7 (1) in paragraph (3), by inserting “in the infor-
8 mation environment” before “, or associated”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(4) The term ‘appropriate congressional com-
12 mittees’ means—

13 “(A) the congressional defense committees;

14 “(B) the Committee on Foreign Affairs
15 and the Permanent Select Committee on Intel-
16 ligence of the House of Representatives; and

17 “(C) the Committee on Foreign Relations
18 and the Select Committee on Intelligence of the
19 Senate.”.

20 **SEC. 1512. LIMITATION ON AVAILABILITY OF CERTAIN**
21 **FUNDS UNTIL SUBMISSION OF JOINT LEXI-**
22 **CON FOR TERMS RELATED TO INFORMATION**
23 **OPERATIONS.**

24 Of the funds authorized to be appropriated by this
25 Act or otherwise made available for fiscal year 2023 for

1 operation and maintenance, Defense-wide, and available
2 for the Office of the Secretary of Defense for the travel
3 of persons, not more than 75 percent may be obligated
4 or expended until the date on which the Secretary submits
5 to the Committees on Armed Services of the House of
6 Representatives and the Senate the joint lexicon for terms
7 related to information operations required by section
8 1631(g)(1)(D) of the National Defense Authorization Act
9 for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 397
10 note).

11 **SEC. 1513. JOINT INFORMATION OPERATIONS COURSE.**

12 (a) JOINT INFORMATION OPERATIONS COURSE.—

13 The Secretary of Defense shall provide to members of the
14 Army, Navy, Air Force, Marine Corps, and Space Force
15 a course to prepare the members to plan and conduct in-
16 formation operations in a joint environment pursuant to
17 title 10, United States Code. Such course shall include—

18 (1) standardized qualifications and procedures
19 to enable the joint and synchronized employment of
20 information-related capabilities in the information
21 environment;

22 (2) joint methods to implement information op-
23 erations in a battlefield environment under any
24 ground force chain of command; and

1 (3) a curriculum covering applicable assets, core
2 information operations concepts, integration of ef-
3 fects with a specific focus on information-related ef-
4 fects, operational methodology, multi-dimensional
5 targeting space, other information-related capabili-
6 ties defined by governing policy, instruction, publica-
7 tions, and doctrine, and any other topics or areas
8 determined necessary by the Secretary.

9 (b) SEMIANNUAL REPORTS.—On a semiannual basis
10 through January 1, 2028, the Secretary shall submit to
11 the congressional defense committees a report on the
12 course provided under subsection (a). Each report shall
13 include, with respect to the period covered by the report—

14 (1) the number of members described in sub-
15 section (a) who attended the course; and

16 (2) an assessment of the value of the course
17 in—

18 (A) conducting joint operations in the in-
19 formation environment; and

20 (B) the synchronized employment of infor-
21 mation-related capabilities in the information
22 environment.

1 **SEC. 1514. CONSISTENCY IN DELEGATION OF CERTAIN AU-**
2 **THORITIES RELATING TO INFORMATION OP-**
3 **ERATIONS.**

4 Except as otherwise provided specifically by law, if
5 any roles or responsibilities relating to information oper-
6 ations are assigned pursuant to a provision of law or by
7 the direction of the Secretary of Defense to the Under Sec-
8 retary of Defense for Policy, the Under Secretary shall
9 ensure that such roles or responsibilities are assigned or
10 otherwise delegated to the same position within the Office
11 of the Under Secretary of Defense of Policy.

12 **SEC. 1515. ASSESSMENT AND OPTIMIZATION OF DEPART-**
13 **MENT OF DEFENSE INFORMATION OPER-**
14 **ATIONS WITHIN THE CYBER DOMAIN.**

15 (a) **ASSESSMENT AND PLAN.**—Not later than 90 days
16 after the date of the enactment of this Act, the Principal
17 Information Operations Advisor and the Principal Cyber
18 Advisor to the Secretary of Defense, in coordination with
19 the Commander of the United States Cyber Command,
20 shall complete both an assessment and an optimization
21 plan for integrating all information and influence oper-
22 ations within cyberspace across the Department of De-
23 fense.

24 (b) **ELEMENTS.**—The assessment under subsection
25 (a) shall include the following:

1 (1) An inventory of the components of the De-
2 partment of Defense conducting information and in-
3 fluence operations within cyberspace.

4 (2) An examination of sufficiency of resources
5 allocated for information and influence operations
6 within cyberspace.

7 (3) An evaluation of the command and control,
8 oversight, and management of matters related to in-
9 formation and influence operations within cyber-
10 space across the Office of the Secretary of Defense
11 and the Joint Staff.

12 (4) Any other matters determined relevant by
13 the Principal Information Operations Advisor and
14 the Principal Cyber Advisor to the Secretary of De-
15 fense, in coordination with the Commander of the
16 United States Cyber Command.

17 (c) OPTIMIZATION PLAN.—The optimization plan
18 under subsection (a) shall include the following:

19 (1) Actions that the Department will implement
20 to integrate all Department information and influ-
21 ence operations within cyberspace in a manner that
22 ensures the proper level of visibility, unity of effort,
23 synchronization, and deconfliction.

24 (2) Coordination procedures within the Depart-
25 ment to ensure that coordination with the Com-

1 mander of the United States Cyber Command takes
2 place with regard to unity of effort, synchronization,
3 deconfliction of information and influence operations
4 within cyberspace.

5 (3) An evaluation of potential organizational
6 changes required to optimize information and influ-
7 ence operations within cyberspace.

8 (4) Any other matters determined relevant by
9 the Principal Information Operations Advisor and
10 the Principal Cyber Advisor to the Secretary of De-
11 fense, in coordination with the Commander of the
12 United States Cyber Command.

13 (d) BRIEFINGS.—Not later than 30 days after com-
14 pleting the assessment and optimization plan under sub-
15 section (a), the Principal Information Operations Advisor
16 and the Principal Cyber Advisor to the Secretary of De-
17 fense, in coordination with the Commander of the United
18 States Cyber Command, shall provide to the congressional
19 defense committees a briefing on the assessment and plan.

20 (e) IMPLEMENTATION.—Not later than 180 days
21 after the date on which the briefing is provided under sub-
22 section (d), the Secretary of Defense shall implement the
23 optimization plan under subsection (a).

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

3 **SEC. 1531. ANNUAL REPORTS ON SUPPORT BY MILITARY**
4 **DEPARTMENTS FOR CYBERSPACE OPER-**
5 **ATIONS.**

6 Chapter 19 of title 10, United States Code, is amend-
7 ed by inserting after section 391 the following new section
8 (and conforming the table of sections at the beginning of
9 such chapter accordingly):

10 **“§ 391a. Annual reports on support by military de-**
11 **partments for cyberspace operations**

12 “(a) REPORTS.—Not later than 15 days after the
13 date on which the Secretary of Defense submits to Con-
14 gress the defense budget materials (as defined in section
15 239 of this title) for fiscal year 2024 and each fiscal year
16 thereafter, the Commander of the United States Cyber
17 Command shall submit to the congressional defense com-
18 mittees a report containing the following:

19 “(1) An evaluation of whether each military de-
20 partment is meeting the requirements established by
21 the Commander and validated by the Office of the
22 Secretary of Defense.

23 “(2) For each military department evaluated
24 under paragraph (1)—

1 “(A) a certification that the military de-
2 partment is meeting such requirements; or

3 “(B) a detailed explanation regarding how
4 the military department is not meeting such re-
5 quirements.

6 “(b) ELEMENTS OF EVALUATION.—Each evaluation
7 under subsection (a)(1) shall include, with respect to the
8 military department being evaluated, the following:

9 “(1) The adequacy of the policies, procedures,
10 and execution of manning, training, and equipping
11 personnel for employment within the cyber mission
12 force.

13 “(2) The adequacy of the policies and proce-
14 dures relating to the assignment and assignment
15 length of members of the Army, Navy, Air Force,
16 Marine Corps, or Space Force to the cyber mission
17 force.

18 “(3) The adequacy of the investment toward
19 cyber-peculiar science and technology advancements,
20 with an emphasis on capability development for the
21 cyber mission force.

22 “(4) The sufficiency of the policies, procedures,
23 and investments toward the military occupational
24 specialty, designator, rating, or Air Force specialty
25 code responsible for cyberspace operations.

1 “(5) In coordination with the Principal Cyber
2 Advisor to the Secretary of Defense, an evaluation
3 of the use by the military department of the shared
4 lexicon of the Department of Defense specific to
5 cyberspace activities.

6 “(6) The readiness of the members contributing
7 to the cyber mission force and the cyberspace oper-
8 ations forces.

9 “(7) Any other element determined relevant by
10 the Commander.”.

11 **SEC. 1532. INDEPENDENT REVIEW OF POSTURE AND STAFF-**
12 **ING LEVELS OF OFFICE OF THE CHIEF IN-**
13 **FORMATION OFFICER.**

14 (a) **IN GENERAL.**—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of Defense
16 shall seek to enter into an agreement with an appropriate
17 non-Department of Defense entity for the conduct of a
18 comprehensive review of the posture and staffing levels of
19 the Office of the Chief Information Officer, as of the date
20 of the enactment of this Act.

21 (b) **MATTERS FOR CONSIDERATION.**—An agreement
22 under subsection (a) shall specify that the review con-
23 ducted under the agreement shall include the evaluation
24 of each of the following:

1 (1) Any limitations or constraints of the Office
2 of the Chief Information Officer in the carrying out
3 the entirety of the responsibilities specified in section
4 142(b) of title 10, United States Code, based on the
5 staffing levels of the Office as of the date of the en-
6 actment of this Act.

7 (2) The composition of civilian, military, and
8 contractor personnel assigned to the Office of the
9 Chief Information Officer, as of such date, including
10 the occupational series and military occupational
11 specialties of such personnel, relative to the respon-
12 sibilities specified in such section.

13 (3) The organizational construct of the Office
14 of the Chief Information Officer, as of such date.

15 (c) RECOMMENDATIONS.—An agreement under sub-
16 section (a) shall specify that the review conducted under
17 the agreement shall include recommendations for the
18 Chief Information Officer and the congressional defense
19 committees, including recommendations derived from the
20 matters for consideration specified under subsection (b).

21 (d) SUBMITTAL TO CONGRESS.—Not later than 30
22 days after the date of the completion of the review re-
23 quired under subsection (a), the Secretary of Defense shall
24 submit to the congressional defense committees a copy of
25 the review.

1 **SEC. 1533. COMPREHENSIVE REVIEW OF CYBER EXCEPTED**
2 **SERVICE.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of enactment of this Act, the Chief Information Offi-
5 cer of the Department of Defense, in coordination with
6 the Chief Digital and Artificial Intelligence Officer and the
7 Principal Cyber Advisor of the Department and in con-
8 sultation with the Under Secretary of Defense for Per-
9 sonnel and Readiness, shall conduct a comprehensive re-
10 view of the Cyber Excepted Service established pursuant
11 to section 1599f of title 10, United States Code.

12 (b) ELEMENTS.—The review required under sub-
13 section (a) shall include a consideration of each of the fol-
14 lowing elements:

15 (1) The potential and structural limitations of
16 the Cyber Excepted Service, including impediments
17 to mobility or advancement by civilian employees
18 currently in billets coded for Cyber Excepted Serv-
19 ice.

20 (2) Matters related to pay disparity and hin-
21 drances in compensation relative to the skill sets and
22 value of such civilian employees in the private sector.

23 (3) Criteria for eligibility of potential Depart-
24 ment of Defense components and entities for partici-
25 pation in the Cyber Excepted Service.

1 (4) The eligibility for participation in the Cyber
2 Excepted Service of civilian employees who are as-
3 signed to the Office of the Chief Digital and Artifi-
4 cial Intelligence Officer.

5 (c) RECOMMENDATIONS.—The review required under
6 subsection (a) shall include recommendations for the Sec-
7 retary of Defense and the congressional defense commit-
8 tees with respect to the improvement of the Cyber Ex-
9 cepted Service, including recommendations derived from
10 the consideration of the elements specified in subsection
11 (b).

12 (d) SUBMITTAL TO CONGRESS.—Not later than 30
13 days after the completion of the review required under
14 subsection (a), the Chief Information Officer shall submit
15 to the congressional defense committees a copy of the re-
16 view.

17 **SEC. 1534. STANDARDIZATION OF AUTHORITY TO OPERATE**
18 **APPLICATIONS IN THE DEPARTMENT OF DE-**
19 **FENSE.**

20 (a) POLICY.—

21 (1) REQUIREMENT.—Not later than 270 days
22 after the date of the enactment of this Act, the
23 Chief Information Officer of the Department of De-
24 fense shall establish a policy with criteria for the
25 reciprocity of authority to operate for software and

1 hardware between all networks of the Department of
2 Defense.

3 (2) CONTENTS.—The policy under paragraph
4 (1) shall contain the following:

5 (A) Procedures for requesting an authority
6 to operate that applies to all networks of the
7 Department.

8 (B) Guidance on when authorizing officials
9 should grant an information technology plat-
10 form that has already received an authority to
11 operate on another network of the Federal Gov-
12 ernment a reciprocal authority to operate on a
13 network of the Department of Defense.

14 (C) A standardized format for documenta-
15 tion to support the evaluation of a request for
16 an authority to operate.

17 (b) SINGLE PLATFORM.—Not later than one year
18 after the date of the enactment of this Act, the Chief In-
19 formation Officer shall implement a single software tool
20 or platform for the submission and review of requests for
21 an authority to operate applications. The tool or platform
22 shall—

23 (1) be used by all authorizing officials of the
24 Department for the receipt, review, and adjudication
25 of all such requests; and

1 (2) authorize persons who submit such requests
2 to see the progress of the request at all steps in the
3 review process.

4 (c) REPORT.—Not later than one year after the date
5 of the enactment of this Act, the Chief Information Officer
6 shall submit to the congressional defense committees a re-
7 port on the following:

8 (1) The operational status of the software tool
9 or platform implemented under subsection (b).

10 (2) A list of all networks and authorizing offi-
11 cials of the Department that are using the software
12 tool or platform.

13 (3) A list of all networks and authorizing offi-
14 cials of the Department that are not using the soft-
15 ware tool or platform.

16 (d) AUTHORITY TO OPERATE DEFINED.—In this sec-
17 tion, the term “authority to operate” means the official
18 management decision given by a senior organizational offi-
19 cial to authorize operation of an information system and
20 accept the risk to organizational operations.

1 **TITLE XVI—SPACE ACTIVITIES,**
2 **STRATEGIC PROGRAMS, AND**
3 **INTELLIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. REQUIREMENTS FOR PROTECTION OF SAT-**
6 **ELLITES.**

7 Chapter 135 of title 10, United States Code, is
8 amended by inserting after section 2275 the following new
9 section (and conforming the table of sections at the begin-
10 ning of such chapter accordingly):

11 **“§ 2275a. Requirements for protection of satellites**

12 “(a) ESTABLISHMENT OF REQUIREMENTS.—Before
13 a major satellite acquisition program achieves Milestone
14 A approval, or equivalent, the Chief of Staff of the Space
15 Force, in consultation with the Commander of the United
16 States Space Command, shall establish requirements for
17 the defense and resilience of the satellites under that pro-
18 gram against the capabilities of adversaries to target, de-
19 grade, or destroy the satellites.

20 “(b) DEFINITIONS.—In this section:

21 “(1) The term ‘major satellite acquisition pro-
22 gram’ has the meaning given that term in section
23 2275 of this title.

1 “(2) The term ‘Milestone A approval’ has the
2 meaning given that term in section 4251 of this title
3 10.”.

4 **SEC. 1602. STRATEGY ON PROTECTION OF SATELLITES.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Both Russia and China have demonstrated
7 the capability to target, degrade, and destroy sat-
8 ellites on orbit, whether through kinetic or non-
9 kinetic means.

10 (2) As recently as November 15, 2021, Russia
11 demonstrated a direct ascent antisatellite weapon.

12 (3) Also in 2021, China successfully “grappled”
13 a satellite and dragged the satellite out of its orbit
14 to another location in space, a capability that could
15 be used on any other object in space, including sat-
16 ellites of the Department of Defense.

17 (b) STRATEGY.—

18 (1) REQUIREMENT.—Not later than 90 days
19 after the date of the enactment of this Act, the Sec-
20 retary of Defense, in coordination with the Director
21 of National Intelligence, shall make publicly avail-
22 able a strategy containing the actions that will be
23 taken to defend and protect on-orbit satellites of the
24 Department of Defense and the intelligence commu-

1 nity from the capabilities of adversaries to target,
2 degrade, or destroy satellites.

3 (2) FORMS.—The Secretary shall—

4 (A) make the strategy under paragraph (1)
5 publicly available in unclassified form; and

6 (B) submit to the appropriate congress-
7 sional committees an annex, which may be sub-
8 mitted in classified form, containing supporting
9 documents to the strategy.

10 (c) DEFINITIONS.—In this section:

11 (1) The term “appropriate congressional com-
12 mittees” means—

13 (A) the congressional defense committees;
14 and

15 (B) the Permanent Select Committee on
16 Intelligence of the House of Representatives
17 and the Select Committee on Intelligence of the
18 Senate.

19 (2) The term “intelligence community” has the
20 meaning given that term in section 3(4) of the Na-
21 tional Security Act of 1947 (50 U.S.C. 3003(4)).

22 **SEC. 1603. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) the acquisition approach for phase three of
2 the National Security Space Launch program should
3 account for changes in the launch industry and
4 planned architectures of the Space Force;

5 (2) the supply of launches for phase three may
6 be impacted by increases in commercial space launch
7 demand;

8 (3) the Secretary of the Air Force should ex-
9 plore new and innovative acquisition approaches to
10 leverage launch competition within the commercial
11 market; and

12 (4) in developing the acquisition strategy for
13 phase three, the Secretary should—

14 (A) consider the scope of phase three
15 manifest requirements in comparison to the Or-
16 bital Services Program and other potential con-
17 tract vehicles for launches;

18 (B) ensure the continued assured access to
19 space;

20 (C) emphasize free, fair, and open competi-
21 tion;

22 (D) capitalize on competition across the
23 commercial launch industry;

24 (E) examine all possible options for award-
25 ing contracts for launches during the period

1 covered by the phase, including, block-buys, in-
2 definite delivery, indefinite quantity, or a hybrid
3 approach;

4 (F) consider tailorable mission assurance
5 options informed by previous launch vehicle per-
6 formance metrics;

7 (G) include options for adding launch pro-
8 viders, launch systems, or both, during the exe-
9 cution of phase three to address manifest
10 changes beyond the planned national security
11 space unique launches at the time of initial
12 award;

13 (H) maintain understanding of the com-
14 mercial launch industry and launch capacity
15 needed to fulfill the requirements of the Na-
16 tional Security Space Launch program; and

17 (I) allow for rapid development and on-
18 orbit deployment of enabling and trans-
19 formational technologies required to address
20 emerging requirements, including with respect
21 to—

22 (i) delivery of in-space transportation,
23 logistics, and on-orbit servicing capabilities
24 to enhance the persistence, sensitivity, and

1 resiliency of national security space mis-
2 sions in a contested space environment;

3 (ii) proliferated low-Earth orbit con-
4 stellation deployment;

5 (iii) routine access to extended orbits
6 beyond geostationary orbits, including
7 cislunar orbits;

8 (iv) payload fairings that exceed cur-
9 rent launch requirements;

10 (v) increased responsiveness for heavy
11 lift capability;

12 (vi) the ability to transfer orbits, in-
13 cluding point-to-point orbital transfers;

14 (vii) capacity and capability to execute
15 secondary deployments;

16 (viii) high-performance upper stages;

17 (ix) vertical integration; and

18 (x) other new missions that are out-
19 side the parameters of the nine design ref-
20 erence missions that exist as of the date of
21 the enactment of this Act.

22 (b) QUARTERLY BRIEFINGS.—On a quarterly basis
23 until the date on which the Secretary of the Air Force
24 awards a phase three contract, the Commander of the
25 Space Systems Command shall provide to the appropriate

1 congressional committees a briefing on the development of
2 the phase three acquisition strategy, including how the
3 matters described subsection (a) are being considered in
4 such strategy.

5 (c) NOTIFICATION OF RESULTS OF MISSION ASSIGN-
6 MENT BOARD.—Not later than 14 days after the date on
7 which a phase two mission assignment board is completed,
8 the Commander of the Space Systems Command shall no-
9 tify the appropriate congressional committees of the
10 launch assignment results of the board.

11 (d) DEFINITIONS.—In this section:

12 (1) The term “appropriate congressional com-
13 mittees” means—

14 (A) the congressional defense committees
15 with respect to all briefings provided under sub-
16 section (b) and notifications made under sub-
17 section (c); and

18 (B) in addition to the congressional de-
19 fense committees, the Permanent Select Com-
20 mittee on Intelligence of the House of Rep-
21 resentatives and the Select Committee on Intel-
22 ligence of the Senate with respect to—

23 (i) briefings required under subsection

24 (b) regarding requirements of the intel-

1 intelligence community being incorporated into
2 phase three planning; and

3 (ii) notifications made under sub-
4 section (c) regarding an assignment that
5 includes capabilities being launched for the
6 intelligence community.

7 (2) The term “intelligence community” has the
8 meaning given that term in section 3(4) of the Na-
9 tional Security Act of 1947 (50 U.S.C. 3003(4)).

10 (2) The term “phase three” means, with re-
11 spect to the National Security Space Launch pro-
12 gram, launch missions ordered under the program
13 after fiscal year 2024.

14 (3) The term “phase two” means, with respect
15 to the National Security Space Launch program,
16 launch missions ordered under the program during
17 fiscal years 2020 through 2024.

18 **SEC. 1604. RESPONSIVE SPACE STRATEGY, PRINCIPLES,**
19 **MODEL ARCHITECTURE, AND IMPLEMENTA-**
20 **TION PLANS.**

21 (a) STRATEGY, PRINCIPLES, AND MODEL ARCHITEC-
22 TURE.—Not later than 270 days after the date of the en-
23 actment of this Act, the Chief of Space Operations and
24 the Commander of the United States Space Command
25 shall jointly develop a responsive space strategy, prin-

1 ciples, and a model architecture to be implemented across
2 the United States Space Command and the Combined
3 Force Space Component Command.

4 (b) ELEMENTS.—The responsive space strategy,
5 principles, and model architecture under subsection (a)
6 shall include, at a minimum, the following elements:

7 (1) Prioritized policies and procedures.

8 (2) Policies specific to launch, buses, payloads,
9 ground infrastructure, and networks.

10 (3) Specification of enterprise-wide acquisitions
11 of capabilities conducted pursuant to the policies re-
12 ferred to in paragraph (2).

13 (4) Roles, responsibilities, functions, and oper-
14 ational workflows of responsive space architecture
15 and infrastructure personnel—

16 (A) of the Army, Navy, Air Force, Marine
17 Corps, and Space Force and the combatant
18 commands; and

19 (B) the Combined Force Space Component
20 Command.

21 (c) ARCHITECTURE DEVELOPMENT AND IMPLEMEN-
22 TATION.—In developing and implementing the responsive
23 space strategy, principles, and model architecture under
24 subsection (a), the Chief of Space Operations and the

1 Commander of the United States Space Command shall
2 coordinate with—

3 (1) the Space Acquisition Council;

4 (2) the Director of the Defense Advanced Re-
5 search Projects Agency;

6 (3) the Chairman of the Joints Chiefs of Staff;

7 and

8 (4) any other component of the Department of
9 Defense, as jointly determined by the Chief of Space
10 Operations and the Commander.

11 (d) IMPLEMENTATION PLANS.—

12 (1) IN GENERAL.—The Chief of Space Oper-
13 ations and the Commander of the United State
14 Space Command shall ensure that, not later than
15 one year after the finalization of the responsive
16 space strategy, principles, and model architecture
17 under subsection (a), each Space Force delta trans-
18 mits to the Chief and the Commander a draft plan
19 to implement such responsive space strategy, prin-
20 ciples, and model architecture with respect to such
21 delta.

22 (2) ELEMENTS.—Each implementation plan
23 under paragraph (1) shall include, at a minimum,
24 the following with respect to the Space Force delta
25 covered by the plan:

1 (A) Specific acquisitions, implementations,
2 instrumentations, and operational workflows to
3 be implemented across responsive space archi-
4 tectures and infrastructures.

5 (B) A detailed schedule with target mile-
6 stones and required expenditures.

7 (C) Interim and final metrics, including a
8 phase mitigation plan.

9 (D) Identification of additional funding,
10 authorities, organizational changes and policies,
11 as may be required.

12 (E) Requested waivers, exceptions to poli-
13 cies of the Department of Defense, and ex-
14 pected delays.

15 (e) IMPLEMENTATION OVERSIGHT.—The Chief of
16 Space Operations shall—

17 (1) assess the implementation plans under sub-
18 section (d)(1) for—

19 (A) adequacy and responsiveness to the re-
20 sponsive space strategy, principles, and model
21 architecture under subsection (a); and

22 (B) appropriate use of enterprise-wide ac-
23 quisitions;

1 (2) ensure, at a high level, the interoperability
2 and compatibility of individual implementation plans
3 of the Space Force deltas;

4 (3) track the use of waivers and exceptions to
5 policy;

6 (4) develop a Responsive Space Scorecard to
7 track and drive implementation of the plans by the
8 Space Force Deltas; and

9 (5) leverage the authorities of the Commander
10 of the United States Space Command to begin im-
11 plementation of such responsive space strategy, prin-
12 ciples, and model architecture.

13 (f) INITIAL BRIEFINGS.—

14 (1) RESPONSIVE SPACE STRATEGY, PRINCIPLES,
15 AND MODEL ARCHITECTURE.—Not later than 90
16 days after finalizing the responsive space strategy,
17 principles, and model architecture under subsection
18 (a), the Chief of Space Operations and the Com-
19 mander of the United States Space Command shall
20 provide to the congressional defense committees a
21 briefing on such responsive space strategy, prin-
22 ciples, and model architecture.

23 (2) IMPLEMENTATION PLANS.—Not later than
24 90 days after the receipt by the Chief of Space Op-
25 erations of an implementation plan transmitted

1 under to subsection (d)(1), the Chief shall provide to
2 the congressional defense committees a briefing on
3 such implementation plan.

4 (g) ANNUAL BRIEFING.—During each annual brief-
5 ing provided by the Chief of Space Operations to the con-
6 gressional defense committees on the budget occurring
7 during the period beginning February 1, 2023, and ending
8 January 1, 2031, the Chief shall provide updates on the
9 implementation of the responsive space strategy, prin-
10 ciples, and architecture under subsection (a).

11 (h) NOTIFICATION REFORMS.—Section 9021(c) of
12 title 10, United States Code, is amended—

13 (1) by striking paragraph (2); and

14 (2) by striking “(1) The Council” and inserting
15 “The Council”.

16 **SEC. 1605. RESPONSIVE SPACE DEMONSTRATIONS.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that demonstrating the ability of the United States
19 to rapidly respond to adversarial threats to the space sys-
20 tems of the United States serves as a compelling strategic
21 deterrent to adversaries and informs how responsive, resil-
22 ient, and affordable space and launch capabilities can help
23 counter growing adversarial threats on an operationally
24 relevant timeline.

1 (b) ESTABLISHMENT OF PROGRAM.—Not later than
2 180 days after the date of the enactment of this Act, the
3 Secretary of Defense, in consultation with the Chief of
4 Space Operations and the Commander of the United
5 States Space Command, shall establish a program to dem-
6 onstrate responsive space capabilities through operational
7 exercises, wargames, and table-top exercises.

8 (c) INITIAL DEMONSTRATION.—

9 (1) MISSION.—In carrying out the program
10 under subsection (b), the Secretary shall conduct a
11 rapid reconstitution deterrence demonstration mis-
12 sion to—

13 (A) design, develop, and understand the
14 benefit of rapid space reconstitution and space
15 augmentation;

16 (B) simulate real-world scenarios through
17 wargames and table-top exercises, including
18 contested environment scenarios, in which
19 threats to the space capabilities of the United
20 States may be offset or mitigated by responsive
21 space capabilities;

22 (C) validate the ability to provide an end-
23 to-end responsive space mission with responsive
24 launch, satellite deployment, and data to users
25 within rapid mission call-up timelines; and

1 (D) integrate such launches with the joint
2 force under simulated contested conditions
3 through the rapid deployment of launch infra-
4 structure to existing Major Range and Test Fa-
5 cility Bases.

6 (2) REPORT.—Not later than 90 days after the
7 date of the enactment of this Act, the Secretary
8 shall submit to the congressional defense committees
9 a report on the mission under paragraph (1), includ-
10 ing—

11 (A) an assessment of the mission with re-
12 spect to the operational and strategic benefits
13 to the space-related missions of the Department
14 of Defense;

15 (B) a proposed organization and manage-
16 ment structure of the mission;

17 (C) a timeline for implementing the dem-
18 onstrations under the mission; and

19 (D) budget estimates and financial forecast
20 for the demonstrations.

21 **SEC. 1606. ALLIED RESPONSIVE SPACE CAPABILITIES.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) it is in the common interest of the United
25 States and allies and partners of the United States

1 to strive for accessibility and flexibility for delivering
2 assets into space on a responsive timeline;

3 (2) the United States should implement joint
4 United States-allied space missions that demonstrate
5 rapid, rapid launch, reconstitution and satellite aug-
6 mentation from locations in the Indo-Pacific, Euro-
7 pean, and other theaters of operations;

8 (3) the United States should leverage allied and
9 partner spaceports to diversify and disaggregate
10 launch sites across the world for a multitude of mis-
11 sions, including national security missions; and

12 (4) it is important for the United States to
13 have operational and contracting steps established
14 with allies and partners to ensure readiness and pre-
15 paredness for responding to or deterring any un-
16 known threats.

17 (b) INITIATIVES.—The Secretary of the Defense and
18 the Secretary of State shall jointly—

19 (1) ensure that responsive space capabilities of
20 the Department of Defense align with initiatives by
21 Five Eyes countries, member states of the North At-
22 lantic Treaty Organization, and other allies to pro-
23 mote a globally responsive space architecture; and

1 (2) designate a single official responsible for co-
2 ordinating responsive space activities with allied
3 partners.

4 (c) REPORT.—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of Defense and
6 the Secretary of State, in coordination with the Com-
7 mander of the United States European Command, the
8 Commander of the United States Indo-Pacific Command,
9 the Commander of the United States Space Command,
10 and the Secretary of State, shall jointly submit to the con-
11 gressional defense committees, the Committee on Foreign
12 Affairs of the House of Representatives, and the Com-
13 mittee on Foreign Relations of the Senate a report assess-
14 ing current investments and partnerships by the United
15 States with allies of the United States with respect to re-
16 sponsive space efforts. The report shall include the fol-
17 lowing:

18 (1) An assessment of the benefits of leveraging
19 allied and partner spaceports for responsive launch.

20 (2) A discussion of current and future plans to
21 engage with allies and partners with respect to ac-
22 tivities ensuring rapid reconstitution or augmenta-
23 tion of the space capabilities of the United States
24 and allies.

1 (3) An assessment of the shared costs and tech-
2 nology between the United States and allies, includ-
3 ing leveraging investments from the Pacific Deter-
4 rence Initiative and the European Deterrence Initia-
5 tive.

6 (d) FIVE EYES COUNTRIES DEFINED.—In this sec-
7 tion, the term “Five Eyes countries” means the following:

8 (1) Australia.

9 (2) Canada.

10 (3) New Zealand.

11 (4) The United Kingdom.

12 (5) The United States.

13 **SEC. 1607. REPORT ON TACTICALLY RESPONSIVE SPACE**
14 **CAPABILITIES.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that—

17 (1) the Space Safari tactically responsive
18 launch-2 mission of the Space Systems Command of
19 the Space Force successfully demonstrated the abil-
20 ity of the Space Force to rapidly integrate, launch,
21 and operate a satellite on orbit on a timeline that
22 would be needed for rapid reconstitution or to re-
23 spond to real-time hostile activities occurring in the
24 domain;

1 (2) the Space Force should continue these ef-
2 forts, and broaden the program beyond the logistics
3 of launch and operations to also focus on lifecycle
4 concepts of operation, as well as any contractual
5 mechanisms that should be required in future pro-
6 grams to take into account the need for rapid recon-
7 stitution and responsiveness;

8 (3) the Chief of Space Operations should for-
9 malize tactically responsive requirements for all
10 space capabilities carried out under title 10, United
11 States Code; and

12 (4) to take into totality the effort required for
13 tactically responsive launch, the Space Force should
14 consider adding a corresponding budget line item for
15 “Tactically Responsive Space” to fund areas beyond
16 launch that would contribute to responsive space ac-
17 tivities.

18 (b) REPORT.—Not later than 30 days after the date
19 on which the budget of the President for fiscal year 2024
20 is submitted to Congress pursuant to section 1105 of title
21 31, United States Code, the Chief of Space Operations
22 shall submit to the congressional defense committees a re-
23 port on planned tactically responsive space activities pur-
24 suant to section 1609 of the William M. (Mac) Thornberry
25 National Defense Authorization Act for Fiscal Year 2021

1 (Public Law 116–283; 10 U.S.C. 2271 note) included dur-
2 ing the period covered by the most recent future-years de-
3 fense program submitted under section 221 of title 10,
4 United States Code (as of the date of the report), includ-
5 ing a detailed budget plan for launch activities and all
6 other efforts needed to enable tactically responsive space
7 capabilities.

8 **SEC. 1608. SENSE OF CONGRESS ON RANGE OF THE FU-**
9 **TURE AND SUPPORT TO COMMERCIAL SPACE**
10 **LAUNCH ACTIVITY.**

11 It is the sense of Congress that—

12 (1) section 1610 of the National Defense Au-
13 thorization Act for Fiscal Year 2022 contained a
14 provision requiring the United States Space Force to
15 deliver a report on its Range of the Future initia-
16 tive;

17 (2) based on the details in that report, that the
18 Nation’s launch service providers, consistent with
19 decades of national policy, now lead the world in
20 space access, that United States leadership in this
21 strategic capability is critical to national security
22 and economic vitality, and that it is critical to the
23 Nation to continue encouraging and enabling United
24 States space access capabilities to flourish;

1 (3) the rapid growth of the commercial launch
2 industry places a growing demand on Department of
3 Defense resources at Federal space launch ranges,
4 and that this demand growth will continue for the
5 foreseeable future;

6 (4) the 1960s-era infrastructure of the two De-
7 partment of Defense launch ranges primarily respon-
8 sible for meeting its assured access to space mission
9 under section 2273 of title 10, United States Code,
10 and complying with section 2276 of such title, is
11 under increasing strain, and needs to be replaced
12 with a modern, state of the art launch infrastructure
13 that encourages and enables continued growth and
14 leadership in space access;

15 (5) maintenance of common use critical infra-
16 structure like roads, culverts, bridges, deluge and
17 water treatment facilities, supply lines, and electrical
18 networks, among others, require immediate atten-
19 tion;

20 (6) investments in infrastructure have not kept
21 pace with commercial demand primarily due to exist-
22 ing authorities which limit reimbursement, flexible
23 financial investment facilities, and reinvestment of
24 revenue in spaceport sustainment, modernization,
25 and growth;

1 (7) the burgeoning commercial space industry
2 requires a more holistic, responsive process
3 leveraging public and private investment;

4 (8) the Department of Defense is constrained to
5 provide services to commercial users only when not
6 needed for public use, yet at the same time must
7 promote commercial space launch capabilities as a
8 critical enabler to national security;

9 (9) the United States Space Force has made
10 great use of existing authorities and those provided
11 by other non-Federal entities to leverage other
12 sources of commercial and State investment to keep
13 pace with demand;

14 (10) a similar State business development enti-
15 ty would be useful for supporting commercial space
16 launch capability development in California at Van-
17 denberg Space Force Base and other spaceports,
18 and Congress looks forward to assisting the Depart-
19 ment of Defense in improving its ability to plan and
20 support commercial innovation while continuing to
21 provide world class launch and test facilities; and

22 (11) the Secretary and the Department should
23 engage with all stakeholders, including NASA, other
24 relevant Federal agencies, and the associated con-
25 gressional authorizing committees of jurisdiction, in

1 any reporting, negotiation, policy, and potential leg-
2 islative proposals on this matter.

3 **Subtitle B—Defense Intelligence**
4 **and Intelligence-Related Activities**

5 **SEC. 1621. CONGRESSIONAL OVERSIGHT OF CLANDESTINE**
6 **ACTIVITIES THAT SUPPORT OPERATIONAL**
7 **PREPARATION OF THE ENVIRONMENT.**

8 Section 127f of title 10, United States Code, is
9 amended—

10 (1) by redesignating subsections (e) and (f) as
11 subsections (f) and (g), respectively; and

12 (2) by inserting after subsection (d) the fol-
13 lowing new subsection:

14 “(e) **QUARTERLY BRIEFING.**—On a quarterly basis,
15 the Under Secretary of Defense for Intelligence and Secu-
16 rity, in coordination with the Assistant Secretary of De-
17 fense for Special Operations and Low Intensity Conflict,
18 shall provide to the congressional defense committees a
19 briefing outlining the clandestine activities carried out
20 pursuant to subsection (a) during the period covered by
21 the briefing, including—

22 “(1) an update on such activities carried out in
23 each geographic combatant command and a descrip-
24 tion of how such activities support the respective
25 theater campaign plan;

1 “(2) an overview of the authorities and legal
2 issues, including limitations, relating to such activi-
3 ties; and

4 “(3) any other matters the Under Secretary
5 considers appropriate.”.

6 **SEC. 1622. EXECUTIVE AGENT FOR EXPLOSIVE ORDNANCE**
7 **INTELLIGENCE.**

8 (a) IN GENERAL.—Subchapter I of chapter 21 of title
9 10, United States Code, is amended by adding at the end
10 the following new section:

11 **“§ 430c. Executive agent for explosive ordnance intel-
12 ligence**

13 “(a) DESIGNATION.—The Secretary of Defense shall
14 designate the Director of the Defense Intelligence Agency
15 as the executive agent for explosive ordnance intelligence.

16 “(b) DEFINITIONS.—In this section:

17 “(1) The term ‘explosive ordnance intelligence’
18 means technical intelligence relating to explosive
19 ordnance (as defined in section 283(d) of this title),
20 including with respect to the processing, production,
21 dissemination, integration, exploitation, evaluation,
22 feedback, and analysis of explosive ordnance using
23 the skills, techniques, principles, and knowledge of
24 explosive ordnance disposal personnel regarding
25 fuzing, firing systems, ordnance disassembly, and

1 development of render safe techniques, procedures
2 and tools, publications, and applied technologies.

3 “(2) The term ‘executive agent’ has the mean-
4 ing given the term ‘DoD Executive Agent’ in Direc-
5 tive 5101.1.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by inserting
8 after the item relating to section 430b the following new
9 item:

“430e. Executive agent for explosive ordnance intelligence.”.

10 (c) DATE OF DESIGNATION.—The Secretary of De-
11 fense shall make the designation under section 430c of
12 title 10, United States Code, as added by subsection (a),
13 by not later than 30 days after the date of the enactment
14 of this Act.

15 **SEC. 1623. INFORMATION ON COVER AND COVER SUPPORT**
16 **ACTIVITIES.**

17 (a) INFORMATION.—Not less frequently than quar-
18 terly, the Secretary of Defense shall provide to the appro-
19 priate congressional committees information on the cover
20 and cover support activities of the Department of Defense,
21 including commercial activities conducted pursuant to sec-
22 tion 431 of title 10, United States Code.

23 (b) ELEMENTS.—The Secretary shall ensure that the
24 information provided under subsection (a) includes, with

1 respect to the period covered by the information, the fol-
2 lowing:

3 (1) A detailed description of each activity, oper-
4 ation, or other initiative for which an element of the
5 Department of Defense has provided cover or en-
6 gaged in cover support activities, including—

7 (A) a description of the specific cover and
8 cover support activities; and

9 (B) whether such cover and cover support
10 activities began before or during such period.

11 (2) Any other matters the Secretary determines
12 appropriate.

13 (c) FORM.—The information under subsection (a)
14 may be provided in classified form.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means—

18 (1) the congressional defense committees; and

19 (2) the Permanent Select Committee on Intel-
20 ligence of the House of Representatives and the Se-
21 lect Committee on Intelligence of the Senate.

1 **Subtitle C—Nuclear Forces**

2 **SEC. 1631. IMPROVEMENTS TO NUCLEAR WEAPONS COUN-**
3 **CIL.**

4 (a) MEETINGS.—Subsection (b) of section 179 of title
5 10, United States Code, is amended—

6 (1) in paragraph (1), by inserting “and (4)”
7 after “paragraph (2)”; and

8 (2) by adding at the end the following new
9 paragraph:

10 “(4) At least once annually, the Council shall
11 hold a meeting that includes the Deputy Secretary
12 of Defense, who may serve as chair for that meet-
13 ing.”.

14 (b) RESPONSIBILITIES.—Subsection (d) of such sec-
15 tion is amended—

16 (1) by redesignating paragraphs (10), (11), and
17 (12) as paragraphs (11), (12), and (13), respec-
18 tively;

19 (2) by inserting after paragraph (9) the fol-
20 lowing new paragraph (10):

21 “(10) With respect to nuclear warheads—

22 “(A) reviewing military requirements, per-
23 formance requirements, and planned delivery
24 schedules to evaluate whether such require-
25 ments and schedules create significant risks to

1 cost, schedules, or other matters regarding pro-
2 duction, surveillance, research, and other pro-
3 grams relating to nuclear weapons within the
4 National Nuclear Security Administration; and

5 “(B) if any such risk exists, proposing and
6 analyzing adjustments to such requirements
7 and schedules.”; and

8 (3) by striking paragraph (13), as so redesign-
9 nated, and inserting the following new paragraph
10 (13):

11 “(13) Coordinating risk management efforts be-
12 tween the Department of Defense and the National
13 Nuclear Security Administration relating to the nu-
14 clear weapons stockpile, the nuclear security enter-
15 prise (as defined in section 4002 of the Atomic En-
16 ergy Defense Act (50 U.S.C. 2501)), and the deliv-
17 ery platforms for nuclear weapons, including with re-
18 spect to identifying and analyzing risks and pro-
19 posing actions to mitigate risks.”.

20 (c) REPORTS RELATING TO SAFETY.—Subsection (e)
21 of such section is amended by striking “conducted by the
22 Council” and inserting “for which the Council has received
23 a briefing”.

24 (d) PLANS AND BUDGET.—Subsection (f) of such
25 section is amended to read as follows:

1 “(f) REVIEW AND ASSESSMENT OF PLANS AND
2 BUDGET TO SUPPORT NUCLEAR WEAPONS REQUIRE-
3 MENTS.—(1) The Council shall annually review the plans
4 and budget of the National Nuclear Security Administra-
5 tion and assess whether such plans and budget meet the
6 current and projected requirements relating to nuclear
7 weapons.

8 “(2) Not later than 30 days after the President sub-
9 mits to Congress the budget for a fiscal year under section
10 1105(a) of title 31, the Council shall submit to the con-
11 gressional defense committees a report containing the fol-
12 lowing:

13 “(A) The assessment conducted under para-
14 graph (1) with respect to that budget.

15 “(B) An assessment of—

16 “(i) whether the funding requested for the
17 National Nuclear Security Administration in
18 such budget—

19 “(I) enables the Administrator for
20 Nuclear Security to meet requirements re-
21 lating to nuclear weapons for such fiscal
22 year; and

23 “(II) is adequate (as determined pur-
24 suant to section 4717 of the Atomic En-
25 ergy Defense Act (50 U.S.C. 2757) to im-

1 plement the objectives of the Department
2 of Defense with respect to nuclear weapons
3 for that fiscal year; and

4 “(ii) whether the plans and budget re-
5 viewed under paragraph (1) will enable the Ad-
6 ministrator to meet the requirements to
7 produce war reserve plutonium pits under sec-
8 tion 4219(a) of such Act (50 U.S.C. 2538a(a)).

9 “(C) If the assessment under subparagraph
10 (B)(ii) determines that the plans and budget re-
11 viewed under paragraph (1) will not enable the Ad-
12 ministrator to meet the requirements to produce war
13 reserve plutonium pits under section 4219(a) of the
14 Atomic Energy Defense Act (50 U.S.C. 2538a(a))—

15 “(i) an explanation for why the plans and
16 budget will not enable the Administrator to
17 meet such requirements; and

18 “(ii) proposed alternative plans, budget, or
19 requirements by the Council to meet such re-
20 quirements.

21 “(3) If a member of the Council does not concur in
22 an assessment under paragraph (2), the report under such
23 paragraph shall include a written explanation from the
24 non-concurring member describing the reasons for the
25 member’s non-concurrence.

1 “(4) In this subsection, the term ‘budget’ has the
2 meaning given that term in section 231(f) of this title.”.

3 (e) UPDATES ON MEETINGS.—Subsection (g)(1)(A)
4 of such section is amended by inserting before the semi-
5 colon the following: “and the members who attended each
6 meeting”.

7 (f) CONFORMING AMENDMENT.—Section 4717(b)(2)
8 of the Atomic Energy Defense Act (50 U.S.C. 2757(b)(2))
9 is amended—

10 (1) in subparagraph (A), by inserting “and”
11 after the semicolon; and

12 (2) by striking subparagraphs (B) and (C) and
13 inserting the following new subparagraph (B):

14 “(B) submit to the congressional defense
15 committees the information required under sec-
16 tion 179(f)(2) of title 10, United States Code.”.

17 **SEC. 1632. PORTFOLIO MANAGEMENT FRAMEWORK FOR**
18 **NUCLEAR FORCES.**

19 (a) IN GENERAL.—Chapter 24 of title 10, United
20 States Code, is amended by adding at the end the fol-
21 lowing new section (and conforming the table of sections
22 at the beginning of such chapter accordingly):

1 **“§ 499c. Portfolio management framework for nuclear**
2 **forces**

3 “(a) REQUIREMENT.—Not later than January 1,
4 2024, the Secretary of Defense shall—

5 “(1) implement a portfolio management frame-
6 work for nuclear forces of the United States that—

7 “(A) specifies the portfolio of nuclear
8 forces covered by the framework;

9 “(B) establishes a portfolio governance
10 structure for such forces that takes advantage
11 of, or is modeled on, an existing portfolio gov-
12 ernance structure, such as the Deputy’s Man-
13 agement Action Group described in Department
14 of Defense Directive 5105.79;

15 “(C) outlines the approach of the Sec-
16 retary for identifying and managing risk relat-
17 ing to such forces and prioritizing the efforts
18 among such forces, including how the Secretary
19 will coordinate such identification, management,
20 and prioritization with the Secretary of Energy;
21 and

22 “(D) incorporates the findings and rec-
23 ommendations identified by the Comptroller
24 General of the United States in the report titled
25 ‘Nuclear Enterprise: DOD and NNSA Could
26 Further Enhance How They Manage Risk and

1 Prioritize Efforts’ (GAO–22–104061) and
2 dated January 2022; and

3 “(2) complete a comprehensive assessment of
4 the portfolio management capabilities required to
5 identify and manage risk in the portfolio of nuclear
6 forces.

7 “(b) ANNUAL BRIEFINGS.—(1) In conjunction with
8 the submission of the budget of the President to Congress
9 pursuant to section 1105 of title 31 for fiscal year 2025
10 and each fiscal year thereafter, the Secretary shall provide
11 to the congressional defense committees a briefing on iden-
12 tifying and managing risk relating to nuclear forces and
13 prioritizing the efforts among such forces, including, with
14 respect to the period covered by the briefing—

15 “(A) the current and projected operational re-
16 quirements for nuclear forces that were used for
17 such identification, management, and prioritization;

18 “(B) key areas of risk identified; and

19 “(C) a description of the actions proposed or
20 carried out to mitigate such risk.

21 “(2) The Secretary may provide the briefings under
22 paragraph (1) in classified form.

23 “(c) NUCLEAR FORCES DEFINED.—In this section,
24 the term ‘nuclear forces’ includes, at a minimum—

25 “(1) nuclear weapons;

1 “(2) the delivery platforms and systems for nu-
2 clear weapons;

3 “(3) nuclear command, control, and commu-
4 nications systems; and

5 “(4) the supporting infrastructure for nuclear
6 weapons, the delivery platforms and systems for nu-
7 clear weapons, and nuclear command, control, and
8 communications systems, including related per-
9 sonnel, facilities, construction, operation, and main-
10 tenance.”.

11 (b) INITIAL BRIEFING.—

12 (1) REQUIREMENT.—Not later than June 1,
13 2023, the Secretary of Defense shall provide to the
14 congressional defense committees a briefing on the
15 progress of the Secretary to—

16 (A) develop the portfolio management
17 framework for nuclear forces under section
18 499c of title 10, United States Code, as added
19 by subsection (a); and

20 (B) complete the assessment described in
21 subsection (a)(2) of such section.

22 (2) FORM.—The Secretary may provide the
23 briefings under paragraph (1) in classified form.

1 **SEC. 1633. MODIFICATION OF ANNUAL ASSESSMENT OF**
2 **CYBER RESILIENCE OF NUCLEAR COMMAND**
3 **AND CONTROL SYSTEM.**

4 (a) QUARTERLY BRIEFINGS.—Subsection (d) of sec-
5 tion 499 of title 10, United States Code, is amended to
6 read as follows:

7 “(d) QUARTERLY BRIEFINGS.—(1) Not less than
8 once every quarter, the Deputy Secretary of Defense and
9 the Vice Chairman of the Joint Chiefs of Staff shall jointly
10 provide to the Committees on Armed Services of the
11 House of Representatives and the Senate—

12 “(A) a briefing on any intrusion or anomaly in
13 the nuclear command, control, and communications
14 system that was identified during the previous quar-
15 ter, including—

16 “(i) an assessment of any known, sus-
17 pected, or potential impacts of such intrusions
18 and anomalies to the mission effectiveness of
19 military capabilities as of the date of the brief-
20 ing; and

21 “(ii) with respect to cyber intrusions of
22 contractor networks known or suspected to have
23 resulted in the loss or compromise of design in-
24 formation regarding the nuclear command, con-
25 trol, and communications system; or

1 “(B) if no such intrusion or anomaly occurred
2 with respect to the quarter to be covered by that
3 briefing, a notification of such lack of intrusions and
4 anomalies.

5 “(2) In this subsection:

6 “(A) The term ‘anomaly’ means a malicious,
7 suspicious or abnormal cyber incident that poten-
8 tially threatens the national security or interests of
9 the United States, or that is likely to result in de-
10 monstrable harm to the national security of the
11 United States.

12 “(B) The term ‘intrusion’ means an unauthor-
13 ized and malicious cyber incident that compromises
14 a nuclear command, control, and communications
15 system by breaking the security of such a system or
16 causing it to enter into an insecure state.”.

17 (b) CONFORMING REPEAL.—Section 171a of title 10,
18 United States Code, is amended—

19 (1) by striking subsection (h); and

20 (2) by redesignating subsections (i) through (l)
21 as subsections (h) through (k), respectively.

22 **SEC. 1634. NUCLEAR-CAPABLE SEA-LAUNCHED CRUISE MIS-**
23 **SILE.**

24 (a) FINDINGS.—Congress finds the following:

1 (1) Several senior military officers, including
2 the Chairman and Vice Chairman of the Joint
3 Chiefs of Staff and the Commander of United States
4 Strategic Command, have offered their support for
5 continued research and development of a nuclear-ca-
6 pable sea-launched cruise missile to strengthen nu-
7 clear deterrence.

8 (2) Deploying a nuclear-capable sea-launched
9 cruise missile on naval vessels would “not come
10 without a cost”, as was testified by Chief of Naval
11 Operations Admiral Mike Gilday. Admiral Gilday de-
12 scribed the challenges associated with training, sus-
13 tainability, reliability, and readiness that would be
14 associated with adding a nuclear mission and went
15 on to say that he was “not convinced yet that we
16 need to make a \$31,000,000,000 investment in that
17 particular system to close that particular gap”. In-
18 stead, he recommended keeping “a small amount of
19 money” for research and development of the nuclear-
20 capable sea-launched cruise missile as the Depart-
21 ment of Defense seeks to better understand the im-
22 plications of living with two nuclear-armed peer com-
23 petitors.

24 (b) REPORTS.—

1 (1) DETERRENCE.—Not later than 270 days
2 after the date of the enactment of this Act, the Sec-
3 retary of the Defense shall submit to the congress-
4 sional defense committees a report that describes the
5 approach by the Department of Defense for deter-
6 ring theater nuclear employment by Russia and
7 China, including—

8 (A) an assessment of the current and fu-
9 ture theater nuclear capabilities and doctrine of
10 Russia and China;

11 (B) an explanation of the strategy and ca-
12 pabilities of the United States for deterring the-
13 ater nuclear employment; and

14 (C) a comparative assessment of options
15 for strengthening deterrence of theater nuclear
16 employment, including pursuit of the nuclear-
17 capable sea-launched cruise missile and other
18 potential changes to the nuclear and conven-
19 tional posture and capabilities of the United
20 States.

21 (2) COST.—Not later than 270 days after the
22 date of the enactment of this Act, the Secretary of
23 the Navy shall submit to the congressional defense
24 committees a report that describes the full cost of
25 developing, producing, fielding, and maintaining nu-

1 clear-capable sea-launched cruise missiles through at
2 least 2050, including—

3 (A) the costs associated with research and
4 development and production of the missile;

5 (B) the costs associated with modifications
6 to port infrastructure;

7 (C) the costs associated with nuclear cer-
8 tification, personnel training, and operations;
9 and

10 (D) any other incremental costs compared
11 to sustaining and operating nonnuclear naval
12 vessels.

13 (3) OPERATIONAL LIMITATIONS.—Not later
14 than 270 days after the date of the enactment of
15 this Act, the Secretary of the Navy shall submit to
16 the congressional defense committees a report that
17 describes any operational limitations and trade-offs
18 that would be associated with deploying nuclear-ca-
19 pable sea-launched cruise missiles on naval vessels,
20 including—

21 (A) the effect of allocating missile or tor-
22 pedo tubes from conventional munitions to nu-
23 clear munitions;

24 (B) operational constraints and trade-offs
25 associated with reserving or limiting naval ves-

1 sels on account of nuclear mission require-
2 ments;

3 (C) trade-offs in posture and capabilities
4 that the Navy would likely face if the Navy had
5 to allocate more resources to a nuclear-capable
6 missiles; and

7 (D) any other issues identified by the Sec-
8 retary.

9 (4) DEVELOPMENT.—Not later than 270 days
10 after the date of the enactment of this Act, the Ad-
11 ministrator for Nuclear Security shall submit to the
12 congressional defense committees a report that de-
13 scribes the cost and timeline of developing and pro-
14 ducing a warhead for a nuclear-capable sea-launched
15 cruise missile, including—

16 (A) the cost of developing, producing, and
17 sustaining the warhead;

18 (B) the timeline for the design, production,
19 and fielding of the warhead; and

20 (C) an assessment of how the pursuit of
21 the warhead would affect other planned war-
22 head activities of the National Nuclear Security
23 Administration, including whether there would
24 be risk to the cost and schedule of other war-
25 head programs of the Administration if the Ad-

1 administrator added a nuclear-capable sea-
2 launched cruise missile warhead to the portfolio
3 of such programs.

4 (5) PREFERRED COURSE OF ACTION.—To in-
5 form the reports under this subsection, not later
6 than 30 days after the date of the enactment of this
7 Act, the Secretary of Defense shall submit to the
8 congressional defense committees a report identi-
9 fying one or more preferred courses of action from
10 among the actions identified in the analysis of alter-
11 natives for a nuclear-capable sea-launched cruise
12 missile.

13 (c) LIMITATION.—

14 (1) IN GENERAL.—None of the funds author-
15 ized to be appropriated by this Act or otherwise
16 made available for fiscal year 2023 for the Depart-
17 ment of Defense or the National Nuclear Security
18 Administration may be obligated or expended for a
19 purpose specified in paragraph (2) until—

20 (A) each of the reports under subsection
21 (b) have been submitted to the congressional
22 defense committees; and

23 (B) the Secretary of Defense, in coordina-
24 tion with the Administrator for Nuclear Secu-
25 rity, certifies to the congressional defense com-

1 mittees that the development and deployment of
2 a nuclear-capable sea-launched cruise missile is
3 required to meet a valid military requirement
4 and would not create significant risk to conven-
5 tional or nuclear deterrence by constraining
6 conventional military operations or trading-off
7 with the pursuit of other conventional or nu-
8 clear military capabilities.

9 (2) FUNDS SPECIFIED.—The purposes specified
10 in this paragraph are the following:

11 (A) With respect to the Department of De-
12 fense, system development and demonstration
13 of a nuclear-capable sea-launched cruise missile.

14 (B) With respect to the National Nuclear
15 Security Administration, development engineer-
16 ing for a modified, altered, or new warhead for
17 a sea-launched cruise missile.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “development engineering” means
20 activities under phase 3 of the joint nuclear weapons
21 life cycle (as defined in section 4220 of the Atomic
22 Energy Defense Act (50 U.S.C. 2538b) or phase 6.3
23 of a nuclear weapons life extension program.

24 (2) The term “system development and dem-
25 onstration” means the activities occurring in the

1 phase after a program achieves Milestone B ap-
2 proval (as defined in section 4172 of title 10, United
3 States Code).

4 **SEC. 1635. LIMITATION ON AVAILABILITY OF CERTAIN**
5 **FUNDS UNTIL SUBMISSION OF INFORMATION**
6 **RELATING TO PROPOSED BUDGET FOR NU-**
7 **CLEAR-ARMED SEA-LAUNCHED CRUISE MIS-**
8 **SILE.**

9 In addition to the limitation under section 1640 of
10 the National Defense Authorization Act for Fiscal Year
11 2022 (Public Law 117–81; 135 Stat. 2092), of the funds
12 authorized to be appropriated by this Act or otherwise
13 made available for fiscal year 2023 for the Office of the
14 Secretary of the Navy for travel by the Secretary of the
15 Navy, not more than 50 percent may be obligated or ex-
16 pended until the Secretary submits to the congressional
17 defense committees all written communications from or to
18 personnel of the Department of the Navy regarding the
19 proposed budget amount or limitation for the nuclear-
20 armed sea-launched cruise missile contained in the defense
21 budget materials (as defined by section 231(f) of title 10,
22 United States Code) relating to the Navy for fiscal year
23 2023.

1 **SEC. 1636. PROHIBITION ON REDUCTION OF THE INTER-**
2 **CONTINENTAL BALLISTIC MISSILES OF THE**
3 **UNITED STATES.**

4 (a) PROHIBITION.—Except as provided in subsection
5 (b), none of the funds authorized to be appropriated by
6 this Act or otherwise made available for fiscal year 2023
7 for the Department of Defense may be obligated or ex-
8 pended for the following, and the Department may not
9 otherwise take any action to do the following:

10 (1) Reduce, or prepare to reduce, the respon-
11 siveness or alert level of the intercontinental ballistic
12 missiles of the United States.

13 (2) Reduce, or prepare to reduce, the quantity
14 of deployed intercontinental ballistic missiles of the
15 United States to a number less than 400.

16 (b) EXCEPTION.—The prohibition in subsection (a)
17 shall not apply to any of the following activities:

18 (1) The maintenance or sustainment of inter-
19 continental ballistic missiles.

20 (2) Ensuring the safety, security, or reliability
21 of intercontinental ballistic missiles.

22 (3) Facilitating the transition from the Minute-
23 man III intercontinental ballistic missile to the Sen-
24 tinel intercontinental ballistic missile (previously re-
25 ferred to as the “ground-based strategic deterrent
26 weapon”).

1 **Subtitle D—Missile Defense**
2 **Programs**

3 **SEC. 1641. REPEAL OF REQUIREMENT TO TRANSITION BAL-**
4 **LISTIC MISSILE DEFENSE PROGRAMS TO THE**
5 **MILITARY DEPARTMENTS.**

6 Section 1676 of the National Defense Authorization
7 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.
8 4205 note) is amended by striking subsection (b).

9 **SEC. 1642. FIRE CONTROL ARCHITECTURES.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that—

12 (1) the new missile track and warning architec-
13 ture in the budget request of the President for fiscal
14 year 2023 makes a needed and significant shift to
15 a more resilient and robust capability that will be
16 necessary to address future threats in the domain;

17 (2) the tranche 1 and 2 capabilities of the
18 Space Development Agency are critical to such new
19 architecture and should continue to be funded ap-
20 propriately to deliver missile track and warning ca-
21 pability from low-Earth orbit in the mid-2020s time-
22 frame;

23 (3) section 1645 of the William M. (Mac)
24 Thornberry National Defense Authorization Act for
25 Fiscal Year 2021 (Public Law 116–283; 134 Stat.

1 4062) directs the Director of the Missile Defense
2 Agency to develop a sensor payload to be integrated
3 into architecture of the Space Development Agency
4 or Space Force to provide fire control quality data
5 that would enable the interception of both ballistic
6 and hypersonic threats;

7 (4) as the Space Warfighting Analysis Center
8 of the Space Force reviews candidate architectures
9 for fire control quality data, the Center should take
10 into account the investment made to date and capa-
11 bility being developed by the hypersonic and ballistic
12 tracking space sensor program for integration into
13 the future architecture; and

14 (5) the Center should also consider current or
15 planned programs of the intelligence community that
16 could be integrated to increase the ability to con-
17 tribute to fire control architectures of the Depart-
18 ment of Defense.

19 (b) FIRE CONTROL QUALITY DATA REQUIRE-
20 MENT.—In carrying out the analysis of candidate fire con-
21 trol architectures, the Secretary of the Air Force shall en-
22 sure that the Director of the Space Warfighting Analysis
23 Center of the Space Force, at a minimum, maintains the
24 requirements needed for the missile defense command and
25 control, battle management, and communications system

1 to pass the needed quality data within the timelines need-
2 ed for current and planned interceptor systems to support
3 engagements of ballistic and hypersonic threats as de-
4 scribed in section 1645 of the William M. (Mac) Thorn-
5 berry National Defense Authorization Act for Fiscal Year
6 2021 (Public Law 116–283; 134 Stat. 4062).

7 (c) BRIEFING.—Not later than 14 days after the date
8 on which the Director of the Space Warfighting Analysis
9 Center concludes the analysis of candidate fire control ar-
10 chitectures, the Director shall provide to the Committees
11 on Armed Services of the House of Representatives and
12 the Senate a briefing on the results of the analysis, includ-
13 ing the findings of the Director and the architecture rec-
14 ommended by the Director for a future fire control archi-
15 tecture to support engagement of ballistic and hypersonic
16 threats.

17 **SEC. 1643. LIMITATION ON AVAILABILITY OF CERTAIN**
18 **FUNDS UNTIL REQUIRED ACQUISITION AU-**
19 **THORITY DESIGNATION RELATING TO CAPA-**
20 **BILITY TO DEFEND THE HOMELAND FROM**
21 **CRUISE MISSILES.**

22 (a) FINDING.—Congress finds that the Secretary of
23 Defense has yet to designate a military department or De-
24 fense Agency with acquisition authority with respect to the
25 capability to defend the homeland from cruise missiles in

1 accordance with section 1684(e) of the National Defense
2 Authorization Act for Fiscal Year 2017 (Public Law 114–
3 328; 10 U.S.C. 4205 note).

4 (b) LIMITATION.—Of the funds authorized to be ap-
5 propriated by this Act or otherwise made available for fis-
6 cal year 2023 for the Department of Defense for travel
7 by the Deputy Secretary of Defense, not more than 90
8 percent may be obligated or expended until the Secretary
9 of Defense designates a military department or Defense
10 Agency with acquisition authority with respect to the ca-
11 pability to defend the homeland from cruise missiles.

12 (c) DEFENSE AGENCY DEFINED.—In this section,
13 the term “Defense Agency” has the meaning given that
14 term in section 101(a)(11) of title 10, United States Code.

15 **SEC. 1644. LIMITATION ON AVAILABILITY OF FUNDS UNTIL**
16 **SUBMISSION OF REPORT ON LAYERED DE-**
17 **FENSE FOR THE HOMELAND.**

18 Of the funds authorized to be appropriated by this
19 Act or otherwise made available for fiscal year 2023 for
20 the Office of the Secretary of Defense for operating the
21 Office of Space Policy, not more than 75 percent may be
22 obligated or expended until the Secretary of Defense sub-
23 mits to the congressional defense committees the report
24 described in House Report 117–118 under the heading
25 “Layered Defense for the Homeland”.

1 **SEC. 1645. MIDDLE EAST INTEGRATED AIR AND MISSILE**
2 **DEFENSE.**

3 (a) IN GENERAL.—The Secretary of Defense, in con-
4 sultation with the Secretary of State and the Director of
5 National Intelligence, shall seek to cooperate with allies
6 and partners of the United States in the area of responsi-
7 bility of the United States Central Command to improve
8 integrated air and missile defense capability to protect the
9 people, infrastructure, and territory of such allies and
10 partners from cruise and ballistic missiles, manned and
11 unmanned aerial systems, and rocket attacks from Iran.
12 The Secretary shall seek to cooperate with countries that
13 have the ability to contribute to, adopt, and maintain an
14 integrated air and missile defense capability, and a com-
15 mitment to countering air and missile threats to bring se-
16 curity to the region.

17 (b) STRATEGY.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, con-
20 sistent with the protection of intelligence sources
21 and methods, the Secretary shall submit to the ap-
22 propriate congressional committees a strategy on in-
23 creasing cooperation with allies and partners in the
24 area of responsibility of the United States Central
25 Command to implement an integrated air and mis-
26 sile defense architecture to protect the people, infra-

1 structure, and territory of such allies and partners
2 from cruise and ballistic missiles, manned and un-
3 manned aerial systems, and rocket attacks from
4 Iran.

5 (2) CONTENTS.—The strategy submitted under
6 paragraph (1) shall include the following for coun-
7 tries the Secretary determines meets the characteris-
8 tics of subsection (a):

9 (A) An assessment of the threat of ballistic
10 and cruise missiles, manned and unnamed aer-
11 ial systems, and rocket attacks from Iran.

12 (B) A description of current efforts to co-
13 ordinate indicators and warnings from such at-
14 tacks with allies and partners in the region.

15 (C) An analysis of United States allied and
16 partner systems currently in the region to de-
17 fend against air and missile attacks

18 (D) An explanation of how an integrated
19 regional air and missile defense architecture
20 would improve collective security in the Central
21 Command area of responsibility, similar to that
22 of the European Command.

23 (E) A description of efforts to engage spec-
24 ified foreign partners in establishing such an
25 architecture.

1 (F) An identification of any challenges in
2 establishing an integrated air and missile de-
3 fense architecture with specified foreign part-
4 ners.

5 (G) A description of relevant coordination
6 with the Secretary of State and the ways in
7 which such an architecture advances United
8 States regional diplomatic goals and objectives.

9 (H) Such other matters as the Secretary
10 considers relevant.

11 (3) PROTECTION OF SENSITIVE INFORMA-
12 TION.—Any activity carried out under paragraph (1)
13 shall be conducted in a manner that appropriately
14 protects sensitive information and the national secu-
15 rity interests of the United States.

16 (4) FORMAT.—The strategy submitted under
17 paragraph (1) shall be submitted in unclassified
18 form, but may include a classified annex.

19 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
20 FINED.—In this section, the term “appropriate congres-
21 sional committees” means the following:

22 (1) The congressional defense committees.

23 (2) The Committee on Foreign Affairs and the
24 Permanent Select Committee on Intelligence of the
25 House of Representatives.

1 (3) The Committee on Foreign Relations and
2 the Select Committee on Intelligence of the Senate.

3 **SEC. 1646. STRATEGY TO USE ASYMMETRIC CAPABILITIES**
4 **TO DEFEAT HYPERSONIC MISSILE THREATS.**

5 (a) REQUIREMENT.—Not later than March 1, 2023,
6 the Secretary of Defense, acting through the Director of
7 the Missile Defense Agency, shall submit to the congress-
8 sional defense committees a comprehensive layered strat-
9 egy to use asymmetric capabilities to defeat hypersonic
10 missile threats.

11 (b) ELEMENTS.—The strategy under subsection (a)
12 shall—

13 (1) address all asymmetric capabilities of the
14 United States, including with respect to—

15 (A) directed energy, as described in section
16 1664 of the National Defense Authorization Act
17 for Fiscal Year 2022 (Public Law 117–81; 10
18 U.S.C. 205 note) and including short-pulse
19 laser technology;

20 (B) microwave systems;

21 (C) cyber capabilities; and

22 (D) any other capabilities determined ap-
23 propriate by the Secretary and Director; and

24 (2) identify the funding required to implement
25 the strategy during the period covered by the future-

1 years defense program submitted to Congress under
2 section 221 of title 10, United States Code, in 2023.

3 **SEC. 1647. REPORT ON INTEGRATED AIR AND MISSILE DE-**
4 **FENSE SENSOR OF UNITED STATES INDO-PA-**
5 **CIFIC COMMAND.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the budget of the President for fiscal year 2023
8 submitted to Congress pursuant to section 1105 of title
9 31, United States Code—

10 (1) includes funding to develop and procure an
11 integrated air and missile defense architecture to de-
12 fend Guam that includes multiple mobile compo-
13 nents located across Guam, however, a full assess-
14 ment of the manning and infrastructure needed to
15 support those components, including items such as
16 power, water, and availability of personnel housing,
17 was not included in the overall determination of fea-
18 sibility; and

19 (2) did not include funding for the continued
20 development of the discrimination radar for home-
21 land defense planned to be located in Hawaii be-
22 cause of an ongoing reevaluation of the missile de-
23 fense posture and sensor architecture in the area of
24 responsibility of the United States Indo-Pacific Com-
25 mand.

1 (b) REPORT.—

2 (1) REQUIREMENT.—Not later than 90 days
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the congressional
5 defense committees a report on the findings of the
6 review conducted by the Secretary of the integrated
7 air and missile defense sensor architecture of the
8 United States Indo-Pacific Command.

9 (2) INVESTMENTS.—The report under para-
10 graph (1) shall identify the investments that should
11 be made to increase the detection of non-ballistic
12 threats and improve the discrimination of ballistic
13 missile threats, particularly with regard to Hawaii.

14 (3) FORM.—The report under paragraph (1)
15 shall be submitted in unclassified form, and may in-
16 clude a classified annex.

17 (c) REVIEW OF INTEGRATED AIR AND MISSILE DE-
18 FENSE ARCHITECTURE TO DEFEND GUAM.—

19 (1) REQUIREMENT.—Not later than 60 days
20 after the date of the enactment of this Act, the Sec-
21 retary of Defense shall seek to enter into a contract
22 with a federally funded research and development
23 center to conduct an independent assessment of the
24 integrated air and missile defense architecture to de-
25 fend Guam.

1 (2) ELEMENTS.—The assessment under para-
2 graph (1) shall include an analysis of each of the fol-
3 lowing:

4 (A) The proposed architecture capability to
5 address non-ballistic and ballistic missile
6 threats to Guam, including the sensor, com-
7 mand and control, and interceptor systems
8 being proposed.

9 (B) The development and integration risk
10 of the proposed architecture.

11 (C) The manning required to operate the
12 proposed architecture, including the availability
13 of housing and infrastructure on Guam to sup-
14 port the needed manning levels.

15 (3) SUBMISSION.—Not later than 180 days
16 after the date of the enactment of this Act, the Sec-
17 retary shall submit to the congressional defense com-
18 mittees the assessment under paragraph (1), without
19 change.

20 **SEC. 1648. RISK REDUCTION IN PROCUREMENT OF GUAM**
21 **MISSILE DEFENSE SYSTEM.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that—

24 (1) the defense of Guam and the Armed Forces
25 that operate there is of key strategic significance

1 and is one of the top priorities for United States
2 Indo-Pacific Command and the United States;

3 (2) the most severe adversary threat to Guam
4 consists of long-range hypersonic and cruise missiles
5 launched from a variety of air, land, and sea-based
6 platforms;

7 (3) the current plan of the Missile Defense
8 Agency using a mixed architecture which, when ap-
9 plied to the launcher systems, relies on numerous
10 road-mobile transport erector launchers for launch-
11 ing, and is an unproven and high-risk plan; and

12 (4) the existing vertical launch system, which
13 can accommodate the standard missile-3 and the
14 standard missile-6, is a more capable and tested
15 system and provides reasonable risk reduction to the
16 short-term missile defense of Guam, and in the long
17 term provides much needed capacity increase.

18 (b) **AUTHORITY FOR PROCUREMENT.**—Except as
19 provided by subsection (c), not later than December 31,
20 2023, the Secretary of Defense, acting through the Direc-
21 tor of the Missile Defense Agency, shall rapidly procure
22 and field up to three vertical launching systems that can
23 accommodate planned interceptors operated by the Navy
24 as of the date of the enactment of this Act.

1 (c) WAIVER.—The Secretary may waive the require-
2 ment under subsection (b) if—

3 (1) the Secretary determines that the waiver is
4 in the best interest of the national security of the
5 United States;

6 (2) the Secretary submits to the congressional
7 defense committees a notification of such waiver, in-
8 cluding a justification; and

9 (3) a period of 120 days has elapsed following
10 the date of such notification.

11 **SEC. 1649. PLAN ON DELIVERING SHARED EARLY WARNING**
12 **SYSTEM DATA TO CERTAIN ALLIES AND**
13 **PARTNERS OF THE UNITED STATES.**

14 (a) FINDINGS.—Congress finds the following:

15 (1) The Shared Early Warning System cur-
16 rently provides accurate and timely ballistic missile
17 warning information generated by space-based infra-
18 red sensors to the United States and select foreign
19 countries.

20 (2) As has been demonstrated in Russia's un-
21 lawful invasion of and war in Ukraine, missile warn-
22 ing data provided to allies and partners of the
23 United States could allow for critical warning to pre-
24 vent widespread civilian casualties.

1 (3) The rapid technical fielding of Shared Early
2 Warning System capabilities should be prioritized in
3 future bilateral defense negotiations with allies and
4 partners of the United States.

5 (b) PLAN.—The Secretary of Defense, with the con-
6 currence of the Secretary of State and the Director of Na-
7 tional Intelligence, shall develop a technical fielding plan
8 to deliver information under the Shared Early Warning
9 System regarding a current or imminent missile threat to
10 allies and partners of the United States that, as of the
11 date of the plan, do not receive such information.

12 (c) REPORT.—Not later than 180 days after the date
13 of the enactment of this Act, the Secretary of Defense
14 shall submit to the appropriate congressional committees
15 a report on how rapid technical fielding of the Shared
16 Early Warning System could be provided to allies and
17 partners of the United States that—

18 (1) are not member states of the North Atlantic
19 Treaty Organization; and

20 (2) are under current or imminent hostile ag-
21 gression and threat of missile attack.

22 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
23 DEFINED.—In this section, the term “appropriate con-
24 gressional committees” means the following:

25 (1) The congressional defense committees.

1 (2) The Committee on Foreign Affairs and the
2 Permanent Select Committee on Intelligence of the
3 House of Representatives.

4 (3) The Committee on Foreign Relations and
5 the Select Committee on Intelligence of the Senate.

6 **SEC. 1650. REPORTS ON GROUND-BASED INTERCEPTORS.**

7 Not later than 30 days after the date of the enact-
8 ment of this Act, and on a quarterly basis thereafter until
9 the date on which the next generation interceptor achieves
10 initial operating capability, the Director of the Missile De-
11 fense Agency, with the concurrence of the Commander of
12 the United States Northern Command, shall submit to the
13 congressional defense committees a report that includes
14 the following:

15 (1) An identification of the number of ground-
16 based interceptors operationally available to the
17 Commander.

18 (2) If such number is different from the report
19 previously submitted under this section, the reasons
20 for such difference.

21 (3) Any anticipated changes to such number
22 during the period covered by the report.

1 **SEC. 1651. REPORT ON MISSILE DEFENSE INTERCEPTOR**
2 **SITE IN CONTIGUOUS UNITED STATES.**

3 (a) REQUIREMENT.—Not later than March 31, 2023,
4 the Secretary of Defense, acting through the Director of
5 the Missile Defense Agency, shall submit to the congress-
6 sional defense committees a report containing—

7 (1) an updated assessment of the requirement
8 for a missile defense interceptor site in the contig-
9 uous United States; and

10 (2) a funding profile, by year, of the total costs
11 for the development and construction of such site,
12 considering the designation of Fort Drum, New
13 York, as the conditionally designated preferred site.

14 (b) FUNDING.—Of the funds authorized to be appro-
15 priated by this Act or otherwise made available for fiscal
16 year 2023 for the Missile Defense Agency for unspecified
17 military construction planning and design, not more than
18 \$5,000,000 may be obligated or expended for activities as-
19 sociated with a missile defense interceptor site in the con-
20 tiguous United States described in subsection (a).

21 **Subtitle E—Other Matters**

22 **SEC. 1661. COOPERATIVE THREAT REDUCTION FUNDS.**

23 (a) FUNDING ALLOCATION.—Of the \$341,598,000
24 authorized to be appropriated to the Department of De-
25 fense for fiscal year 2023 in section 301 and made avail-
26 able by the funding table in division D for the Department

1 of Defense Cooperative Threat Reduction Program estab-
2 lished under section 1321 of the Department of Defense
3 Cooperative Threat Reduction Act (50 U.S.C. 3711), the
4 following amounts may be obligated for the purposes spec-
5 ified:

6 (1) For strategic offensive arms elimination,
7 \$6,859,000.

8 (2) For chemical security and elimination,
9 \$14,998,000.

10 (3) For global nuclear security, \$18,088,000.

11 (4) For biological threat reduction,
12 \$225,000,000.

13 (5) For proliferation prevention, \$45,890,000.

14 (6) For activities designated as Other Assess-
15 ments/Administration Costs, \$30,763,000.

16 (b) SPECIFICATION OF COOPERATIVE THREAT RE-
17 Duction Funds.—Funds appropriated pursuant to the
18 authorization of appropriations in section 301 and made
19 available by the funding table in division D for the Depart-
20 ment of Defense Cooperative Threat Reduction Program
21 shall be available for obligation for fiscal years 2023,
22 2024, and 2025.

1 **SEC. 1662. STUDY OF WEAPONS PROGRAMS THAT ALLOW**
2 **THE ARMED FORCES TO ADDRESS HARD AND**
3 **DEEPLY BURIED TARGETS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the ability of the United States to hold at
7 risk hard and deeply buried targets now and in the
8 future is critical; and

9 (2) while the Department of Defense is under-
10 taking a study of nuclear and nonnuclear options to
11 hold at risk this growing target set, Congress is con-
12 cerned about the progress of this study.

13 (b) STUDY.—Not later than 90 days after the date
14 of the enactment of this Act, the Secretary of Defense,
15 in coordination with the Chairman of the Joint Chiefs of
16 Staff and the Commander of the United States Strategic
17 Command, and in consultation with the Administrator for
18 Nuclear Security, shall submit to the congressional de-
19 fense committees a study on options to hold at risk hard
20 and deeply buried targets.

21 (c) ELEMENTS.—The study under subsection (b)
22 shall include the following:

23 (1) An analysis of the current and emerging
24 hard and deeply buried target mission set and asso-
25 ciated military requirements, including—

1 (A) the number and locations of the tar-
2 gets; and

3 (B) the associated military requirements
4 for the United States Strategic Command, in-
5 cluding the importance of threatening the tar-
6 gets to meeting the objectives of the United
7 States.

8 (2) A study of weapons programs that allow the
9 Armed Forces to address hard and deeply buried
10 targets, including—

11 (A) any nuclear or nonnuclear weapon and
12 delivery system the Secretary determines appro-
13 priate, including the cost, timeline for fielding,
14 and likely effectiveness of any capability under
15 consideration; and

16 (B) an assessment of a service life exten-
17 sion program of the B83 nuclear gravity bomb
18 as one of the options.

19 (3) A proposed strategy for fielding capabilities
20 and making other adjustments to the strategy and
21 plans of the United States to account for the grow-
22 ing hard and deeply buried target set, including a
23 five-year funding profile for the preferred alternative
24 weapon and the secondary alternative weapon stud-
25 ied under paragraph (2).

1 (d) BRIEFING.—Upon completion of the study under
2 subsection (b), the Secretary shall provide the Committees
3 on Armed Services of the House of Representatives and
4 the Senate a briefing on the findings and recommenda-
5 tions of the study.

6 **TITLE XVII—MUNITIONS RE-**
7 **PLENISHMENT AND FUTURE**
8 **PROCUREMENT**

9 **SEC. 1701. MODIFICATION TO SPECIAL DEFENSE ACQUI-**
10 **SION FUND.**

11 Section 114(c)(1) of title 10, United States Code, is
12 amended by striking “\$2,500,000,000” and inserting
13 “\$3,500,000,000”.

14 **SEC. 1702. DEVELOPMENT OF TECHNOLOGIES WITH RE-**
15 **SPECT TO CRITICAL, PREFERRED, AND PRE-**
16 **CISION-GUIDED CONVENTIONAL MUNITIONS.**

17 (a) IN GENERAL.—Subject to the availability of ap-
18 propriations, the Under Secretary of Defense for Research
19 and Engineering and the Under Secretary of Defense for
20 Acquisition and Sustainment, in coordination with the
21 Secretaries of the Army, Navy, and Air Force and the
22 heads of the Defense Agencies, shall develop and invest
23 in the following with respect to critical, preferred, and pre-
24 cision-guided conventional munitions:

25 (1) Technologies to—

1 (A) reduce the costs of such munitions;

2 (B) increase the reliability and lethality of
3 such munitions; and

4 (C) simplify the manufacturing processes
5 for such munitions.

6 (2) Technologies related to the diversification of
7 the supply chains relevant to the production of such
8 munitions.

9 (3) The development of novel methods to more
10 easily and affordably manufacture such munitions,
11 including the capability of rapid production scaling
12 to meet required demand.

13 (b) TYPES OF TECHNOLOGIES.—The types of tech-
14 nologies developed under subsection (a) shall include—

15 (1) the additive manufacturing of components,
16 including energetics;

17 (2) expeditionary manufacturing;

18 (3) simplified supply chains, including, where
19 possible, the use of open source, commercial, and
20 commercial-derived technologies, including microelec-
21 tronics; and

22 (4) such other technologies as the Under Secre-
23 taries determine appropriate.

24 (c) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Under Secretaries shall

1 jointly submit to the congressional defense committees a
2 report on the plan to carry out this section.

3 **SEC. 1703. SENSE OF CONGRESS AND QUARTERLY BRIEF-**
4 **INGS ON REPLENISHMENT AND REVITALIZA-**
5 **TION OF STOCKS OF TACTICAL MISSILES**
6 **PROVIDED TO UKRAINE.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that—

9 (1) the delivery of anti-tank and air defense
10 missiles and munitions to Ukraine by the United
11 States and numerous allies and partners around the
12 world has had a crucial impact on the ability of
13 Ukraine to resist Russia’s illegal invasion;

14 (2) the war in Ukraine has demonstrated the
15 utility of these weapons in contemporary military
16 conditions;

17 (3) it is vital to continue providing Ukraine
18 with such assistance, as needed, in an appropriately
19 rapid and sustained manner;

20 (4) the ability of the Department of Defense to
21 support replenishment of these stocks is a matter of
22 major importance for—

23 (A) the provision of additional support, as
24 needed, to Ukraine;

1 (B) the defense needs of the United States;
2 and

3 (C) the defense needs of allies and part-
4 ners that have provided, or are considering pro-
5 viding, their own stocks to assist Ukraine.

6 (5) in response to the March 18, 2022, letter
7 sent by the Chairman and Ranking Member of the
8 Committee on Armed Services of the House of Rep-
9 resentatives, the Department of Defense responded
10 effectively with efforts to buy down strategic risk
11 and accelerate production of air defense munitions;

12 (6) the effort to replace existing stocks while
13 prioritizing the rapid development of a low-cost, ex-
14 portable evolution of a short-range air defense sys-
15 tem should proceed as quickly and efficiently as pos-
16 sible;

17 (7) the Department of Defense should continue
18 to develop and pursue this strategy while providing
19 full transparency into its efforts to buy down stra-
20 tegic risk and engaging in substantial dialogue re-
21 garding the path forward;

22 (8) the Department of Defense should use its
23 authorities to work with allies and partners in a fo-
24 cused and sustained manner to advance the replen-
25 ishment of munitions stocks for allies and partners

1 that have provided, or are contemplating providing,
2 such equipment to Ukraine, in order to ensure they
3 are capable of meeting ongoing alliance and partner-
4 ship deterrence and security needs.

5 (b) QUARTERLY BRIEFINGS.—The Secretary of De-
6 fense shall provide to Congress quarterly briefings, in ac-
7 cordance with subsection (c), on the progress of the De-
8 partment of Defense toward replenishing and sustaining
9 the production capacity and stocks of covered systems that
10 have been delivered to Ukraine as part of the effort to—

11 (1) support Ukraine’s resistance against Rus-
12 sian aggression; and

13 (2) buy down strategic risks.

14 (c) ELEMENTS OF BRIEFINGS.—

15 (1) BRIEFINGS ON US STOCKS.—The Secretary
16 of Defense shall provide to the congressional defense
17 committees quarterly briefings that include each of
18 the following:

19 (A) A timeline and budgetary estimate for
20 developing and procuring replacement stocks of
21 covered systems for the United States.

22 (B) An identification of any opportunities
23 to allow vendors to compete for agreements to
24 produce next-generation short-range tactical

1 missiles, launchers, fire controls, and any other
2 supporting equipment.

3 (C) An analysis of risks within the indus-
4 trial base that provides support for covered sys-
5 tems, and detailed options to mitigate those
6 risks.

7 (D) A discussion of options to maximize
8 competition among providers of covered systems
9 and components thereof, and an identification
10 of any gaps in legal authority to pursue and
11 achieve the objectives of maximizing competi-
12 tion and replenishing and sustaining the pro-
13 duction capacity of covered systems.

14 (E) An update on the use of the authori-
15 ties of the Department of Defense to replenish
16 and sustain the production capacity and stocks
17 of covered systems referred to in subsection (b).

18 (2) BRIEFINGS ON STOCKS OF ALLIES AND
19 PARTNERS.—The Secretary of Defense shall provide
20 to the congressional defense committees, the Com-
21 mittee on Foreign Affairs of the House of Rep-
22 resentatives, and the Committee on Foreign Rela-
23 tions of the Senate quarterly briefings that include
24 each of the following:

1 (A) A timeline and budgetary estimate for
2 developing and procuring replacement stocks of
3 covered systems for allies and partners of the
4 United States.

5 (B) An update on the efforts of the De-
6 partment to work with allies and partners of
7 the United States to advance the replenishment
8 of munitions stocks for such allies and partners
9 that have provided, or are contemplating pro-
10 viding, such stocks to Ukraine.

11 (d) COVERED SYSTEM.—In this section, the term
12 “covered system” means any short-range tactical missile
13 (including any SHORAD or anti-tank missile), loitering
14 munition, drone, or ammunition.

15 (e) TERMINATION.—The requirement to provide
16 quarterly briefings under this section shall terminate on
17 December 31, 2026.

18 **SEC. 1704. ASSESSMENT OF ACQUISITION OBJECTIVES FOR**
19 **PATRIOT AIR AND MISSILE DEFENSE BATTAL-**
20 **IONS.**

21 (a) FINDINGS; SENSE OF CONGRESS.—

22 (1) FINDINGS.—Congress finds the following:

23 (A) The unlawful Russian invasion of and
24 war in Ukraine has highlighted the importance

1 of lower tier air and missile defense capabilities
2 in the European Area of Command.

3 (B) The emergency supplemental appro-
4 priations request by the President for the situa-
5 tion in Ukraine for fiscal year 2022 included
6 funding for a 16th Patriot air and missile de-
7 fense system battalion, which increases the long
8 standing inventory requirement by one bat-
9 talion.

10 (2) SENSE OF CONGRESS.—It is the sense of
11 Congress that given the evolving cruise- and bal-
12 listic-missile threat from rogue nations and near-
13 peer adversaries, particularly in regional scenarios,
14 the Secretary of the Army should reassess the cur-
15 rent battalion and interceptor acquisition objectives
16 for the Patriot air and missile defense system to de-
17 termine if 16 battalions and 3,376 Patriot advanced
18 capability-3 missile segment enhancement missiles
19 are still valid.

20 (b) ASSESSMENT.—Not later than 120 days after the
21 date of the enactment of this Act, the Secretary of the
22 Army shall assess and validate the battalion and inter-
23 ceptor acquisition objectives, as of the date of the enact-
24 ment of this Act, for the Patriot air and missile defense

1 system and Patriot advanced capability-3 missile segment
2 enhancement missiles.

3 (c) REPORT.—Not later than 30 days after the date
4 on which the Secretary completes the assessment under
5 subsection (b), the Secretary shall submit to the congres-
6 sional defense committees a report on the assessment, in-
7 cluding whether the acquisition objectives described in
8 such subsection are valid or should be modified.

9 (d) AUTHORITY.—Subject to the availability of ap-
10 propriations for such purpose, the Secretary of the Army
11 may procure up to four additional Patriot air and missile
12 defense battalions to achieve a total of up to 20 such bat-
13 talions.

14 **SEC. 1705. FEDERALLY FUNDED RESEARCH AND DEVELOP-**
15 **MENT CENTER ANALYSIS OF DEPARTMENT**
16 **OF DEFENSE CAPABILITY AND CAPACITY TO**
17 **REPLENISH MISSILE AND MUNITION INVEN-**
18 **TORIES.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the ongoing war in Ukraine has highlighted
22 the importance of understanding the defense indus-
23 trial base gaps and limitations of replenishing inven-
24 tories of critical, preferred, and precision-guided
25 weapon systems; and

1 (2) the ability of the Department of Defense to
2 replenish critical munitions in the event of a conflict
3 with a strategic competitor lasting not less than six
4 months is of critical importance to the national secu-
5 rity interests of the United States.

6 (b) FFRDC STUDY.—

7 (1) IN GENERAL.—Not later than 30 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense shall seek to enter into an agreement
10 with an appropriate federally funded research and
11 development center for the conduct of a detailed
12 analysis of the capability of the Department of De-
13 fense replenish inventory of the weapons described in
14 paragraph (3) to address long-range strike capabili-
15 ties, including against naval surface and subsurface,
16 as well as land-based forces, air superiority, interdic-
17 tion, air and missile defense, and hard and deeply
18 buried target mission areas. Such an agreement
19 shall provide that an analysis conducted pursuant to
20 the agreement shall be completed within 180 days.

21 (2) MATTERS FOR CONSIDERATION.—An anal-
22 ysis conducted pursuant to an agreement under
23 paragraph (1) shall include a consideration of each
24 of the following with respect to the weapons de-
25 scribed in paragraph (3):

1 (A) Any gaps in current or near-term pro-
2 duction capability through 2025 or capacity due
3 to the loss, impending loss, or obsolescence of
4 manufacturers or suppliers of items, raw mate-
5 rials, or software, along with recommendations
6 to address the highest priority gaps.

7 (B) The capability to significantly increase
8 current levels of production beyond steady-state
9 demand requirements, including an assessment
10 of sub-tier supplier capacity, capability, and
11 rates of production.

12 (C) The predicted production capability
13 and capacity during the time period beginning
14 in 2025 and ending in 2035, including the ca-
15 pability and any recommendations to signifi-
16 cantly increase production during that time pe-
17 riod.

18 (D) The reliance of the United States on
19 materials and parts that are produced or
20 sourced in foreign countries, particularly in the
21 case of such reliance on a sole-source producer
22 or supplier, an identification of countries of ori-
23 gin of such materials and parts, and associated
24 recommendations to address any priority
25 vulnerabilities.

1 (E) The capacity of the organic industrial
2 base, including both Government-operated and
3 contractor-operated facilities, to support surge
4 production, and an identification of the weap-
5 ons that each such facilities is equipped, or
6 could be equipped, to produce.

7 (3) WEAPONS DESCRIBED.—The weapons de-
8 scribed in this paragraph are each of the following:

9 (A) Evolved sea sparrow missile.

10 (B) MK 48 heavyweight torpedo.

11 (C) Standard missile variants (SM-6, SM-
12 3 block IB and SM-3 block IIA).

13 (D) Patriot guided missiles.

14 (E) Terminal high altitude area defense
15 interceptors.

16 (F) Guided and ballistic missiles fired from
17 the multiple launch rocket system (MLRS) or
18 the high mobility artillery rocket system
19 (HIMARS).

20 (G) Javelin missile.

21 (H) Stinger missile.

22 (I) Air intercept missile (AIM)-9X-Side-
23 winder.

24 (J) AIM-120D - Advanced medium range
25 air-to-air missile (AMRAAM).

1 (K) Air to ground (AGM)-114 - hellfire
2 missile.

3 (L) Small diameter bomb II.

4 (M) Joint direct attack munition.

5 (N) Advanced penetrating bombs.

6 (O) Enhanced fragmentation bombs.

7 (P) Low collateral damage bombs.

8 (Q) Tomahawk land attack missile.

9 (R) Maritime strike tomahawk.

10 (S) Long range anti-ship missile.

11 (T) Naval strike missile.

12 (U) Joint air-to-surface standoff missile-
13 extended range.

14 (V) Harpoon anti-ship missile.

15 (W) Any other weapon that the Secretary
16 of Defense or the federally funded research and
17 development center determine should be in-
18 cluded in the analysis.

19 (4) REPORT.—

20 (A) IN GENERAL.—Not later than 180
21 days after entering into an agreement under
22 subsection (a), the Secretary shall submit to the
23 congressional defense committees a report con-
24 taining the unaltered results of the analysis
25 completed pursuant to the agreement.

1 (B) FORM.—The report required under
2 subparagraph (A) shall be submitted in unclas-
3 sified form, but may include a classified annex.

4 **SEC. 1706. OUT-YEAR UNCONSTRAINED TOTAL MUNITIONS**
5 **REQUIREMENT, OUT-YEAR INVENTORY NUM-**
6 **BERS, AND CRITICAL MUNITIONS RESERVE.**

7 (a) ANNUAL REPORTING REQUIREMENTS.—Section
8 222c of title 10, United States Code, is amended—

9 (1) in subsection (a)—

10 (A) by striking “the chief of staff of each
11 armed force (other than the Coast Guard)” and
12 inserting “the Under Secretary of Defense for
13 Acquisition and Sustainment”;

14 (B) by striking “such armed force” and in-
15 sserting “each armed force (other than the
16 Coast Guard)”; and

17 (C) by inserting “for each critical muni-
18 tions program” after “the following”;

19 (2) by striking subsection (b);

20 (3) by redesignating subsections (c) and (d) as
21 subsections (b) and (c), respectively;

22 (4) by amending subsection (c), as so redesign-
23 nated, to read as follows:

24 “(c) IMPLEMENTATION GUIDANCE USED.—A report
25 required to be submitted under subsection (a) for a fiscal

1 year shall include a description and explanation of the mu-
2 nitions requirements process implementation guidance de-
3 veloped by the Under Secretary of Defense for Acquisition
4 and Sustainment and used by each armed force for the
5 munitions requirements process for such armed force for
6 that fiscal year. Such description and explanation shall in-
7 clude each of the following:

8 “(1) A list of configurations fielded as of the
9 date of the submittal of the report.

10 “(2) The percentage of the total munitions in-
11 ventory that is fielded, by configuration.

12 “(3) The average shelf life and age of the muni-
13 tions in the inventory and the percentage of the mu-
14 nitions in the inventory that will exceed shelf life
15 during the ten-year period following the date of the
16 submittal of the report.

17 “(4) The number of years required to meet the
18 out-year unconstrained total munitions requirement
19 at the rate requested for the fiscal year covered by
20 the report.

21 “(5) The average rate of procurement during
22 the three-year period preceding the date of the sub-
23 mittal of the report, and the number of years re-
24 quired to meet the out-year unconstrained total mu-
25 nitions requirement at such three-year average rate.

1 “(6) The additional amount of funding that
2 would be required, for each fiscal year, to meet the
3 out-year unconstrained total munitions requirement
4 for each munition by the end of the period covered
5 by the most recent future-years defense program
6 submitted to Congress pursuant to section 221 of
7 this title.

8 “(7) Such other information as the Under Sec-
9 retary determines is appropriate.”;

10 (5) by inserting after subsection (c) the fol-
11 lowing new subsection (d):

12 “(d) CRITICAL MUNITIONS RESERVE.—(1) For each
13 critical munitions program, the Under Secretary of De-
14 fense for Acquisition and Sustainment shall establish and
15 maintain a critical munitions reserve, through which the
16 Under Secretary shall procure longest lead sub-compo-
17 nents, concurrent with year production, to provide the ca-
18 pability to quickly access the amount of critical munitions
19 inventory required for one or more years in order to accel-
20 erate the delivery of such munitions.

21 “(2) A critical munitions reserve under paragraph (1)
22 may take the form of a rotatable pool to facilitate the timely
23 use of critical munitions material while producing suffi-
24 cient quantities of such material to maintain an ongoing
25 reserve of such material.

1 “(3) The Under Secretary of Defense for Acquisition
2 and Sustainment shall submit to the congressional defense
3 committees quarterly reports on the critical munitions re-
4 serves maintained under this paragraph, which shall in-
5 clude the recommendations of the Under Secretary with
6 respect to—

7 “(A) the management of the critical munition
8 reserves, including any recommendations for legisla-
9 tive changes; and

10 “(B) critical munitions components for inclu-
11 sion in the critical munitions reserves and funding
12 requirements for each such component.”; and

13 (6) in subsection (e), as so redesignated, by
14 striking paragraph (1) and inserting the following
15 new paragraph (1):

16 “(1) The term ‘critical munition’ means a mu-
17 nition that—

18 “(A) is considered to be among the most
19 important for executing plan objectives in one
20 or more conflict scenarios;

21 “(B) has an inventory that is insufficient
22 to meet the requirements of the national de-
23 fense strategy under section 113(g) of this title;
24 and

1 “(C) has a projected inventory that is fore-
2 casted to remain insufficient at the end of the
3 period covered by the future-years defense pro-
4 gram most recently submitted to Congress pur-
5 suant to section 221 of this title.”.

6 (b) **REPORT ON CRITICAL MUNITIONS RESERVE.**—
7 Not later than 90 days after the date of the enactment
8 of this Act, the Under Secretary of Defense for Acquisition
9 and Sustainment shall submit to the congressional defense
10 committees a report on the progress of the Under Sec-
11 retary in establishing the critical munitions reserves re-
12 quired by subsection (d) of section 222c of title 10, United
13 States Code, as added by subsection (a)(5).

14 **SEC. 1707. IDENTIFICATION OF SUBCONTRACTORS FOR**
15 **CRITICAL MUNITIONS CONTRACTS.**

16 (a) **IDENTIFICATION OF SUBCONTRACTORS.**—Not
17 later than 210 days after the date of the enactment of
18 this Act, the Under Secretary of Defense for Acquisition
19 and Sustainment shall carry out a pilot program to estab-
20 lish a process for identifying subcontractors (at any tier)
21 that, on the date on which the process described in sub-
22 section (a) is implemented—

23 (1) are performing one or more critical muni-
24 tions contracts; and

1 (2)(A) provide products to a prime contractor
2 or a higher-tier subcontractor for such prime con-
3 tractor under such a contract; or

4 (B) are responsible for the storage or handling
5 of controlled unclassified information under such a
6 contract.

7 (b) USE OF FRAMEWORK.—The Under Secretary
8 shall, to the extent practicable, use the framework devel-
9 oped under section 4819 of title 10, United States Code,
10 to carry out the pilot program established under this sec-
11 tion.

12 (c) IMPLEMENTATION PLAN.—Not later than 180
13 days after the date of the enactment of this Act, the Under
14 Secretary shall submit to the congressional defense com-
15 mittees an implementation plan for the pilot program re-
16 quired by this section. Such plan shall include the fol-
17 lowing:

18 (1) Information on the practices that will be
19 used to apply processes established under the pilot
20 program, including an identification of any practices
21 used by the Missile Defense Agency or the Strategic
22 Capabilities Office that identify subcontractors (at
23 any tier) for covered contracts.

1 (2) A list of programs of the Department of
2 Defense to which the Under Secretary will apply the
3 process established under this section.

4 (d) RECOMMENDATIONS.—Not later than 90 days
5 after the implementation of the pilot program required by
6 this section, the Under Secretary shall submit to the con-
7 gressional defense committees recommendations on the
8 feasibility of expanding, beginning on or after November
9 1, 2023, the pilot program established under this section
10 to Department of Defense program under which a DO-
11 rated order or a DX-rated order may be placed.

12 (e) DEFINITIONS.—In this section:

13 (1) The term “covered contract” means a crit-
14 ical munitions contract for which a subcontractor (at
15 any tier)—

16 (A) provides products to a prime con-
17 tractor or a higher-tier subcontractor for such
18 prime contractor; or

19 (B) is responsible for the storage or han-
20 dling of controlled unclassified information.

21 (2) The term “critical munition” has the mean-
22 ing given such term in section 1705 of this Act.

23 (3) The term “critical munitions contract”
24 means a contract between the Department of De-

1 fense and a prime contractor for the procurement of
2 critical munitions.

3 (4) The term “DO-rated order” means an order
4 with a priority rating of “critical to national de-
5 fense” in the Defense Priorities and Allocation Sys-
6 tem pursuant to part 700 of title 15, Code of Fed-
7 eral Regulations (or any successor regulation).

8 (5) The term “DX-rated order” means an order
9 with a priority rating of “highest national defense
10 urgency” in the Defense Priorities and Allocation
11 System pursuant to part 700 of title 15, Code of
12 Federal Regulations (or any successor regulation).

13 **SEC. 1708. STUDY ON STOCKPILES AND PRODUCTION OF**
14 **CRITICAL GUIDED MUNITIONS.**

15 (a) STUDY.—Not later than one year after the date
16 of the enactment of this Act, the Secretary of Defense
17 shall complete a study to determine how rapidly stockpiles
18 of the United States of critical guided munitions would
19 become depleted in the event of the involvement of the
20 United States in a large-scale conflict.

21 (b) MATTERS.—The study under subsection (a) shall
22 include, at a minimum, the following:

23 (1) Modeling of the monthly munitions expendi-
24 ture of the United States in the scenario of a large-
25 scale conflict (lasting for a period of at least 180

1 days) in Europe during fiscal year 2025, at various
2 levels of conflict intensity, including conflicts involv-
3 ing 25, 50, and 75 percent of the force structure of
4 the land, naval, and air forces of the active Armed
5 Forces.

6 (2) Modeling of the monthly munitions expendi-
7 ture of the United States in the scenario of a large-
8 scale conflict (lasting for a period of at least 180
9 days) in East Asia during fiscal year 2025, at var-
10 ious levels of conflict intensity, including conflicts in-
11 volving 25, 50, and 75 percent of the force structure
12 of the land, naval, and air forces of the active
13 Armed Forces.

14 (3) An analysis of how rapidly stockpiles of the
15 United States of critical guided munitions would be-
16 come depleted in each of the scenarios referred to in
17 paragraphs (1) and (2) for, at a minimum, the fol-
18 lowing munitions:

19 (A) Air Intercept Missile-260.

20 (B) Joint Direct Attack Munition.

21 (C) Long Range Anti-Ship Missile.

22 (D) Naval Strike Missile.

23 (E) Standard Missile-2.

24 (F) Standard Missile-6.

25 (G) Harpoon Anti-ship Missile.

- 1 (H) MK-48 torpedo.
- 2 (I) Each variant of the following:
- 3 (i) Air Intercept Missile-9.
- 4 (ii) Air Intercept Missile-120.
- 5 (iii) Army Tactical Missile System.
- 6 (iv) Guided Multiple Launch Rocket
- 7 System.
- 8 (v) Javelin.
- 9 (vi) Joint Air-to-Surface Standoff
- 10 Missile.
- 11 (vii) Patriot Missile.
- 12 (viii) Precision Strike Missile.
- 13 (ix) Stinger.
- 14 (x) Tomahawk Cruise Missile.
- 15 (4) An analysis of the time and resources that
- 16 would be necessary to restart production lines for
- 17 the critical guided munitions specified in paragraph
- 18 (3) that, as of the period during which the study is
- 19 conducted, are not in production by the United
- 20 States.
- 21 (5) An analysis of the time and resources that
- 22 would be necessary to increase the monthly produc-
- 23 tion of critical guided munitions to meet the expend-
- 24 iture rates projected pursuant to the modeling under
- 25 paragraphs (1) and (2).

1 (c) REPORT AND BRIEFING.—

2 (1) IN GENERAL.—Not later than 120 days
3 after the date of the completion of the study under
4 subsection (a), the Secretary of Defense shall submit
5 to the congressional defense committees a report,
6 and provide to the congressional defense committees
7 a briefing, on the study. Such report shall contain
8 the following:

9 (A) A summary of the findings of the
10 study.

11 (B) Recommendations to expedite the pro-
12 duction of the munitions specified in subsection
13 (b)(3).

14 (2) FORM.—The report under paragraph (1)
15 shall be submitted in unclassified form, but may
16 contain a classified annex.

17 (d) CRITICAL GUIDED MUNITION.—In this section,
18 the term “critical guided munition” means—

19 (1) any munition specified in subsection (b)(3);
20 and

21 (2) any other munition designated as such by
22 the Secretary of Defense.

1 **DIVISION B—MILITARY CON-**
2 **STRUCTION AUTHORIZA-**
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 This division and title XLVI of division D may be
6 cited as the “Military Construction Authorization Act for
7 Fiscal Year 2023”.

8 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**
9 **AMOUNTS REQUIRED TO BE SPECIFIED BY**
10 **LAW.**

11 (a) EXPIRATION OF AUTHORIZATIONS AFTER THREE
12 YEARS.—Except as provided in subsection (b), all author-
13 izations contained in titles XXI through XXVII for mili-
14 tary construction projects, land acquisition, family housing
15 projects and facilities, and contributions to the North At-
16 lantic Treaty Organization Security Investment Program
17 (and authorizations of appropriations therefor) shall ex-
18 pire on the later of—

19 (1) October 1, 2025; or

20 (2) the date of the enactment of an Act author-
21 izing funds for military construction for fiscal year
22 2026.

23 (b) EXCEPTION.—Subsection (a) shall not apply to
24 authorizations for military construction projects, land ac-
25 quisition, family housing projects and facilities, and con-

1 tributions to the North Atlantic Treaty Organization Se-
2 curity Investment Program (and authorizations of appro-
3 priations therefor), for which appropriated funds have
4 been obligated before the later of—

5 (1) October 1, 2025; or

6 (2) the date of the enactment of an Act author-
7 izing funds for fiscal year 2026 for military con-
8 struction projects, land acquisition, family housing
9 projects and facilities, or contributions to the North
10 Atlantic Treaty Organization Security Investment
11 Program.

12 **SEC. 2003. EFFECTIVE DATE AND AUTOMATIC EXECUTION**
13 **OF CONFORMING CHANGES TO TABLES OF**
14 **SECTIONS, TABLES OF CONTENTS, AND SIMI-**
15 **LAR TABULAR ENTRIES.**

16 (a) **EFFECTIVE DATE.**—Titles XXI through XXVII
17 shall take effect on the later of—

18 (1) October 1, 2022; or

19 (2) the date of the enactment of this Act.

20 (b) **ELIMINATION OF NEED FOR CERTAIN SEPARATE**
21 **CONFORMING AMENDMENTS.**—

22 (1) **AUTOMATIC EXECUTION OF CONFORMING**
23 **CHANGES.**—When an amendment made by a provi-
24 sion of this division to a covered defense law adds
25 a section or larger organizational unit to the covered

1 defense law, repeals or transfers a section or larger
2 organizational unit in the covered defense law, or
3 amends the designation or heading of a section or
4 larger organizational unit in the covered defense law,
5 that amendment also shall have the effect of amend-
6 ing any table of sections, table of contents, or simi-
7 lar table of tabular entries in the covered defense
8 law to alter the table to conform to the changes
9 made by the amendment.

10 (2) EXCEPTIONS.—Paragraph (1) shall not
11 apply to an amendment described in such paragraph
12 when—

13 (A) the amendment, or a separate clerical
14 amendment enacted at the same time as the
15 amendment, expressly amends a table of sec-
16 tions, table of contents, or similar table of tab-
17 ular entries in the covered defense law to alter
18 the table to conform to the changes made by
19 the amendment; or

20 (B) the amendment otherwise expressly ex-
21 empts itself from the operation of this section.

22 (3) COVERED DEFENSE LAW.—In this sub-
23 section, the term “covered defense law” means—

24 (A) titles 10, 32, and 37 of the United
25 States Code;

1 (B) any national defense authorization Act
 2 or military construction authorization Act that
 3 authorizes funds to be appropriated for a fiscal
 4 year to the Department of Defense; and

5 (C) any other law designated in the text
 6 thereof as a covered defense law for purposes of
 7 application of this section.

8 **TITLE XXI—ARMY MILITARY** 9 **CONSTRUCTION**

10 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND** 11 **ACQUISITION PROJECTS.**

12 (a) **INSIDE THE UNITED STATES.**—Using amounts
 13 appropriated pursuant to the authorization of appropria-
 14 tions in section 2103(a) and available for military con-
 15 struction projects inside the United States as specified in
 16 the funding table in section 4601, the Secretary of the
 17 Army may acquire real property and carry out military
 18 construction projects for the installations or locations in-
 19 side the United States, and in the amounts, set forth in
 20 the following table:

Army: Inside the United States

State	Installation or Location	Amount
Colorado	Fort Carson	\$14,200,000
Louisiana	Fort Polk	\$32,000,000
North Carolina	Fort Bragg	\$34,000,000
New Jersey	Picatinny Arsenal	\$3,654,000
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

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2103(a) and available for military con-
 4 struction projects outside the United States as specified
 5 in the funding table in section 4601, the Secretary of the
 6 Army may acquire real property and carry out military
 7 construction projects for the installations outside the
 8 United States, and in the amounts, set forth in the fol-
 9 lowing table:

Army: Outside the United States

State	Installation	Amount
Germany	East Camp Grafenwoehr	\$168,000,000
Kwajalein	Kwajalein Atoll	\$69,000,000

10 **SEC. 2102. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
 12 amounts appropriated pursuant to the authorization of ap-
 13 propriations in section 2103(a) and available for military
 14 family housing functions as specified in the funding table
 15 in section 4601, the Secretary of the Army may construct
 16 or acquire family housing units (including land acquisition
 17 and supporting facilities) at the installation, in the num-
 18 ber of units or for the purpose, and in the amount set
 19 forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
Germany	Baumholder	Family Housing New Construc- tion	\$57,000,000

Army: Family Housing—Continued

Country	Installation or Location	Units	Amount
Italy	Vincenza	Family Housing New Construc- tion	\$95,000,000

1 (b) **PLANNING AND DESIGN.**—Using amounts appro-
2 priated pursuant to the authorization of appropriations in
3 section 2103(a) and available for military family housing
4 functions as specified in the funding table in section 4601,
5 the Secretary of the Army may carry out architectural and
6 engineering services and construction design activities
7 with respect to the construction or improvement of family
8 housing units in an amount not to exceed \$17,339,000.

9 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

10 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
11 are hereby authorized to be appropriated for fiscal years
12 beginning after September 30, 2022, for military con-
13 struction, land acquisition, and military family housing
14 functions of the Department of the Army as specified in
15 the funding table in section 4601.

16 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
17 **PROJECTS.**—Notwithstanding the cost variations author-
18 ized by section 2853 of title 10, United States Code, and
19 any other cost variation authorized by law, the total cost
20 of all projects carried out under section 2101 may not ex-
21 ceed the total amount authorized to be appropriated under

1 subsection (a), as specified in the funding table in section
2 4601.

3 **SEC. 2104. DEMOLITION OF DISTRICT OF COLUMBIA FORT**
4 **MCNAIR QUARTERS 4, 13, AND 15.**

5 Not later than one year after the date on which all
6 the individuals occupying District of Columbia Fort
7 McNair Quarters 4, 13, and 15, as of the date of the en-
8 actment of this Act, have moved out of such Quarters,
9 the Secretary of the Army shall demolish such Quarters.

10 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**
11 **CERTAIN FISCAL YEAR 2019 PROJECT.**

12 In the case of the authorization contained in the table
13 in section 2101(b) of the Military Construction Authoriza-
14 tion Act for Fiscal Year 2019 (Public Law 115–232; 132
15 Stat. 2242) for Camp Tango, Korea, for construction of
16 a command and control facility at the installation, the Sec-
17 retary of the Army may increase scope for a dedicated,
18 enclosed egress pathway out of the underground facility
19 to facilitate safe escape in case of fire.

20 **SEC. 2106. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
21 **TAIN FISCAL YEAR 2018 PROJECTS.**

22 (a) EXTENSION.—(1) Notwithstanding section 2002
23 of the Military Construction Authorization Act for Fiscal
24 Year 2018 (division B of Public Law 115–91; 131 Stat.
25 1817), the authorization set forth in the table in para-

1 graph (2), as provided in section 2101(b) of that Act (131
 2 Stat. 1819), shall remain in effect until October 1, 2023,
 3 or the date of the enactment of an Act authorizing funds
 4 for military construction for fiscal year 2024, whichever
 5 is later.

6 (2) The table referred to in paragraph (1) is as fol-
 7 lows:

Army: Extension of 2018 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Korea	Kunsan Air Base	Unmanned Aerial Vehicle Hangar ...	\$53,000,000

8 (b) ARMY FAMILY HOUSING.—(1) Notwithstanding
 9 section 2002 of the Military Construction Authorization
 10 Act for Fiscal Year 2018 (division B of Public Law 115–
 11 91; 131 Stat. 1817), the authorization set forth in the
 12 table in paragraph (2), as provided in section 2102 of that
 13 Act (131 Stat. 1820), shall remain in effect until October
 14 1, 2023, or the date of the enactment of an Act author-
 15 izing funds for military construction for fiscal year 2024,
 16 whichever is later.

17 (2) The table referred to in paragraph (1) is as fol-
 18 lows:

Army: Extension of 2018 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	\$31,000,000

1 **SEC. 2107. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2018 PROJECTS.**

3 (a) **KUNSAN AIR BASE, KOREA.**—In the case of the
4 authorization contained in the table in section 2101(b) of
5 the Military Construction Authorization Act for Fiscal
6 Year 2018 (division B of Public Law 115–91; 131 Stat.
7 1819) for Kunsan Air Base, Korea, for construction of
8 an Unmanned Aerial Vehicle Hangar at the installation,
9 the Secretary of the Army may—

10 (1) construct the hangar at Camp Humphries,
11 Korea; and

12 (2) remove primary scope associated with the
13 relocation of the air defense artillery battalion facili-
14 ties to include a ground based missile defense equip-
15 ment area, fighting positions, a missile resupply area
16 air defense artillery facility, a ready building and
17 command post, a battery command post area, a safe-
18 ty shelter, and a guard booth.

19 (b) **KWAJALEIN ATOLL, HWAJALEIN.**—Section
20 2879(a)(1)(A) of the Military Construction Authorization
21 Act for Fiscal Year 2018 (division B of Public Law 115–

1 91; 131 Stat. 1874) is amended by striking “at least 26
 2 family housing units” and inserting “not more than 26
 3 family housing units”.

4 **TITLE XXII—NAVY MILITARY**
 5 **CONSTRUCTION**

6 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 7 **ACQUISITION PROJECTS.**

8 (a) INSIDE THE UNITED STATES.—Using amounts
 9 appropriated pursuant to the authorization of appropria-
 10 tions in section 2203(a) and available for military con-
 11 struction projects inside the United States as specified in
 12 the funding table in section 4601, the Secretary of the
 13 Navy may acquire real property and carry out military
 14 construction projects for the installations or locations in-
 15 side the United States, and in the amounts, set forth in
 16 the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Marine Corps Base Ground Combat Center Twentynine Palms.	\$120,382,000
	Marine Corps Base Camp Pendleton	\$85,210,000
	Naval Air Station Lemoore	\$201,261,000
	Naval Base Point Loma	\$56,450,000
Connecticut	Naval Submarine Base New London	\$15,514,000
Florida	Naval Air Station Jacksonville	\$86,232,000
	Naval Air Station Whiting Field	\$57,789,000
Georgia	Naval Submarine Base Kings Bay	\$279,171,000
Guam	Marine Corps Base Camp Blaz	\$330,589,000
Hawaii	Marine Corps Base Kaneohe Bay	\$87,930,000
	Joint Base Pearl Harbor- Hickam	\$3,637,692,000
North Carolina	Marine Corps Air Station Cherry Point	\$38,415,000
	Marine Corps Base Camp Lejeune	\$47,475,000
Nevada	Naval Air Station Fallon	\$97,865,000
Virginia	Naval Station Norfolk	\$16,863,000
Washington	Naval Air Station Whidbey Island	\$37,461,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
 2 appropriated pursuant to the authorization of appropria-
 3 tions in section 2203(a) and available for military con-
 4 struction projects outside the United States as specified
 5 in the funding table in section 4601, the Secretary of the
 6 Navy may acquire real property and carry out military
 7 construction projects for the installation outside the
 8 United States, and in the amount, set forth in the fol-
 9 lowing table:

Navy: Outside the United States

Country	Installation or Location	Amount
Australia	Royal Australian Air Base Darwin	\$258,831,000
Japan	Kadena Air Base	\$195,400,000

10 **SEC. 2202. FAMILY HOUSING.**

11 (a) CONSTRUCTION AND ACQUISITION.—Using
 12 amounts appropriated pursuant to the authorization of ap-
 13 propriations in section 2203(a) and available for military
 14 family housing functions as specified in the funding table
 15 in section 4601, the Secretary of the Navy may construct
 16 or acquire family housing units (including land acquisition
 17 and supporting facilities) at the installations or locations,
 18 in the number of units or for the purposes, and in the
 19 amounts set forth in the following table:

Navy: Family Housing

Location	Installation	Units or Pur- pose	Amount
Guam	Naval Support Activity Ander- son.	Family housing new construc- tion	\$248,634,000
	

1 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING
2 UNITS.—Subject to section 2825 of title 10, United States
3 Code, and using amounts appropriated pursuant to the
4 authorization of appropriations in section 2203(a) and
5 available for military family housing functions as specified
6 in the funding table in section 4601, the Secretary of the
7 Navy may improve existing military family housing units
8 in an amount not to exceed \$74,540,000.

9 (c) PLANNING AND DESIGN.—Using amounts appro-
10 priated pursuant to the authorization of appropriations in
11 section 2203(a) and available for military family housing
12 functions as specified in the funding table in section 4601,
13 the Secretary of the Navy may carry out architectural and
14 engineering services and construction design activities
15 with respect to the construction or improvement of family
16 housing units in an amount not to exceed \$24,224,000.

17 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
19 are hereby authorized to be appropriated for fiscal years
20 beginning after September 30, 2022, for military con-
21 struction, land acquisition, and military family housing
22 functions of the Department of the Navy, as specified in
23 the funding table in section 4601.

24 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION
25 PROJECTS.—Notwithstanding the cost variations author-

1 ized by section 2853 of title 10, United States Code, and
 2 any other cost variation authorized by law, the total cost
 3 of all projects carried out under section 2201 of this Act
 4 may not exceed the total amount authorized to be appro-
 5 priated under subsection (a), as specified in the funding
 6 table in section 4601.

7 **SEC. 2204. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 8 **TAIN FISCAL YEAR 2018 PROJECT.**

9 (a) **EXTENSION.**—Notwithstanding section 2002 of
 10 the Military Construction Authorization Act for Fiscal
 11 Year 2018 (division B of Public Law 115–91; 131 Stat.
 12 1817), the authorization set forth in the table in sub-
 13 section (a), as provided in section 2201(a) of that Act
 14 (131 Stat. 1822), shall remain in effect until October 1,
 15 2023, or the date of the enactment of an Act authorizing
 16 funds for military construction for fiscal year 2024, which-
 17 ever is later.

18 (b) **TABLE.**—The table referred to in subsection (a)
 19 is as follows:

Navy: Extension of 2018 Project Authorization

Country	Installation or Location	Project	Original Authorized Amount
Guam	Joint Region Marianas	Navy-Commercial Tie-in Hardening	\$37,180,000

1 **SEC. 2205. TRANSFER OF CUSTOMERS FROM ELECTRICAL**
2 **UTILITY SYSTEM OF THE NAVY AT FORMER**
3 **NAVAL AIR STATION BARBER'S POINT, HA-**
4 **WAI, TO NEW ELECTRICAL SYSTEM IN**
5 **KALAELOA, HAWAII.**

6 (a) IN GENERAL.—Subject to the availability of ap-
7 propriations for such purpose, the Secretary of the Navy
8 shall pay the reasonable costs to transfer all customers
9 off of the electrical utility system of the Navy located at
10 former Naval Air Station Barber's Point, Hawaii, to the
11 new electrical system in Kalaeloa, Hawaii, operated by
12 Hawaii Electric.

13 (b) FACILITATION OF TRANSFER.—To facilitate the
14 transfer of customers described in subsection (a), the Sec-
15 retary of the Navy shall provide the following to the State
16 of Hawaii:

17 (1) A load analysis and design necessary to
18 complete such transfer.

19 (2) Such rights of way and easements as may
20 be necessary to support the construction of replace-
21 ment electrical infrastructure.

22 (c) DISPOSAL OF NAVY ELECTRICAL SYSTEM.—After
23 all customers have been transferred as required under sub-
24 section (a), the Secretary of the Navy may dispose of the
25 electrical system of the Navy located at former Naval Air
26 Station Barber's Point, Hawaii.

1 (d) AUTHORITY FOR THIRD-PARTY AGREEMENT.—
 2 The Secretary of the Navy may enter into a cooperative
 3 agreement or other appropriate instrument with a non-
 4 Department of Defense entity under which—

5 (1) such entity shall agree to facilitate the
 6 transfer of customers under subsection (a); and

7 (2) subject to the availability of appropriations
 8 for such purpose, the Secretary of the Navy shall
 9 agree to reimburse such entity for the reasonable
 10 costs of such transfer.

11 **TITLE XXIII—AIR FORCE**
 12 **MILITARY CONSTRUCTION**

13 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 14 **LAND ACQUISITION PROJECTS.**

15 (a) INSIDE THE UNITED STATES.—Using amounts
 16 appropriated pursuant to the authorization of appropria-
 17 tions in section 2303(a) and available for military con-
 18 struction projects inside the United States as specified in
 19 the funding table in section 4601, the Secretary of the
 20 Air Force may acquire real property and carry out mili-
 21 tary construction projects for the installations or locations
 22 inside the United States, and in the amounts, set forth
 23 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Clear Air Force Station	\$68,000,000
Alabama	Maxwell Air Force Base	\$15,000,000

Air Force: Inside the United States—Continued

State	Installation or Location	Amount
California	Travis Air Force Base	\$7,500,000
	Vandenberg Air Force Base	\$89,000,000
Florida	Patrick Space Force Base	\$97,000,000
Hawaii	Kirtland Air Force Base, Maui Experimental Site	\$89,000,000
Ohio	Wright-Patterson Air Force Base	\$29,000,000
Oklahoma	Altus Air Force Base	\$4,750,000
	Tinker Air Force Base	\$43,600,000
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
Wyoming	F.E. Warren Air Force Base	\$176,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts
2 appropriated pursuant to the authorization of appropria-
3 tions in section 230__ (a) and available for military con-
4 struction projects outside the United States as specified
5 in the funding table in section 4601, the Secretary of the
6 Air Force may acquire real property and carry out mili-
7 tary construction projects for the installations or locations
8 outside the United States, and in the amounts, set forth
9 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Hungary	Papa Air Base	\$71,000,000
Iceland	Keflavik	\$94,000,000
Italy	Aviano Air Base	\$46,500,000
Japan	Kadena Air Base	\$307,000,000
Jordan	Azraq Air Base	\$50,000,000
Norway	Rygge	\$8,200,000
Spain	Moron Air Base	\$29,000,000

10 **SEC. 2302. FAMILY HOUSING AND IMPROVEMENTS TO MILI-**
11 **TARY FAMILY HOUSING UNITS.**

12 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING
13 UNITS.—Subject to section 2825 of title 10, United States

1 Code, and using amounts appropriated pursuant to the
2 authorization of appropriations in section 230__ (a) and
3 available for military family housing functions as specified
4 in the funding table in section 4601, the Secretary of the
5 Air Force may improve existing military family housing
6 units in an amount not to exceed \$230,058,000.

7 (b) **PLANNING AND DESIGN.**—Using amounts appro-
8 priated pursuant to the authorization of appropriations in
9 section 230__ (a) and available for military family housing
10 functions as specified in the funding table in section 4601,
11 the Secretary of the Air Force may carry out architectural
12 and engineering services and construction design activities
13 with respect to the construction or improvement of family
14 housing units in an amount not to exceed \$2,730,000.

15 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**
16 **FORCE.**

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
18 are hereby authorized to be appropriated for fiscal years
19 beginning after September 30, 2022, for military con-
20 struction, land acquisition, and military family housing
21 functions of the Department of the Air Force, as specified
22 in the funding table in section 4601.

23 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
24 **PROJECTS.**—Notwithstanding the cost variations author-
25 ized by section 2853 of title 10, United States Code, and

1 any other cost variation authorized by law, the total cost
 2 of all projects carried out under section 2301 may not ex-
 3 ceed the total amount authorized to be appropriated under
 4 subsection (a), as specified in the funding table in section
 5 4601.

6 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
 7 **TAIN FISCAL YEAR 2018 PROJECTS.**

8 (a) EXTENSION.—

9 (1) EXTENSION.—Notwithstanding section
 10 2002 of the Military Construction Authorization Act
 11 for Fiscal Year 2018 (division B of Public Law 115–
 12 91; 131 Stat. 1817), the authorizations set forth in
 13 the table in paragraph (2), as provided in section
 14 2301(a) of that Act (131 Stat. 1825), shall remain
 15 in effect until October 1, 2023, or the date of the
 16 enactment of an Act authorizing funds for military
 17 construction for fiscal year 2024, whichever is later.

18 (2) TABLE.—The table referred to in paragraph
 19 (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

1 (b) OVERSEAS CONTINGENCY OPERATIONS.—

2 (1) EXTENSION.—Notwithstanding section
 3 2002 of the Military Construction Authorization Act
 4 for Fiscal Year 2018 (division B of Public Law 115–
 5 91; 131 Stat. 1817), the authorizations set forth in
 6 the table in paragraph (2), as provided in section
 7 2903 of that Act (131 Stat. 1876), shall remain in
 8 effect until October 1, 2023, or the date of the en-
 9 actment of an Act authorizing funds for military
 10 construction for fiscal year 2024, whichever is later.

11 (2) TABLE.—The table referred to in paragraph
 12 (1) is as follows:

Air Force: Extension of 2018 Project Authorizations

Country	Installation or Location	Project	Original Authorized Amount
Hungary	Keesket Air Base	ERI: Airfield Upgrades	\$12,900,000
	Keesket Air Base	ERI: Construct Parallel Taxiway	\$30,000,000
	Keesket 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
	ERI: Airfield Upgrades	Construct Combat Arms Training and Maintenance Facility	\$22,000,000

1 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**
2 **CERTAIN FISCAL YEAR 2021 PROJECT.**

3 In the case of the authorization contained in the table
4 in section 2301(a) of the Military Construction Authoriza-
5 tion Act for Fiscal Year 2021 (division B of Public Law
6 116–283; 134 Stat. 4299) for Hill Air Force Base, Utah,
7 for construction of GBSD Organic Software Sustainment
8 Center, the Secretary of the Air Force may construct—

9 (1) up to 7,526 square meters of Surface Park-
10 ing Lot in lieu of constructing a 13,434 square me-
11 ters vehicle parking garage; and

12 (2) up to 402 square meters of Storage Igloo.

13 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**
14 **CERTAIN MILITARY CONSTRUCTION**
15 **PROJECTS AT TYNDALL AIR FORCE BASE,**
16 **FLORIDA.**

17 In the case of the authorization contained in section
18 2912(a) of the Military Construction Authorization Act
19 for Fiscal Year 2020 (division B of Public Law 116–92;
20 133 Stat. 1913) for Tyndall Air Force Base, Florida—

21 (1) for construction of Lodging Facilities
22 Phases 1-2, as specified in such funding table and
23 modified by section 2306(a)(7) of the Military Con-
24 struction Authorization Act for Fiscal Year 2021
25 (division B of Public Law 116–283; 134 Stat.

1 4302), the Secretary of the Air Force may construct
2 two emergency backup generators;

3 (2) for construction of Dorm Complex Phases
4 1-2, as specified in such funding table and modified
5 by section 2306(a)(8) of the Military Construction
6 Authorization Act for Fiscal Year 2021 (division B
7 of Public Law 116–283; 134 Stat. 4302), the Sec-
8 retary of the Air Force may construct an emergency
9 backup generator;

10 (3) for construction of Site Development, Utili-
11 ties, and Demo Phase 2, as specified in such funding
12 table and modified by section 2306(a)(6) of the Mili-
13 tary Construction Authorization Act for Fiscal Year
14 2021 (division B of Public Law 116–283; 134 Stat.
15 4302), the Secretary of the Air Force may con-
16 struct—

17 (A) up to 6,248 lineal meters of storm
18 water utilities;

19 (B) up to 55,775 square meters of roads;

20 (C) up to 4,334 lineal meters of gas pipe-
21 line; and

22 (D) up to 28,958 linear meters of elec-
23 trical;

24 (4) for construction of Tyndall AFB Gate Com-
25 plex, as specified in such funding table and modified

1 by section 2306(a)(9) of the Military Construction
2 Authorization Act for Fiscal Year 2021 (division B
3 of Public Law 116–283; 134 Stat. 4302), the Sec-
4 retary of the Air Force may construct up to 55,694
5 square meters of roadway with serpentines; and
6 (5) for construction of Deployment Center/
7 Flight Line Dining/AAFES, as specified in such
8 funding table and modified by section 2306(a)(11)
9 of the Military Construction Authorization Act for
10 Fiscal Year 2021 (division B of Public Law 116–
11 283; 134 Stat. 4303), the Secretary of the Air Force
12 may construct up to 164 square meters of AAFES
13 (Shoppette).

14 **TITLE XXIV—DEFENSE AGEN-**
15 **CIES MILITARY CONSTRUC-**
16 **TION**

17 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**
18 **TION AND LAND ACQUISITION PROJECTS.**

19 (a) INSIDE THE UNITED STATES.—Using amounts
20 appropriated pursuant to the authorization of appropria-
21 tions in section 2403(a) and available for military con-
22 struction projects inside the United States as specified in
23 the funding table in section 4601, the Secretary of De-
24 fense may acquire real property and carry out military
25 construction projects for the installations or locations in-

1 side the United States, and in the amounts, set forth in
2 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
California	Coronado	\$75,712,000
Florida	Hurlburt Field	\$9,100,000
.....	MacDill Air Force Base	\$50,000,000
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

3 (b) OUTSIDE THE UNITED STATES.—Using amounts
4 appropriated pursuant to the authorization of appropria-
5 tions in section 2403(a) and available for military con-
6 struction projects outside the United States as specified
7 in the funding table in section 4601, the Secretary of De-
8 fense may acquire real property and carry out military
9 construction projects for the installation or location out-
10 side the United States, and in the amount, set forth in
11 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

12 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**
13 **SERVATION INVESTMENT PROGRAM**
14 **PROJECTS.**

15 (a) INSIDE THE UNITED STATES.—Using amounts
16 appropriated pursuant to the authorization of appropria-
17 tions in section 2403(a) and available for energy conserva-

1 tion projects as specified in the funding table in section
 2 4601, the Secretary of Defense may carry out energy con-
 3 servation projects under chapter 173 of title 10, United
 4 States Code, for the installations or locations inside the
 5 United States, and in the amounts, set forth in the fol-
 6 lowing table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	\$10,700,000
California	Marine Corps Mountain Warfare Training Center Bridgeport	\$25,560,000
	Naval Base Ventura County, PT Magu	\$13,360,000
Florida	Naval Air Station Jacksonville	\$2,400,000
	Patrick Space Force Base	\$18,000,000
Georgia	Fort Stewart-Hunter Army Airfield	\$25,400,000
	Naval Submarine Base Kings Bay	\$11,200,000
Guam	Naval Base Guam	\$34,360,000
Hawaii	Joint Base Pearl Harbor- Hickam	\$25,000,000
Kansas	Fort Riley	\$25,780,000
Maryland	Fort George G. Meade	\$23,310,000
Texas	Fort Hood	\$31,500,000
	U.S. Army Reserve Center, Conroe	\$9,600,000
Virginia	Naval Support Activity, Hampton Roads	\$22,400,000
	NCE Springfield, Fort Belvoir	\$1,100,000

7 (b) OUTSIDE THE UNITED STATES.—Using amounts
 8 appropriated pursuant to the authorization of appropria-
 9 tions in section 2403(a) and available for energy conserva-
 10 tion projects as specified in the funding table in section
 11 4601, the Secretary of Defense may carry out energy con-
 12 servation projects under chapter 173 of title 10, United
 13 States Code, for the installations or locations outside the
 14 United States, and in the amounts, set forth in the fol-
 15 lowing table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Djibouti	Camp Lemmonier	\$24,000,000

ERCIP Projects: Outside the United States—Continued

Country	Installation or Location	Amount
Japan	Kadena Air Base	\$780,000
Kuwait	Camp Arifjan	\$26,850,000
Norway	Rygge	\$8,200,000
Spain	Moron Air Base	\$29,000,000

1 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**
2 **FENSE AGENCIES.**

3 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
4 are hereby authorized to be appropriated for fiscal years
5 beginning after September 30, 2022, for military con-
6 struction, land acquisition, and military family housing
7 functions of the Department of Defense (other than the
8 military departments), as specified in the funding table
9 in section 4601.

10 (b) **LIMITATION ON TOTAL COST OF CONSTRUCTION**
11 **PROJECTS.**—Notwithstanding the cost variations author-
12 ized by section 2853 of title 10, United States Code, and
13 any other cost variation authorized by law, the total cost
14 of all projects carried out under section 2401 may not ex-
15 ceed the total amount authorized to be appropriated under
16 subsection (a), as specified in the funding table in section
17 4601.

18 **SEC. 2404. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
19 **TAIN FISCAL YEAR 2018 PROJECTS.**

20 (a) **EXTENSION.**—Notwithstanding section 2002 of
21 the Military Construction Authorization Act for Fiscal

1 Year 2018 (division B of Public Law 115–91; 131 Stat.
 2 1817), the authorization set forth in the table in sub-
 3 section (b), as provided in section 2401(b) of that Act
 4 (131 Stat. 1829), shall remain in effect until October 1,
 5 2023, or the date of the enactment of an Act authorizing
 6 funds for military construction for fiscal year 2024, which-
 7 ever is later.

8 (b) TABLE.—The table referred to in subsection (a)
 9 is as follows:

Defense Agencies: Extension of 2017 Project Authorization

Country	Installation	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

10 **TITLE XXV—INTERNATIONAL**
 11 **PROGRAMS**
 12 **Subtitle A—North Atlantic Treaty**
 13 **Organization Security Invest-**
 14 **ment Program**

15 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**
 16 **ACQUISITION PROJECTS.**

17 The Secretary of Defense may make contributions for
 18 the North Atlantic Treaty Organization Security Invest-
 19 ment Program as provided in section 2806 of title 10,
 20 United States Code, in an amount not to exceed the sum

1 of the amount authorized to be appropriated for this pur-
 2 pose in section 2502 and the amount collected from the
 3 North Atlantic Treaty Organization as a result of con-
 4 struction previously financed by the United States.

5 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

6 Funds are hereby authorized to be appropriated for
 7 fiscal years beginning after September 30, 2022, for con-
 8 tributions by the Secretary of Defense under section 2806
 9 of title 10, United States Code, for the share of the United
 10 States of the cost of projects for the North Atlantic Treaty
 11 Organization Security Investment Program authorized by
 12 section 2501 as specified in the funding table in section
 13 4601.

14 **Subtitle B—Host Country In-Kind**
 15 **Contributions**

16 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**
 17 **PROJECTS.**

18 Pursuant to agreement with the Republic of Korea
 19 for required in-kind contributions, the Secretary of De-
 20 fense may accept military construction projects for the in-
 21 stallations or locations in the Republic of Korea, and in
 22 the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Humphreys	Quartermaster Laundry/ Dry Cleaner Facility	\$24,000,000
Army	Camp Humphreys	MILVAN CONNEX Stor- age Yard	\$20,000,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
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 Dis- tribution West, Phase 3	\$235,000,000

1 **SEC. 2512. REPEAL OF AUTHORIZED APPROACH TO CER-**
2 **TAIN CONSTRUCTION PROJECT.**

3 Section 2511 of the Military Construction Authoriza-
4 tion Act for Fiscal Year 2022 (division B of Public Law
5 117–81; 135 Stat. 2177) is amended—

6 (1) by striking “(a) AUTHORITY TO ACCEPT
7 PROJECTS.—”; and

8 (2) by striking subsection (b).

9 **TITLE XXVI—GUARD AND**
10 **RESERVE FORCES FACILITIES**

11 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**
12 **STRUCTION AND LAND ACQUISITION**
13 **PROJECTS.**

14 Using amounts appropriated pursuant to the author-
15 ization of appropriations in section 2605 and available for
16 the National Guard and Reserve as specified in the fund-
17 ing table in section 4601, the Secretary of the Army may
18 acquire real property and carry out military construction
19 projects for the Army National Guard installations or lo-

1 cations inside the United States, and in the amounts, set
 2 forth in the following table:

Army National Guard

State	Installation or Location	Amount
Delaware	New Castle	\$16,000,000
Florida	Palm Coast	\$12,000,000
	Camp Blanding	\$24,700,000
Hawaii	Kapolei	\$29,000,000
Iowa	West Des Moines	\$15,000,000
Indiana	Atlanta	\$20,000,000
Michigan	Camp Grayling	\$16,000,000
Minnesota	New Ulm	\$17,000,000
North Carolina	McLeansville	\$15,000,000
Nevada	Reno	\$18,000,000
New York	Troy	\$17,000,000
Vermont	Bennington	\$14,800,000
West Virginia	Buckhannon	\$14,000,000
Wyoming	Sheridan	\$14,800,000

3 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**
 4 **AND LAND ACQUISITION PROJECTS.**

5 Using amounts appropriated pursuant to the author-
 6 ization of appropriations in section 2606 and available for
 7 the National Guard and Reserve as specified in the fund-
 8 ing table in section 4601, the Secretary of the Army may
 9 acquire real property and carry out military construction
 10 projects for the Army Reserve installations or locations in-
 11 side the United States, and in the amounts, set forth in
 12 the following table:

Army Reserve

State	Installation or Location	Amount
Florida	Perrine	\$46,000,000
Puerto Rico	Fort Buchanan	\$24,000,000

1 **SEC. 2603. AUTHORIZED AIR NATIONAL GUARD CONSTRUC-**
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-
 4 ization of appropriations in section 2606 and available for
 5 the National Guard and Reserve as specified in the fund-
 6 ing table in section 4601, the Secretary of the Air Force
 7 may acquire real property and carry out military construc-
 8 tion projects for the Air National Guard installations or
 9 locations inside the United States, and in the amounts,
 10 set forth in the following table:

Air National Guard

State	Installation or Location	Amount
Alabama	Birmingham International Airport	\$7,500,000
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	Meghee-Tyson Airport	\$23,800,000

11 **SEC. 2604. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**
 12 **TION AND LAND ACQUISITION PROJECTS.**

13 Using amounts appropriated pursuant to the author-
 14 ization of appropriations in section 2606 and available for
 15 the National Guard and Reserve as specified in the fund-
 16 ing table in section 4601, the Secretary of the Air Force
 17 may acquire real property and carry out military construc-
 18 tion projects for the installations inside the United States,
 19 and in the amounts, set forth in the following table:

Air Force Reserve

State	Installation	Amount
California	Beale Air Force Base	\$33,000,000
Virginia	Joint Base Langley-Eustis	\$10,500,000

1 **SEC. 2605. AUTHORIZATION OF APPROPRIATIONS, NA-**
2 **TIONAL GUARD AND RESERVE.**

3 Funds are hereby authorized to be appropriated for
4 fiscal years beginning after September 30, 2022, for the
5 costs of acquisition, architectural and engineering services,
6 and construction of facilities for the Guard and Reserve
7 Forces, and for contributions therefor, under chapter
8 1803 of title 10, United States Code (including the cost
9 of acquisition of land for those facilities), as specified in
10 the funding table in section 4601.

11 **SEC. 2606. CORRECTIONS TO AUTHORITY TO CARRY OUT**
12 **CERTAIN FISCAL YEAR 2022 PROJECTS.**

13 The authorization table in section 2601 of the Mili-
14 tary Construction Authorization Act for Fiscal Year 2022
15 (division B of Public Law 117–81; 135 Stat. 2178) is
16 amended—

17 (1) in the item relating to Redstone Arsenal,
18 Alabama, by striking “Redstone Arsenal” and in-
19 serting “Huntsville”;

20 (2) in the item relating to Jerome National
21 Guard Armory, Idaho, by striking “Jerome National
22 Guard Armory” and inserting “Jerome”;

23 (3) in the item relating to Nickell Memorial Ar-
24 mory Topeka, Kansas, by striking “Nickell Memorial
25 Armory Topeka” and inserting “Topeka”;

1 (4) in the item relating to Lake Charles Na-
2 tional Guard Readiness Center, Louisiana, by strik-
3 ing “Lake Charles National Guard Readiness Cen-
4 ter” and inserting “Lake Charles”;

5 (5) in the item relating to Camp Grayling,
6 Michigan, by striking “Camp Grayling” and insert-
7 ing “Grayling”;

8 (6) in the item relating to Butte Military En-
9 trance Testing Site, Montana, by striking “Butte
10 Military Entrance Testing Site” and inserting
11 “Butte”;

12 (7) in the item relating to Mead Army National
13 Guard Readiness Center, Nebraska, by striking
14 “Mead Army National Guard Readiness Center”
15 and inserting “Mead Training Site”;

16 (8) in the item relating to Dickinson National
17 Guard Armory, North Dakota, by striking “Dickin-
18 son National Guard Armory” and inserting “Dickin-
19 son”;

20 (9) in the item relating to Bennington National
21 Guard Armory, Vermont, by striking “Bennington
22 National Guard Armory” and inserting
23 “Bennington”; and

24 (10) in the item relating to Camp Ethan Allen
25 Training Site, Vermont, by striking “Camp Ethan

1 Allen Training Site” and inserting “Ethan Allen Air
2 Force Base TS”.

3 **SEC. 2607. EXTENSION OF AUTHORITY TO CARRY OUT CER-**
4 **TAIN FISCAL YEAR 2018 PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2002 of
6 the Military Construction Authorization Act for Fiscal
7 Year 2018 (division B of Public Law 115–91; 131 Stat.
8 1817), the authorizations set forth in the table in sub-
9 section (b), as provided in section 2604 of that Act (131
10 Stat. 1836), shall remain in effect until October 1, 2023,
11 or the date of the enactment of an Act authorizing funds
12 for military construction for fiscal year 2024, whichever
13 is later.

14 (b) TABLE.—The table referred to in subsection (a)
15 is as follows:

Air Force: Extension of 2018 Project Authorizations

State	Installation or Location	Project	Original Authorized Amount
Indiana	Hulman Regional Air- port	Construct Small Arms Range	\$8,000,000
South Dakota	Joe Foss Field	Aircraft Mainte- nance Shops	\$12,000,000
Wisconsin	Dane County Regional/ Airport Truax Field	Construct Small Arms Range	\$8,000,000

1 **TITLE XXVII—BASE REALIGN-**
2 **MENT AND CLOSURE ACTIVI-**
3 **TIES**

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**
6 **TIES FUNDED THROUGH DEPARTMENT OF**
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for
9 fiscal years beginning after September 30, 2022, for base
10 realignment and closure activities, including real property
11 acquisition and military construction projects, as author-
12 ized by the Defense Base Closure and Realignment Act
13 of 1990 (part A of title XXIX of Public Law 101–510;
14 10 U.S.C. 2687 note) and funded through the Department
15 of Defense Base Closure Account established by section
16 2906 of such Act (as amended by section 2711 of the Mili-
17 tary Construction Authorization Act for Fiscal Year 2013
18 (division B of Public Law 112–239; 126 Stat. 2140)), as
19 specified in the funding table in section 4601.

20 **SEC. 2702. AUTHORIZATION TO FUND CERTAIN DEMOLI-**
21 **TION AND REMOVAL ACTIVITIES THROUGH**
22 **DEPARTMENT OF DEFENSE BASE CLOSURE**
23 **ACCOUNT.**

24 (a) IN GENERAL.—Section 2906(c)(1) of the Defense
25 Base Closure and Realignment Act of 1990 (10 U.S.C.

1 2687 note) is amended by adding at the end the following
2 new subparagraph:

3 “(E) To carry out the demolition or re-
4 moval of any building or structure under the
5 control of the Secretary of the Navy that is not
6 designated as historic under a Federal, State,
7 or local law and is located on a military instal-
8 lation closed or realigned under a base closure
9 law (as such term is defined in section 101 of
10 title 10, United States Code) at which the sam-
11 pling or remediation of radiologically contami-
12 nated materials has been the subject of sub-
13 stantiated allegations of fraud, without regard
14 to—

15 “(i) whether the building or structure
16 is radiologically impacted; or

17 “(ii) whether such demolition or re-
18 moval is carried out, as part of a response
19 action or otherwise, under the Defense En-
20 vironmental Restoration Program specified
21 in subparagraph (A) or CERCLA (as such
22 term is defined in section 2700 of title 10,
23 United States Code).”.

1 (b) FUNDING.—The amendment made by this section
2 may only be carried out using funds authorized to be ap-
3 propriated in the table in section 4601.

4 **TITLE XXVIII—MILITARY CON-**
5 **STRUCTION GENERAL PROVI-**
6 **SIONS**

7 **Subtitle A—Military Construction**
8 **Program Changes**

9 **SEC. 2801. MODIFICATION OF ANNUAL LOCALITY ADJUST-**
10 **MENT OF DOLLAR THRESHOLDS APPLICABLE**
11 **TO UNSPECIFIED MINOR MILITARY CON-**
12 **STRUCTION AUTHORITIES.**

13 Section 2805(f)(2) of title 10, United States Code,
14 is amended—

15 (1) by striking “or the Commonwealth” and in-
16 serting “Wake Island, the Commonwealth”; and

17 (2) by inserting “, or a former United States
18 Trust Territory now in a Compact of Free Associa-
19 tion with the United States” after “Mariana Is-
20 lands”.

1 **SEC. 2802. MILITARY CONSTRUCTION PROJECTS FOR INNO-**
2 **VATION, RESEARCH, DEVELOPMENT, TEST,**
3 **AND EVALUATION.**

4 (a) IN GENERAL.—Subchapter I of chapter 169 of
5 title 10, United States Code, is amended by inserting after
6 section 2809 the following new section:

7 **“§ 2810. Military construction projects for innovation,**
8 **research, development, test, and evalua-**
9 **tion**

10 “(a) PROJECT AUTHORIZATION REQUIRED.—The
11 Secretary of Defense may carry out such military con-
12 struction projects for innovation, research, development,
13 test, and evaluation as are authorized by law, using funds
14 appropriated or otherwise made available for that purpose.

15 “(b) SUBMISSION OF PROJECT PROPOSALS.—As part
16 of the Department of Defense Form 1391 submitted to
17 the appropriate committees of Congress for a military con-
18 struction project covered by subsection (a), the Secretary
19 of Defense shall include the following information:

20 “(1) The project title.

21 “(2) The location of the project.

22 “(3) A brief description of the scope of work.

23 “(4) The original project cost estimate and the
24 current working cost estimate, if different.

25 “(5) Such other information as the Secretary
26 considers appropriate.

1 “(c) APPLICATION TO MILITARY CONSTRUCTION
2 PROJECTS.—This section shall apply to military construc-
3 tion projects covered by subsection (a) for which a Depart-
4 ment of Defense Form 1391 is submitted to the appro-
5 priate committees of Congress in connection with the
6 budget of the Department of Defense for fiscal year 2023
7 and thereafter.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such subchapter is amended by insert-
10 ing after the item relating to section 2809 the following
11 new item:

“2810. Military construction projects for innovation, research, development, test,
and evaluation.”.

12 **SEC. 2803. FURTHER CLARIFICATION OF REQUIREMENTS**
13 **RELATED TO AUTHORIZED COST AND SCOPE**
14 **OF WORK VARIATIONS.**

15 (a) CLARIFICATIONS AND TECHNICAL CORRECTIONS
16 RELATING TO EXCEPTIONS TO COST VARIATION AND
17 SCOPE OF WORK.—Subsection (c)(1) of section 2853 of
18 title 10, United States Code, as amended by section 2802
19 of the Military Construction Authorization Act for Fiscal
20 Year 2022 (division B of Public Law 117–81), is further
21 amended—

22 (1) by striking subparagraph (A) and inserting
23 the following new subparagraph (A):

1 “(A) The Secretary concerned may waive the percent-
2 age or dollar cost limitation applicable to a military con-
3 struction project or a military family housing project
4 under subsection (a) and approve an increase in the cost
5 authorized for the project in excess of that limitation only
6 if—

7 “(i) the total cost of the project is less than
8 \$500,000,000;

9 “(ii) the cost increase is an amount equal to or
10 less than 50 percent of the original authorized
11 amount; and

12 “(iii) the Secretary notifies the appropriate
13 committees of Congress of such waiver and approval
14 in the manner provided in this paragraph.”; and

15 (2) by striking subparagraph (D) and redesign-
16 ating subparagraph (E) as subparagraph (D).

17 (b) **TECHNICAL CORRECTION RELATED TO EXCEP-**
18 **TIONS TO LIMITATION ON SCOPE OF WORK INCREASES.—**

19 Subsection (d)(4) of such section, as so amended, is fur-
20 ther amended by striking “and approve an increase in the
21 scope of work for the project that would increase the scope
22 of work”.

1 **SEC. 2804. USE OF OPERATION AND MAINTENANCE FUNDS**
2 **FOR CERTAIN CONSTRUCTION PROJECTS**
3 **OUTSIDE THE UNITED STATES.**

4 (a) PERMANENT AUTHORITY.—Subsection (a) of sec-
5 tion 2808 of the Military Construction Authorization Act
6 for Fiscal Year 2004 (division B of Public Law 108–136;
7 117 Stat. 1723), as amended, including most recently by
8 section 2806 of the Military Construction Authorization
9 Act for Fiscal Year 2022 (division B of Public Law 117–
10 81), is amended—

11 (1) by striking “, inside the area of responsi-
12 bility of the United States Central Command or cer-
13 tain countries in the area of responsibility of the
14 United States Africa Command,”;

15 (2) by inserting “outside the United States”
16 after “construction project”; and

17 (3) in paragraph (2), by striking “, unless the
18 military installation is located in Afghanistan, for
19 which projects using this authority may be carried
20 out at installations deemed as supporting a long-
21 term presence”.

22 (b) CONFORMING AMENDMENTS.—Such section is
23 further amended—

24 (1) in subsection (b), by striking “subsection
25 (f)” and inserting “subsection (d)”;

26 (2) by striking subsection (e);

1 (3) by redesignating subsections (f) and (g) as
2 subsections (d) and (e), respectively;

3 (4) in subsection (e), as so redesignated, by
4 striking “subsection (f)” and inserting “subsection
5 (d)”; and

6 (5) by striking subsections (h) and (i).

7 (c) CLERICAL AMENDMENTS.—Such section is fur-
8 ther amended as follows:

9 (1) The section heading for such section is
10 amended—

11 (A) by striking “TEMPORARY, LIMITED”;

12 and

13 (B) by inserting “CERTAIN” before “CON-
14 STRUCTION PROJECTS”.

15 (2) The subsection heading for subsection (a) of
16 such section is amended by striking “TEMPORARY
17 AUTHORITY” and inserting “IN GENERAL”.

18 (d) CLASSIFICATION.—The Law Revision Counsel is
19 directed to classify section 2808 of the Military Construc-
20 tion Authorization Act for Fiscal Year 2004 (division B
21 of Public Law 108–136; 117 Stat. 1723), as amended by
22 subsection (a), as a note following section 2804 of title
23 10, United States Code.

1 **SEC. 2805. INCREASE IN MAXIMUM APPROVED COST OF UN-**
2 **SPECIFIED MINOR MILITARY CONSTRUCTION**
3 **PROJECTS.**

4 Section 2805(a)(2) of title 10, United States Code,
5 is amended by striking “\$6,000,000” and inserting
6 “\$12,000,000”.

7 **SEC. 2806. INCREASE IN UNSPECIFIED MINOR MILITARY**
8 **CONSTRUCTION AUTHORITY FOR LABORA-**
9 **TORY REVITALIZATION PROJECTS.**

10 (a) LABORATORY REVITALIZATION.—Subsection (d)
11 of section 2805 of title 10, United States Code, is amend-
12 ed—

13 (1) in paragraph (1), by striking “\$6,000,000”
14 both places it appears and inserting “\$12,000,000”;

15 (2) in paragraph (2), by striking “\$6,000,000”
16 and inserting “\$12,000,000, incrementally across
17 multiple fiscal years”; and

18 (3) by striking paragraph (5).

19 (b) ADJUSTMENT OF DOLLAR LIMITATIONS FOR LO-
20 CATION.—Subsection (f) of such section is amended—

21 (1) by striking “\$10,000,000” and inserting
22 “\$12,000,000”; and

23 (2) by striking subparagraph (3).

1 **SEC. 2807. PERMANENT APPLICATION OF DOLLAR LIMITS**
2 **FOR LOCATION AND APPLICATION TO**
3 **PROJECTS OUTSIDE THE UNITED STATES.**

4 Section 2805 of title 10, United States Code, is
5 amended by striking subsection (f) and inserting the fol-
6 lowing new subsection (f):

7 “(f) ADJUSTMENT OF DOLLAR LIMITS FOR LOCA-
8 TION.—Each fiscal year, the Secretary concerned shall ad-
9 just the dollar limitations specified in this section applica-
10 ble to an unspecified minor military construction project
11 to reflect the area construction cost index for military con-
12 struction projects published by the Department of Defense
13 during the prior fiscal year for the location of the project,
14 except that no limitation specified in this section may ex-
15 ceed \$16,000,000 as the result of any adjustment made
16 under this paragraph.”.

17 **SEC. 2808. PROHIBITION ON AVAILABILITY OF FUNDS FOR**
18 **SPECIAL OPERATIONS FORCES MILITARY**
19 **CONSTRUCTION.**

20 (a) PROHIBITION.—None of the funds authorized to
21 be appropriated by this Act or otherwise made available
22 for fiscal year 2023 for the Department of Defense may
23 be obligated or expended for the Commander of Special
24 Operations Command for military construction in
25 Baumholder, Germany.

26 (b) WAIVER.—

1 (1) IN GENERAL.—The Secretary of Defense
2 may waive the prohibition under subsection (a) if the
3 Secretary—

4 (A) determines that such a waiver is in the
5 national security interests of the United States;
6 and

7 (B) not later than 14 days after issuing
8 the waiver, submits to the congressional defense
9 committees a detailed justification for the waiver
10 in accordance with paragraph (2).

11 (2) ELEMENTS.—A justification under para-
12 graph (1)(B) shall include each of the following:

13 (A) The determination of the Secretary
14 that none of the following countries would pro-
15 vide preferable host nation funding for an
16 equivalent project in such country:

17 (i) Romania.

18 (ii) Poland.

19 (iii) Latvia.

20 (iv) Estonia.

21 (v) Lithuania.

22 (B) The determination of the Secretary
23 that hosting such forces in Germany would pro-
24 vide greater deterrence or greater operational

1 utility than host nation support in Romania,
2 Poland, Latvia, Estonia or Lithuania.

3 (C) An explanation for how the waiver is
4 in the national security interests of the United
5 States.

6 (D) Any other information the Secretary
7 determines appropriate.

8 **SEC. 2809. REQUIREMENTS RELATING TO CERTAIN MILI-**
9 **TARY CONSTRUCTION PROJECTS.**

10 (a) SUPERVISION OF MILITARY CONSTRUCTION
11 PROJECTS.—

12 (1) IN GENERAL.—Section 2851 of title 10,
13 United States Code, is amended—

14 (A) in subsection (c)(1), by inserting “or
15 appropriated” after “funds authorized” each
16 place such term appears;

17 (B) in subsection (c)(2)—

18 (i) in subparagraph (A), by inserting
19 “, deadline for bid submissions,” after “so-
20 licitation date”;

21 (ii) in subparagraph (B), by inserting
22 “(including the address of such recipient)”
23 after “contract recipient”; and

24 (iii) by adding at the end the fol-
25 lowing new subparagraphs:

1 “(H) Any subcontracting plan required under
2 paragraph (4) or (5) of section 8(d) of the Small
3 Business Act (15 U.S.C. 637(d)) for the project sub-
4 mitted by the contract recipient to the Secretary of
5 Defense.

6 “(I) A detailed written statement describing
7 and justifying any exception applied or waiver grant-
8 ed under—

9 “(i) chapter 83 of title 41;

10 “(ii) section 4862 of this title; or

11 “(iii) section 4863 of this title.”; and

12 (C) by adding at the end the following new
13 paragraph:

14 “(4) The information required to be published on the
15 Internet website under subsection (c) shall constitute a
16 record for the purposes of chapters 21, 29, 31, and 33
17 of title 44.”.

18 (2) FEDERAL PROCUREMENT DATA SYSTEM.—

19 The Secretary of Defense shall ensure that there is
20 a clear and unique indication of any covered contract
21 with subcontracting work of an estimated value of
22 \$250,000 or more in the Federal Procurement Data
23 System established pursuant to section 1122(a)(4)
24 of title 41, United States Code (or any successor
25 system).

1 (b) INCREASED TRANSPARENCY AND PUBLIC AVAIL-
2 ABILITY OF INFORMATION REGARDING SOLICITATION
3 AND AWARD OF SUBCONTRACTS UNDER MILITARY CON-
4 STRUCTION CONTRACTS.—

5 (1) AVAILABILITY OF CERTAIN INFORMATION
6 RELATING TO MILITARY CONSTRUCTION SUB-
7 CONTRACTS.—Section 2851 of title 10, United
8 States Code, is amended—

9 (A) by redesignating subsection (d) as sub-
10 section (g);

11 (B) by inserting after subsection (c) (as
12 amended by this section) the following new sub-
13 sections:

14 “(d) INFORMATION AND NOTICE REQUIREMENTS
15 REGARDING SOLICITATION AND AWARD OF SUB-
16 CONTRACTS.—

17 “(1) The recipient of a contract for a construc-
18 tion project described in subsection (c)(1) to be car-
19 ried out in a State shall make publicly available on
20 a website of the General Services Administration or
21 the Small Business Administration, as applicable,
22 any solicitation made by the contract recipient under
23 the contract for a subcontract with an estimated
24 value of \$250,000 or more.

25 “(2) The Secretary of Defense shall—

1 “(A) maintain on the Internet site required
2 by subsection (c)(1) information regarding the
3 solicitation date and award date (or anticipated
4 date) for each subcontract described in para-
5 graph (1); and

6 “(B) submit written notice of the award of
7 the original contract for a project described in
8 subsection (c)(1) to be carried out in a State,
9 and each subcontract described in paragraph
10 (1) under the contract, to each State agency
11 that enforces workers’ compensation or min-
12 imum wage laws in the State in which the con-
13 tract or subcontract will be carried out.

14 “(e) CONGRESSIONAL NOTIFICATION.—In the case of
15 the award of a contract for a project described in sub-
16 section (c)(1) to be carried out in a State, and any sub-
17 contract described in subsection (d)(1) under the contract,
18 where such award has an estimated value of \$2,000,000
19 or more, the Secretary of Defense shall submit written no-
20 tice of such award within 30 days after the award to each
21 Senator of the State in which the contract or subcontract
22 will be carried out and the Member of the House of Rep-
23 resentatives representing the congressional district in
24 which the contract or subcontract will be carried out.

1 “(f) EXCLUSION OF CLASSIFIED PROJECTS.—Sub-
2 sections (c), (d), and (e) do not apply to a classified con-
3 struction project otherwise described in subsection
4 (c)(1).”; and

5 (C) by adding at the end the following new
6 subsection:

7 “(h) DEFINITIONS.—In this section:

8 “(1) The term ‘Member of the House of Rep-
9 resentatives’ includes a Delegate to the House of
10 Representatives and the Resident Commissioner
11 from Puerto Rico.

12 “(2) The term ‘State’ means any of the several
13 States, the District of Columbia, the Commonwealth
14 of Puerto Rico, Guam, American Samoa, the United
15 States Virgin Islands, and the Commonwealth of the
16 Northern Mariana Islands.”.

17 (2) APPLICABILITY.—Subsections (d) and (e) of
18 section 2851 of title 10, United States Code, as
19 added by subsection (ba)(2), shall apply with respect
20 to a contract for a construction project described in
21 subsection (c)(1) of such section that—

22 (A) is entered into on or after the date of
23 the enactment of this Act; or

24 (B) was entered into before the date of the
25 enactment of this Act, if the first solicitation

1 made by the contract recipient under the con-
2 tract for a subcontract with an estimated value
3 of \$250,000 or more is made on or after the
4 date of the enactment of this Act.

5 (c) REQUIREMENTS RELATING TO THE AWARD OF
6 COVERED MILITARY CONSTRUCTION CONTRACTS.—Sub-
7 chapter III of chapter 169 of title 10, United States Code,
8 is amended by inserting after section 2851a the following
9 new section:

10 **“§ 2851b. Requirements relating to the award of cov-**
11 **ered military construction contracts**

12 “(a) PUBLICATION OF CERTAIN INFORMATION RE-
13 LATING TO COVERED MILITARY CONSTRUCTION CON-
14 TRACTS.—A contractor that has been awarded a covered
15 military construction contract shall—

16 “(1) make publicly available on a website of the
17 General Services Administration or the Small Busi-
18 ness Administration, as applicable, any solicitation
19 under that covered military construction contract for
20 a subcontract of an estimated value of \$250,000 or
21 more; and

22 “(2) submit written notification of the award of
23 the covered military construction contract, and of
24 any subcontract awarded under the covered military
25 construction contract, to the relevant agency of a

1 covered State that enforces workers' compensation
2 or minimum wage laws in such covered State.

3 “(b) NOTICE.—Upon award of a covered military
4 construction contract with an estimated value greater than
5 or equal to \$2,000,000, the Secretary concerned shall no-
6 tify any applicable Member of Congress representing the
7 covered State in which that covered military construction
8 contract is to be performed of such award in a timely man-
9 ner.”.

10 **Subtitle B—Continuation of** 11 **Military Housing Reforms**

12 **SEC. 2811. STANDARDIZATION OF MILITARY INSTALLATION** 13 **HOUSING REQUIREMENTS AND MARKET** 14 **ANALYSES.**

15 (a) IN GENERAL.—Subchapter II of chapter 169 of
16 title 10, United States Code, is amended by inserting after
17 section 2836 the following new section:

18 **“§ 2837. Housing Requirements and Market Analysis**

19 “(a) IN GENERAL.—Not less frequently than once
20 every five years, and in accordance with the requirements
21 of this section, the Secretary concerned shall conduct a
22 Housing Requirements and Market Analysis (in this sec-
23 tion referred to as an ‘HRMA’) for each military installa-
24 tion under the jurisdiction of the Secretary that is located
25 in the United States.

1 “(b) PRIORITIZATION OF INSTALLATIONS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), the Secretary concerned shall prioritize
4 the conduct of HRMAs for installations—

5 “(A) for which an HRMA has not been
6 conducted for five years or longer; or

7 “(B) in locations with housing shortages.

8 “(2) EXISTING 5-YEAR REQUIREMENT.—Para-
9 graph (1) shall not apply to a military department
10 that required an HRMA to be conducted for each in-
11 stallation not less frequently than once every five
12 years before the date of the enactment of this sec-
13 tion.

14 “(c) SUBMITTAL TO CONGRESS.—The Secretary of
15 Defense shall include with the budget for the Department
16 of Defense for fiscal year 2024 and each subsequent fiscal
17 year, as submitted to Congress pursuant to section 1105
18 of title 31, United States Code, a list of the military instal-
19 lations for which the Secretary concerned plans to conduct
20 an HRMA during such fiscal year.

21 “(d) HOUSING REQUIREMENTS AND MARKET ANAL-
22 YSIS.—The term ‘Housing Requirements and Market
23 Analysis’ or ‘HRMA’ means, with respect to a military in-
24 stallation, a structured analytical process under which an
25 assessment is made of both the suitability and availability

1 of the private sector rental housing market using assumed
2 specific standards related to affordability, location, fea-
3 tures, physical condition, and the housing requirements of
4 the total military population of the installation.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 at the beginning of such chapter is amended by inserting
7 after the item relating to section 2836 the following new
8 item:

“2837. Housing Requirements and Market Analysis.”.

9 (c) TIME FRAME.—

10 (1) IN GENERAL.—During each of fiscal years
11 2023 through 2027, the Secretary concerned shall
12 conduct an HRMA for 20 percent of the military in-
13 stallations under the jurisdiction of the Secretary lo-
14 cated in the United States.

15 (2) SUBMITTAL OF INFORMATION TO CON-
16 GRESS.—Not later than January 15, 2023, the Sec-
17 retary concerned shall submit to the congressional
18 defense committees a list of military installations for
19 which the Secretary plans to conduct an HRMA dur-
20 ing fiscal year 2023.

21 (d) DEFINITIONS.—In this section:

22 (1) The term “HRMA” means, with respect to
23 a military installation, a structured analytical proc-
24 ess under which an assessment is made of both the
25 suitability and availability of the private sector rent-

1 al housing market using assumed specific standards
2 related to affordability, location, features, physical
3 condition, and the housing requirements of the total
4 military population of the installation.

5 (2) The term “Secretary concerned” has the
6 meaning given that term in section 101(a)(9) of title
7 10, United States Code.

8 **SEC. 2812. NOTICE REQUIREMENT FOR MHPI GROUND**
9 **LEASE EXTENSIONS.**

10 Section 2878 of title 10, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(f) NOTICE OF LEASE EXTENSIONS.—Not later
14 than 90 days before extending the term of any ground
15 lease of property or facilities under this section, the Sec-
16 retary concerned shall provide to the congressional defense
17 committees notice in writing of the extension and a brief-
18 ing. Such notice and briefing shall include each of the fol-
19 lowing:

20 “(1) A description of any material differences
21 between the extended ground lease and the original
22 ground lease, including with respect to—

23 “(A) the length of the term of the lease, as
24 extended; and

1 “(B) any new provisions that materially af-
2 fect the rights and responsibilities of the
3 ground lessor or the ground lessee under the
4 original ground lease.

5 “(2) The number of housing units or facilities
6 subject to the ground lease that, during the lease ex-
7 tension, are to be—

8 “(A) constructed;

9 “(B) demolished; or

10 “(C) renovated.

11 “(3) The source of any additional financing the
12 lessor has obtained, or intends to obtain, during the
13 term of the ground lease extension that will be used
14 for the development of the property or facilities sub-
15 ject to the ground lease.

16 “(4) The following information, displayed annu-
17 ally, for the five-year period preceding the date of
18 the notice and briefing:

19 “(A) The debt-to-net operating income
20 ratio for the property or facility subject to the
21 ground lease.

22 “(B) The occupancy rates for the housing
23 units subject to the ground lease.

24 “(C) An report on maintenance response
25 times and completion of maintenance requests

1 for the housing units subject to the ground
2 lease.

3 “(D) The occupancy rates and debt-to-net
4 operating income ratios of any other military
5 privatized housing initiative projects managed
6 by a company that controls, or that is under
7 common control with, the ground lessee enter-
8 ing into the lease extension.”.

9 **SEC. 2813. ANNUAL BRIEFINGS ON MILITARY HOUSING PRI-**
10 **VATIZATION PROJECTS.**

11 Section 2884 of title 10, United States Code, is
12 amended by adding at the end the following new sub-
13 section:

14 “(d) ANNUAL BRIEFINGS.—Not later than February
15 1 of each year, the Secretary concerned shall provide to
16 the Committees on Armed Services of the Senate and
17 House of Representatives a briefing on military housing
18 privatization projects under the jurisdiction of the Sec-
19 retary. Such briefing shall include, for the 12-month pe-
20 riod preceding the date of the briefing, each of the fol-
21 lowing:

22 “(1) The information described in paragraphs
23 (1) through (14) of subsection (c) with respect to all
24 military housing privatization projects under the ju-
25 risdiction of the Secretary.

1 “(2) A review of any such project that is ex-
2 pected to require the restructuring of a loan, includ-
3 ing any public or private loan.

4 “(3) For any such project expected to require
5 restructuring, a timeline for when such restructuring
6 is expected to occur.

7 “(4) Such other information as the Secretary
8 determines appropriate.”.

9 **SEC. 2814. PRIVATIZATION OF NAVY AND AIR FORCE TRAN-**
10 **SCIENT HOUSING.**

11 (a) **PRIVATIZATION REQUIRED.**—Beginning on the
12 date that is 11 years after the date of the enactment of
13 this Act, the Secretary concerned shall begin the process
14 of privatizing all transient housing in the United States
15 under the jurisdiction of the Secretary concerned through
16 the conveyance of the transient housing to one or more
17 eligible entities. Such process shall be completed by not
18 later than the date that is 15 years after the date of the
19 enactment of this Act.

20 (b) **APPLICABLE PRIVATIZATION LAWS.**—The Sec-
21 retary concerned shall carry out this section using the au-
22 thority provided by section 2872 of title 10, United States
23 Code, consistent with subchapters IV and V of chapter
24 169 of such title.

1 (c) LIMITATIONS.—No Government direct loans, Gov-
2 ernment guarantees, or Government equity may be ex-
3 tended in consideration of any privatization carried out
4 pursuant to subsection (a).

5 (d) CONSULTATIONS.—In establishing a plan to carry
6 out the privatization of transient housing pursuant to sub-
7 section (a), the Secretary concerned shall—

8 (1) consult with the Secretary of the Army; and
9 (2) to the greatest extent possible, incorporate
10 into such plan the best practices and efficiencies of
11 the Secretary of the Army in carrying out the pri-
12 vatization of transient housing under the jurisdiction
13 of the Secretary of the Army.

14 (d) REPORT REQUIRED.—Not later than one year
15 after the date of the enactment of this Act, and annually
16 thereafter until the privatization required under sub-
17 section (a) is complete, the Secretary concerned shall sub-
18 mit to the Committees on Armed Services of the Senate
19 and House of Representatives a report that includes—

20 (1) detailed plans for the privatization of all
21 transient housing under the jurisdiction of the Sec-
22 retary; and

23 (2) timelines for conveyances and other critical
24 milestones.

1 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to affect any transient housing or
3 lodging program administered by the Coast Guard.

4 (f) DEFINITIONS.—In this section:

5 (1) The term “eligible entity” has the meaning
6 given that term in section 2871 of title 10, United
7 States Code.

8 (2) The term “transient housing” means lodg-
9 ing intended to be occupied by members of the
10 Armed Forces on temporary duty.

11 (3) The term “Secretary concerned” means—

12 (A) the Secretary of the Navy, with respect
13 to transient housing under the jurisdiction of
14 the Secretary of the Navy; and

15 (B) the Secretary of the Air Force, with
16 respect to transient housing under the jurisdic-
17 tion of the Secretary of the Air Force.

18 **SEC. 2815. MILITARY HOUSING FEEDBACK TOOL.**

19 (a) IN GENERAL.—The Secretary of Defense shall
20 provide for a feedback tool, such as a rating system or
21 similar mechanism, under which members of the Armed
22 Forces and their spouses may anonymously identify, rate,
23 and compare housing under the jurisdiction of the Depart-
24 ment of Defense (including privatized military housing).

1 (b) COMPONENTS.—The tool required under sub-
2 section (a) shall include the following components:

3 (1) The capability for users to—

4 (A) rate housing using multiple quality
5 measures, including safety, the timeliness and
6 quality of maintenance services, and the respon-
7 siveness of management;

8 (B) upload visual media, including images;
9 and

10 (C) include written comments.

11 (2) A comparison feature that can be used to
12 compare ratings for different housing communities.

13 (3) Accessibility by members of the Armed
14 Forces, their family members, and members of Con-
15 gress.

16 (c) REPORTING REQUIREMENT.—The Secretary of
17 Defense shall submit to the appropriate congressional
18 committees, and make available to the Secretary con-
19 cerned, an annual report that includes a summary of the
20 data collected using the feedback tool required under this
21 section during the year covered by the report.

22 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
23 In this section, the term “appropriate congressional com-
24 mittees” means—

1 (1) the Committee on Armed Services and the
2 Committee on Transportation and Infrastructure of
3 the House of Representatives; and

4 (2) the Committee on Armed Services and the
5 Committee on Commerce, Science, and Transpor-
6 tation of the Senate.

7 **Subtitle C—Real Property and** 8 **Facilities Administration**

9 **SEC. 2821. AUTHORIZED LAND AND FACILITIES TRANSFER** 10 **TO SUPPORT CONTRACTS WITH FEDERALLY** 11 **FUNDED RESEARCH AND DEVELOPMENT** 12 **CENTERS.**

13 (a) IN GENERAL.—Chapter 159 of title 10, United
14 States Code, is amended by inserting after section 2668a
15 the following new section:

16 **“§ 2669. Transfer of land and facilities to support con-** 17 **tracts with federally-funded research and** 18 **development centers**

19 “(a) LEASE OF LAND, FACILITIES, AND IMPROVE-
20 MENTS.—(1) The Secretary of a military department may
21 lease, for no consideration, land, facilities, and improve-
22 ments to a covered FFRDC if the lease is to further the
23 purposes of a contract between the Department of Defense
24 and the covered FFRDC.

1 “(2) A lease entered into under paragraph (1) shall
2 terminate on the earlier of the following dates:

3 “(A) The date that is 50 years after the date
4 on which the Secretary enters into the lease.

5 “(B) The date of the termination or non-re-
6 newal of the contract between the Department of
7 Defense and the covered FFRDC.

8 “(b) CONVEYANCE OF FACILITIES AND IMPROVE-
9 MENTS.—(1) The Secretary of a military department may
10 convey, for no consideration, ownership of facilities and
11 improvements located on land leased to a covered FFRDC
12 to further the purposes of a contract between the Depart-
13 ment of Defense and the covered FFRDC.

14 “(2) The ownership of any facilities and improve-
15 ments conveyed under this subsection shall revert to the
16 United States upon the termination or non-renewal of the
17 underlying land lease.

18 “(c) COVERED FFRDC.—In this section, the term
19 ‘covered FFRDC’ means a federally-funded research and
20 development center that is sponsored by, and has entered
21 into a contract with, the Department of Defense.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by inserting
24 after the item relating to section 2668a the following new
25 item:

“2669. Transfer of land and facilities to support contracts with federally-funded research and development centers.”.

1 **SEC. 2822. RESTORATION OR REPLACEMENT OF DAMAGED,**
2 **DESTROYED, OR ECONOMICALLY**
3 **UNREPAIRABLE FACILITIES.**

4 (a) INCLUSION OF APPROPRIATIONS ACCOUNT IN
5 CONGRESSIONAL NOTIFICATION REGARDING FUNDING.—

6 Subsection (b) of section 2854 of title 10, United States
7 Code, is amended by inserting “military construction ap-
8 propriations account that is the” before “source of funds”.

9 (b) ECONOMICALLY UNREPAIRABLE FACILITIES.—
10 Subsection (c)(1) of such section is amended—

11 (1) in the matter preceding subparagraph (A),
12 by inserting “or is economically unrepairable” after
13 “damaged or destroyed”;

14 (2) in subparagraph (A), by inserting “, or the
15 situation that rendered the facility economically
16 unrepairable,” after “facility”; and

17 (3) in subparagraph (B)(iii), by striking “dam-
18 age to a facility rather than destruction” and insert-
19 ing “a facility that has been damaged or rendered
20 economically unrepairable rather than destroyed”.

1 **SEC. 2823. DEFENSE ACCESS ROAD PROGRAM ENHANCE-**
2 **MENTS TO ADDRESS TRANSPORTATION IN-**
3 **FRASTRUCTURE IN VICINITY OF MILITARY**
4 **INSTALLATIONS.**

5 (a) IN GENERAL.—Section 2816 of the National De-
6 fense Authorization Act for Fiscal Year 2012 (Public Law
7 112–81) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1), by striking “this
10 Act” and inserting “the National Defense Au-
11 thorization Act for Fiscal Year 2023”; and

12 (B) in paragraph (2), by striking “this
13 Act” and inserting “the National Defense Au-
14 thorization Act for Fiscal Year 2023”; and

15 (2) by adding at the end the following new sub-
16 sections:

17 “(d) PETITION FOR CERTIFICATION OF ROADS AS
18 DEFENSE ACCESS ROADS.—

19 “(1) IN GENERAL.—Not later than October 1,
20 2023, the Secretary of Defense shall establish a for-
21 mal mechanism under which—

22 “(A) a State, county, or municipality may
23 petition the Secretary to certify roads as de-
24 fense access roads under section 210 of title 23,
25 United States Code; and

1 “(B) the Secretary shall respond, in writ-
2 ing, to any such petition by not later than 90
3 days after receiving the petition.

4 “(2) STATE DEFINED.—In this subsection, the
5 term ‘State’ means any of the several States, the
6 District of Columbia, American Samoa, Guam, the
7 Commonwealth of the Northern Mariana Islands,
8 the Commonwealth of Puerto Rico, and the United
9 States Virgin Islands.

10 “(e) PUBLIC AVAILABILITY OF INFORMATION.—The
11 Secretary of Defense shall maintain and update regularly
12 on an appropriate website of the Federal Government, a
13 list of all roads certified as important to the national de-
14 fense by the Secretary or by such other official as the
15 President may designate. Such website shall include, for
16 each such road, each of the following:

17 “(1) The military installation (as such term is
18 defined in section 2687(g)(1) of title 10, United
19 States Code) that is in closest proximity to the road.

20 “(2) The date on which the road was so cer-
21 tified.

22 “(3) Any fiscal year for which the President
23 transmitted to Congress under section 1105 of title
24 31, United States Code, a budget request that in-
25 cluded an amount for such road.

1 “(4) Any fiscal year for which Congress appro-
2 priated an amount for such road.

3 “(f) TREATMENT OF CLASSIFIED INFORMATION.—
4 Nothing in subsection (d) or (e) shall be construed as a
5 requirement for the Secretary of Defense to make publicly
6 available any classified information.”.

7 (b) REPORT ON DEFENSE ACCESS ROADS.—Section
8 2814(b) of the Duncan Hunter National Defense Author-
9 ization Act for Fiscal Year 2009 (Public Law 110–417)
10 is amended—

11 (1) by striking “April 1, 2009” and inserting
12 “one year after the date of the enactment of the Na-
13 tional Defense Authorization Act for Fiscal Year
14 2023”; and

15 (2) by inserting before the period at the end the
16 following: “and name any road that the commander
17 of a military installation (as such term is defined in
18 section 2687(g)(1) of title 10, United States Code)
19 or the Secretary of a military department has rec-
20 ommended that the Secretary of Defense certify as
21 a defense access road during the period beginning on
22 April 1, 2009, and ending on the date of the enact-
23 ment of the National Defense Authorization Act for
24 Fiscal Year 2023”.

1 (c) REPORT ON DESIGNATION OF CERTAIN HIGH-
2 WAYS AS DEFENSE ACCESS ROADS.—

3 (1) REPORT.—Not later than October 1, 2023,
4 the Secretary of the Air Force shall submit to the
5 Committees on Armed Services of the Senate and
6 House of Representatives a report containing the re-
7 sults of a study on the advisability of designating
8 each of the roads identified under paragraph (2) as
9 defense access roads for purposes of section 210 of
10 title 23, United States Code.

11 (2) ROADS IDENTIFIED.—The roads identified
12 under this subsection are each of the following:

13 (A) For Beale Air Force Base, California:

14 (i) Chuck Yeager Road.

15 (ii) North Beale Road.

16 (iii) Spenceville Road, also known as
17 Camp Beale Highway.

18 (iv) South Beale Road.

19 (B) For Travis Air Force Base, California:

20 (i) Air Base Parkway.

21 (ii) Canon Road.

22 (iii) Gate Road, including North Gate
23 Road.

24 (iv) Petersen Road.

25 (v) Vanden Road.

1 **Subtitle D—Military Facilities**
2 **Master Plan Requirements**

3 **SEC. 2831. LIMITATION ON USE OF FUNDS PENDING COM-**
4 **PLETION OF MILITARY INSTALLATION RESIL-**
5 **IENCE COMPONENT OF MASTER PLANS FOR**
6 **AT-RISK MAJOR MILITARY INSTALLATIONS.**

7 Of the funds authorized to be appropriated by this
8 Act or otherwise made available for fiscal year 2023 for
9 the Office of the Secretary of Defense for administration
10 and service-wide activities, not more than 50 percent may
11 be obligated or expended until the date on which the each
12 Secretary of a military department has satisfied the re-
13 quirements of section 2833 of the National Defense Au-
14 thorization Act for Fiscal Year 2022 (Public Law 117–
15 81; 10 U.S.C. 2864 note).

16 **Subtitle E—Matters Related to Uni-**
17 **fied Facilities Criteria and Mili-**
18 **tary Construction Planning and**
19 **Design**

20 **SEC. 2841. CONSIDERATION OF INSTALLATION OF INTE-**
21 **GRATED SOLAR ROOFING TO IMPROVE EN-**
22 **ERGY RESILIENCY OF MILITARY INSTALLA-**
23 **TIONS.**

24 The Secretary of Defense shall amend the Unified
25 Facilities Criteria/DoD Building Code (UFC 1– 200–01)

1 to require that planning and design for military construc-
2 tion projects inside the United States include consider-
3 ation of the feasibility and cost-effectiveness of installing
4 integrated solar roofing as part of the project, for the pur-
5 pose of—

6 (1) promoting on-installation energy security
7 and energy resilience;

8 (2) providing grid support to avoid energy dis-
9 ruptions; and

10 (3) facilitating implementation and greater use
11 of the authority provided by subsection (h) of section
12 2911 of title 10, United States Code, as added and
13 amended by section 2825 of the Military Construc-
14 tion Authorization Act for Fiscal Year 2021 (divi-
15 sion B of Public Law 116–283).

16 **Subtitle F—Land Conveyances**

17 **SEC. 2851. EXTENSION OF TIME FRAME FOR LAND CONVEY-** 18 **ANCE, SHARPE ARMY DEPOT, LATHROP, CALI-** 19 **FORNIA.**

20 Section 2833(g) of the William M. (Mac) Thornberry
21 National Defense Authorization Act for Fiscal Year 2021
22 (Public Law 116–283) is amended by striking “one year”
23 and inserting “three years”.

1 **SEC. 2852. AUTHORITY FOR TRANSFER OF ADMINISTRA-**
2 **TIVE JURISDICTION, CASTNER RANGE, FORT**
3 **BLISS, TEXAS.**

4 Section 2844 of the National Defense Authorization
5 Act for Fiscal Year 2013 (Public Law 112–239) is amend-
6 ed—

7 (1) in subsection (a)—

8 (A) in paragraph (1)—

9 (i) by redesignating the text beginning
10 with “convey” and ending with “Franklin
11 Mountains State Park.” as subparagraph
12 (B);

13 (ii) by striking “may” and inserting
14 “may—”; and

15 (iii) by inserting after subparagraph
16 (B), as redesignated by subparagraph (A)
17 of this paragraph, the following new sub-
18 paragraph (A):

19 “(A) transfer administrative jurisdiction of
20 approximately 7,081 acres at Fort Bliss, Texas,
21 to the Secretary of the Interior (acting through
22 the Director of the Bureau of Land Manage-
23 ment) which shall be managed in accordance
24 with the Federal Land Policy and Management
25 Act of 1976 (43 U.S.C. 1701 et seq.) and any
26 other applicable laws; or”;

1 (B) in paragraph (2)—

2 (i) by inserting “transfer of adminis-
3 trative jurisdiction or” before “convey-
4 ance”;

5 (ii) by inserting “transfer to the Sec-
6 retary of the Interior or” before “convey to
7 the Department”; and

8 (iii) by striking “Department’s”;

9 (2) in subsection (b)—

10 (A) by inserting “conveys the real property
11 under subsection (a)(1)(B) and” after “If the
12 Secretary”; and

13 (B) by striking “conveyed under subsection
14 (a)”;

15 (3) in the first subsection (c), by striking “the
16 land conveyance under this section” and inserting “a
17 land conveyance under subsection (a)(1)(B)”;

18 (4) by redesignating the second subsection (c)
19 and subsections (d) and (e) as subsections (d), (e),
20 and (f), respectively;

21 (5) in subsection (d), as so redesignated, by in-
22 serting “transferred or” before “conveyed”;

23 (6) in subsection (e), as so redesignated, by
24 striking “the conveyances under subsection (a)” and

1 inserting “a conveyance under subsection
2 (a)(1)(B)”;

3 (7) in subsection (f), as so redesignated—

4 (A) by striking “federal” each place it ap-
5 pears and inserting “Federal”;

6 (B) by striking “non-federal” each place it
7 appears and inserting “non-Federal”; and

8 (C) in paragraph (3), by inserting “trans-
9 ferred or” before “conveyed”; and

10 (8) by adding at the end the following new sub-
11 section:

12 “(g) MEMORANDUM OF UNDERSTANDING.—The Sec-
13 retary may enter into a memorandum of understanding
14 with the Secretary of the Interior (acting through the Di-
15 rector of the Bureau of Land Management) regarding any
16 transfer of administrative jurisdiction under subsection
17 (a)(1)(A).”.

18 **SEC. 2853. CONVEYANCE, JOINT BASE CHARLESTON, SOUTH**
19 **CAROLINA.**

20 (a) CONVEYANCE AUTHORIZED.—The Secretary of
21 the Air Force (in this section referred to as the “Sec-
22 retary”) may convey to the City of North Charleston,
23 South Carolina (in this section referred to as the “City”)
24 all right, title, and interest of the United States in and
25 to a parcel of real property, including any improvements

1 thereon, consisting of approximately 26 acres known as
2 the Old Navy Yard at Joint Base Charleston, South Caro-
3 lina, for the purpose of permitting the City to use the
4 property for economic development.

5 (b) CONSIDERATION.—

6 (1) IN GENERAL.—As consideration for the con-
7 veyance under subsection (a), the City shall pay to
8 the United States an amount at least equal to the
9 fair market value, as determined by the Secretary,
10 based on an appraisal of the property to be conveyed
11 under such subsection. Consideration may be cash
12 payment, in-kind consideration as described under
13 paragraph (2), or a combination thereof. The consid-
14 eration paid to the Secretary must be sufficient, as
15 determined by the Secretary, to provide replacement
16 space for, and for the relocation of, any personnel,
17 furniture, fixtures, equipment, and personal property
18 of any kind and belonging to any military depart-
19 ment, located upon the property to be conveyed
20 under subsection (a). All cash consideration must be
21 paid in full, and any in-kind consideration must be
22 complete and useable, and delivered to the satisfac-
23 tion of the Secretary at or prior to date of the con-
24 veyance under subsection (a).

1 (2) IN-KIND CONSIDERATION.—In-kind consid-
2 eration described in this paragraph may include the
3 acquisition, construction, provision, improvement,
4 maintenance, repair, or restoration (including envi-
5 ronmental restoration), or combination thereof, of
6 any facilities or infrastructure within proximity to
7 the Joint Base Charleston Weapons Station (South
8 Annex) and located on Joint Base Charleston, that
9 the Secretary considers acceptable.

10 (3) TREATMENT OF CASH CONSIDERATION RE-
11 CEIVED.—Any cash payment received by the United
12 States under paragraph (1) shall be deposited in the
13 special account in the Treasury referred to in sub-
14 paragraph (A) of paragraph (5) of subsection (b) of
15 section 572 of title 40, United States Code, and
16 shall be available in accordance with subparagraph
17 (B) of such paragraph.

18 (c) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) PAYMENT REQUIRED.—The Secretary may
20 require the City to cover all costs to be incurred by
21 the Secretary, or to reimburse the Secretary for
22 costs incurred by the Secretary, to carry out the
23 conveyance under subsection (a), including survey
24 costs, appraisal costs, costs related to environmental
25 documentation, and any other administrative costs

1 related to the conveyance. If amounts paid by the
2 City to the Secretary in advance exceed the costs ac-
3 tually incurred by the Secretary to carry out the
4 conveyance, the Secretary shall refund the excess
5 amount to the City.

6 (2) TREATMENT OF AMOUNTS RECEIVED.—
7 Amounts received under paragraph (1) as reim-
8 bursement for costs incurred by the Secretary to
9 carry out the conveyance under subsection (a) shall
10 be credited to the fund or account that was used to
11 cover the costs incurred by the Secretary in carrying
12 out the conveyance, or to an appropriate fund or ac-
13 count that is available to the Secretary for the pur-
14 poses for which the costs were paid. Amounts so
15 credited shall be merged with amounts in such fund
16 or account and shall be available for the same pur-
17 poses, and subject to the same conditions and limita-
18 tions, as amounts in such fund or account.

19 (d) DESCRIPTION OF PROPERTY.—The exact acreage
20 and legal description of the property to be conveyed under
21 subsection (a) shall be determined by a survey satisfactory
22 to the Secretary.

23 (e) CONDITION OF CONVEYANCE.—The conveyance
24 under subsection (a) shall be subject to all valid existing
25 rights and the condition that the City accept the property

1 (and any improvements thereon) in its condition at the
2 time of the conveyance (commonly known as a conveyance
3 “as is”).

4 (f) **ADDITIONAL TERMS AND CONDITIONS.**—The Sec-
5 retary may require such additional terms and conditions
6 in connection with the conveyance under subsection (a) as
7 the Secretary considers appropriate to protect the inter-
8 ests of the United States.

9 (g) **OLD NAVY YARD.**—In this section, the term “Old
10 Navy Yard” includes the facilities used by the Naval Infor-
11 mation Warfare Center Atlantic including, buildings 1602,
12 1603, 1639, 1648, and such other facilities, infrastruc-
13 ture, and land along or near the Cooper River waterfront
14 at Joint Base Charleston as the Secretary considers to be
15 appropriate.

16 **SEC. 2854. LAND CONVEYANCE, NAVAL AIR STATION**
17 **OCEANA, DAM NECK ANNEX, VIRGINIA**
18 **BEACH, VIRGINIA.**

19 (a) **CONVEYANCE AUTHORIZED.**—The Secretary of
20 the Navy may convey to the Hampton Roads Sanitation
21 District (in this section referred to as the “HRSD”) all
22 right, title, and interest of the United States in and to
23 a parcel of installation real property, including any im-
24 provements thereon, consisting of approximately 7.9 acres
25 located at Naval Air Station Oceana in Dam Neck Annex,

1 Virginia Beach, Virginia. The Secretary may void any land
2 use restrictions associated with the property to be con-
3 veyed under this subsection.

4 (b) CONSIDERATION.—

5 (1) AMOUNT AND DETERMINATION.—As consid-
6 eration for the conveyance under subsection (a), the
7 HRSD shall pay to the Secretary of the Navy an
8 amount that is not less than the fair market value
9 of the property conveyed, as determined by the Sec-
10 retary. The Secretary's determination of fair market
11 value shall be final. In lieu of all or a portion of cash
12 payment of consideration, the Secretary may accept
13 in-kind consideration.

14 (2) TREATMENT OF CASH CONSIDERATION.—

15 The Secretary of the Navy shall deposit any cash
16 payment received under paragraph (1) in the special
17 account in the Treasury established for the Sec-
18 retary of the Navy under subsection (a) of para-
19 graph (1) of subsection (e) of section 2667 of title
20 10, United States Code. The entire amount depos-
21 ited shall be available for use in accordance with
22 subparagraph (D) of such paragraph.

23 (c) PAYMENT OF COSTS OF CONVEYANCE.—

24 (1) PAYMENT REQUIRED.—The Secretary of
25 the Navy shall require the HRSD to cover costs to

1 be incurred by the Secretary, or to reimburse the
2 Secretary for costs incurred by the Secretary, to
3 carry out the conveyance under subsection (a), in-
4 cluding survey costs, costs related to environmental
5 documentation, and any other administrative costs
6 related to the conveyance. If amounts are collected
7 in advance of the Secretary incurring the actual
8 costs, and the amount collected exceeds the costs ac-
9 tually incurred by the Secretary to carry out the
10 conveyance, the Secretary shall refund the excess
11 amount to the HRSD.

12 (2) TREATMENT OF AMOUNTS RECEIVED.—
13 Amounts received as reimbursement under para-
14 graph (1) shall be credited to the fund or account
15 that was used to cover those costs incurred by the
16 Secretary in carrying out the conveyance. Amounts
17 so credited shall be merged with amounts in such
18 fund or account and shall be available for the same
19 purposes, and subject to the same conditions and
20 limitations, as amounts in such fund or account.

21 (d) DESCRIPTION OF PROPERTY.—The exact acreage
22 and legal description of the parcel of real property to be
23 conveyed under subsection (a) shall be determined by a
24 survey satisfactory to the Secretary of the Navy.

1 (e) **ADDITIONAL TERMS AND CONDITIONS.**—The
2 Secretary of the Navy may require such additional terms
3 and conditions in connection with the conveyance under
4 subsection (a) as the Secretary considers appropriate to
5 protect the interests of the United States.

6 **SEC. 2855. LAND EXCHANGE, MARINE RESERVE TRAINING**
7 **CENTER, OMAHA, NEBRASKA.**

8 (a) **LAND EXCHANGE AUTHORIZED.**—The Secretary
9 of the Navy may convey to the Metropolitan Community
10 College Area, a political subdivision of the State of Ne-
11 braska, (in this section referred to as the “College”), all
12 right, title, and interest of the United States in and to
13 a parcel of real property, including improvements thereon,
14 known as the Marine Reserve Training Center in Omaha,
15 Nebraska.

16 (b) **CONSIDERATION.**—As consideration for the con-
17 veyance under subsection (a), the College shall convey to
18 the Secretary of the Navy real property interests either
19 adjacent or proximate, to Offutt Air Force Base, Ne-
20 braska.

21 (c) **LAND EXCHANGE AGREEMENT.**—The Secretary
22 of the Navy and the College may enter into a land ex-
23 change agreement to implement this section.

24 (d) **VALUATION.**—The value of each property interest
25 to be exchanged by the Secretary of the Navy and the Col-

1 lege described in subsections (a) and (b) shall be deter-
2 mined—

3 (1) by an independent appraiser selected by the
4 Secretary; and

5 (2) in accordance with the Uniform Appraisal
6 Standards for Federal Land Acquisitions and the
7 Uniform Standards of Professional Appraisal Prac-
8 tice.

9 (e) CASH EQUALIZATION PAYMENTS.—

10 (1) TO THE SECRETARY.—If the value of the
11 property interests described in subsection (a) is
12 greater than the value of the property interests de-
13 scribed in subsection (b), the values shall be equal-
14 ized through either of the following or a combination
15 thereof:

16 (A) A cash equalization payment from the
17 College to the Department of the Navy.

18 (B) In-kind consideration provided by the
19 College, which may include the acquisition, con-
20 struction, provision, improvement, maintenance,
21 repair, or restoration (including environmental
22 restoration), or combination thereof, of any fa-
23 cilities or infrastructure, or delivery of services
24 relating to the needs of Marine Corps Reserve
25 Training Center Omaha.

1 (2) NO EQUALIZATION.—If the value of the
2 property interests described in subsection (b) is
3 greater than the value of the property interests de-
4 scribed in subsection (a), the Secretary may not
5 make a cash equalization payment to equalize the
6 values.

7 (f) PAYMENT OF COSTS OF CONVEYANCE.—

8 (1) PAYMENT REQUIRED.—The Secretary of
9 the Navy shall require the College to pay all costs
10 to be incurred by the Secretary to carry out the ex-
11 change of property interests under this section, in-
12 cluding such costs related to land survey, environ-
13 mental documentation, real estate due diligence such
14 as appraisals, and any other administrative costs re-
15 lated to the exchange of property interests, including
16 costs incurred preparing and executing a land ex-
17 change agreement authorized under subsection (c).
18 If amounts are collected from the College in advance
19 of the Secretary incurring the actual costs and the
20 amount collected exceeds the costs actually incurred
21 by the Secretary to carry out the exchange of prop-
22 erty interests, the Secretary shall refund the excess
23 amount to the College.

24 (2) TREATMENT OF AMOUNTS RECEIVED.—
25 Amounts received by the Secretary of the Navy

1 under paragraph (1) shall be used in accordance
2 with section 2695(c) of title 10, United States Code.

3 (g) DESCRIPTION OF PROPERTY.—The exact acreage
4 and legal description of the property interests to be ex-
5 changed under this section shall be determined by surveys
6 that are satisfactory to the Secretary of the Navy.

7 (h) CONVEYANCE AGREEMENT.—The exchange of
8 real property interests under this section shall be accom-
9 plished using an appropriate legal instrument and upon
10 terms and conditions mutually satisfactory to the Sec-
11 retary of the Navy and the College, including such addi-
12 tional terms and conditions as the Secretary considers ap-
13 propriate to protect the interests of the United States.

14 (i) EXEMPTION FROM SCREENING REQUIREMENTS
15 FOR ADDITIONAL FEDERAL USE.—The authority under
16 this section is exempt from the screening process required
17 under section 2696(b) of title 10, United States Code.

18 **Subtitle G—Miscellaneous Studies** 19 **and Reports**

20 **SEC. 2861. FFRDC STUDY ON PRACTICES WITH RESPECT TO** 21 **DEVELOPMENT OF MILITARY CONSTRUCTION** 22 **PROJECTS.**

23 (a) STUDY REQUIRED.—Not later than 90 days after
24 the date of the enactment of this Act, the Secretary of
25 Defense shall seek to enter into an agreement with a fed-

1 erally funded research and development center for the con-
2 duct of a study on the practices of the Department of De-
3 fense with respect to the development of military construc-
4 tion projects.

5 (b) ELEMENTS.—An agreement under subsection (a)
6 shall specify that the study conducted pursuant to the
7 agreement shall address each of the following:

8 (1) Practices with respect to adoption of United
9 Facilities Criteria changes and their inclusion into
10 advanced planning, DD form 1391 budget justifica-
11 tions, and planning and design.

12 (2) Practices with respect to how sustainable
13 materials, such as mass timber and low carbon con-
14 crete, are assessed and included in advanced plan-
15 ning, DD form 1391 budget justifications, and plan-
16 ning and design.

17 (3) Barriers to incorporating innovative tech-
18 niques, including 3D printed building techniques.

19 (4) Whether the Strategic Environmental Re-
20 search and Development Program or the Environ-
21 mental Security Technology Certification Program
22 could be used to validate such materials and tech-
23 niques to provide the Army Corps of Engineers and
24 the Naval Facilities Engineering Systems Command

1 with confidence in the use of such materials and
2 techniques.

3 (c) REPORT TO CONGRESS.—Not later than 60 days
4 after the completion of a study pursuant to an agreement
5 under subsection (a), the Secretary of Defense shall sub-
6 mit to the congressional defense committees a report on
7 the results of the study.

8 **Subtitle H—Other Matters**

9 **SEC. 2871. DEFENSE COMMUNITY INFRASTRUCTURE PRO-** 10 **GRAM.**

11 Section 2391(e)(4)(A)(i) of title 10, United States
12 Code, is amended by inserting “or on property subject to
13 a real estate agreement with a military installation, includ-
14 ing a lease or easement” after “installation”.

15 **SEC. 2872. INCLUSION IN DEFENSE COMMUNITY INFRA-** 16 **STRUCTURE PILOT PROGRAM OF CERTAIN** 17 **PROJECTS FOR ROTC TRAINING.**

18 Section 2391 of title 10, United States Code, is fur-
19 ther amended—

20 (1) in subsection (d)(1)(B)—

21 (A) by redesignating clauses (ii) and (iii)
22 as clauses (iii) and (iv), respectively; and

23 (B) by inserting after clause (i) the fol-
24 lowing new clause (ii):

1 “(ii) Projects that will contribute to the train-
2 ing of cadets enrolled in an independent Reserve Of-
3 ficer Training Corps program at a covered edu-
4 cational institution.”; and

5 (2) in subsection (e), by adding at the end the
6 following new paragraph:

7 “(6) The term ‘covered educational institution’
8 means a college or university that is—

9 “(A) a part B institution, as defined in
10 section 322 of the Higher Education Act of
11 1965 (20 U.S.C. 1061);

12 “(B) an 1890 Institution, as defined in
13 section 2 of the Agricultural Research, Exten-
14 sion, and Education Reform Act of 1998 (7
15 U.S.C. 7601);

16 “(C) not affiliated with a consortium; and

17 “(D) located at least 40 miles from a
18 major military installation.”.

19 **SEC. 2873. BASING DECISION SCORECARD CONSISTENCY**
20 **AND TRANSPARENCY.**

21 Section 2883(h) of the Military Construction Author-
22 ization Act for Fiscal Year 2021 (Public Law 116–283;
23 10 U.S.C. 1781b note) is amended by adding at the end
24 the following new paragraphs:

1 “(4) COORDINATION WITH SECRETARY OF DE-
2 FENSE.—In establishing a scorecard under this sub-
3 section, the Secretary of the military department
4 concerned shall coordinate with the Secretary of De-
5 fense to ensure consistency among the military de-
6 partments.

7 “(5) PUBLICATION IN FEDERAL REGISTER.—
8 The methodology and criteria for establishing each
9 scorecard under this subsection shall be published in
10 the Federal Register for public comment.”.

11 **SEC. 2874. LEASE OR USE AGREEMENT FOR CATEGORY 3**
12 **SUBTERRANEAN TRAINING FACILITY.**

13 (a) IN GENERAL.—The Secretary of Defense shall
14 seek to enter into a lease or use agreement with a category
15 3 subterranean training facility that—

16 (1) is located in close proximity to air assault
17 and special forces units; and

18 (2) has the capacity to—

19 (A) provide brigade or large full-mission
20 profile training;

21 (B) rapidly replicate full-scale underground
22 venues;

23 (C) support helicopter landing zones; and

24 (D) support underground live fire.

1 (b) USE OF FACILITY.—A lease or use agreement en-
2 tered into pursuant to subsection (a) shall provide that
3 the category 3 subterranean training facility shall be avail-
4 able for—

5 (1) the hosting of training and testing exercises
6 for—

7 (A) for members of the Armed Forces, in-
8 cluding special operations forces;

9 (B) personnel of combat support agencies,
10 including the Defense Threat Reduction Agen-
11 cy; and

12 (C) such other personnel as the Secretary
13 of Defense determines appropriate; and

14 (2) for such other purposes as the Secretary of
15 Defense determines appropriate.

16 (c) DURATION.—The duration of any lease or use
17 agreement entered into pursuant to subsection (a) shall
18 be for a period of not less than 5 years.

19 (d) CATEGORY 3 SUBTERRANEAN TRAINING FACIL-
20 ITY DEFINED.—In this section, the term “category 3 sub-
21 terranean training facility” means an underground struc-
22 ture designed and built—

23 (1) to be unobserved and to provide maximum
24 protection; and

1 (2) to serve as a command and control, oper-
2 ations, storage, production, and protection facility.

3 **SEC. 2875. REQUIRED CONSULTATION WITH STATE AND**
4 **LOCAL ENTITIES ON ISSUES RELATED TO IN-**
5 **CREASE IN NUMBER OF MILITARY PER-**
6 **SONNEL AT MILITARY INSTALLATIONS.**

7 If any decision of the Secretary of Defense or the Sec-
8 retary of a military department would result in a signifi-
9 cant increase in the number of members of the Armed
10 Forces assigned to a military installation, the Secretary
11 of Defense or the Secretary of the military department
12 concerned, during the development of the plans to imple-
13 ment the decision with respect to that installation, shall
14 consult with appropriate State and local entities to ensure
15 that matters affecting the local community, including re-
16 quirements for transportation, utility infrastructure, hous-
17 ing, education, and family support activities, are consid-
18 ered.

19 **SEC. 2876. REQUIRED INVESTMENTS IN IMPROVING CHILD**
20 **DEVELOPMENT CENTERS.**

21 (a) INVESTMENTS IN CHILD DEVELOPMENT CEN-
22 TERS.—Of the total amount authorized to be appropriated
23 for the Department of Defense for Facilities Sustainment,
24 Restoration, and Modernization activities of a military de-
25 partment, the Secretary of that military department shall

1 reserve the following amounts of the estimated replace-
2 ment cost of the total inventory of child development cen-
3 ters under the jurisdiction of that Secretary for the pur-
4 pose of carrying out projects for the improvement of child
5 development centers:

6 (1) An amount equal to one percent of such
7 cost for fiscal year 2023.

8 (2) An amount equal to two percent of such
9 cost for fiscal year 2024.

10 (3) An amount equal to three percent of such
11 cost for fiscal year 2025.

12 (4) An amount equal to five percent or such
13 cost for fiscal year 2026.

14 (b) CHILD DEVELOPMENT CENTER DEFINED.—The
15 term “child development center” has meaning given the
16 term “military child development center” in section
17 1800(1) of title 10, United States Code.

18 **SEC. 2877. LIMITATION ON USE OF FUNDS FOR CLOSURE**
19 **OF COMBAT READINESS TRAINING CENTERS.**

20 (a) IN GENERAL.—None of the funds authorized to
21 be appropriated by this Act or otherwise made available
22 for fiscal year 2023 for the Air Force may be obligated
23 or expended to close, or prepare to close, any combat read-
24 iness training center.

1 (b) WAIVER.—The Secretary of the Air Force may
2 waive the limitation under subsection (a) with respect to
3 a combat readiness training center, if the Secretary sub-
4 mits to the congressional defense committees each of the
5 following:

6 (1) A certification that—

7 (A) the closure of the center would not be
8 in violation of section 2687 of title 10, United
9 States Code; and

10 (B) the support capabilities provided by
11 the center will not be diminished as a result of
12 the closure of the center.

13 (2) A report that includes—

14 (A) a detailed business case analysis for
15 the closure of the center; and

16 (B) an assessment of the effects the clo-
17 sure of the center would have on unit training,
18 including active duty units that may use the
19 center.

20 **SEC. 2878. PILOT PROGRAM ON USE OF MASS TIMBER IN**
21 **MILITARY CONSTRUCTION PROJECTS.**

22 (a) IN GENERAL.—The Secretary of each of the mili-
23 tary departments shall carry out a pilot program to evalu-
24 ate how the use of mass timber as the primary construc-
25 tion material in military construction projects affects the

1 environmental sustainability, infrastructure resilience,
2 cost effectiveness, and construction timeliness of such
3 projects. The Secretary of a military department may
4 carry out a military construction project under the pilot
5 program using the authorities available to the Secretary
6 of Defense under section 2914 of title 10, United States
7 Code, regarding military construction projects for energy
8 resilience, energy security, and energy conservation.

9 (b) PROJECT SELECTION AND LOCATION.—

10 (1) MINIMUM NUMBER.—Each Secretary of a
11 military department shall carry out at least one mili-
12 tary construction project under the pilot program.

13 (2) PROJECT LOCATIONS.—The pilot program
14 shall be conducted at military installations in the
15 United States—

16 (A) that are identified as vulnerable to ex-
17 treme weather events; and

18 (B) for which a military construction
19 project is authorized but a request for proposal
20 has not been released.

21 (3) MILITARY UNACCOMPANIED HOUSING.—In
22 selecting military construction projects for the pilot
23 program, the Secretaries of the military departments
24 shall coordinate to ensure that at least one of the

1 projects involves the construction of military unac-
2 companied housing.

3 (c) REPORTS.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, and
6 every 180 days thereafter until December 31, 2025,
7 the Secretaries of the military departments shall
8 jointly submit to the congressional defense commit-
9 tees a report on the progress of the pilot program.

10 (2) ELEMENTS.—Each report required under
11 paragraph (1) shall include each of the following:

12 (A) A description of the status of the mili-
13 tary construction projects selected to be con-
14 ducted under the pilot program.

15 (B) An explanation of the reasons for the
16 selection of such military construction projects.

17 (C) An analysis of the projected or actual
18 carbon footprint, including stored carbon in
19 building materials, resilience to extreme weath-
20 er events, construction timeliness, and cost ef-
21 fectiveness, of the military construction projects
22 conducted under the pilot program using mass
23 timber as compared to other materials histori-
24 cally used in military construction.

1 (D) Any updated guidance the Under Sec-
2 retary of Defense for Acquisition and
3 Sustainment has released in relation to the pro-
4 curement policy for future military construction
5 projects based on comparable benefits realized
6 from use of mass timber, including guidance on
7 prioritizing sustainable materials in establishing
8 evaluation criteria for military construction
9 project contracts when technically feasible.

10 (d) MASS TIMBER DEFINED.—In this section, the
11 term “mass timber” means any of the following:

- 12 (1) Cross-laminated timber.
- 13 (2) Nail-laminated timber.
- 14 (3) Glue-laminated timber.
- 15 (4) Laminated strand lumber.
- 16 (5) Laminated veneer lumber,

17 (e) TERMINATION.—The authority of the Secretary
18 of a military department to carry out a military construc-
19 tion project under this section shall expire on September
20 30, 2025. Any construction commenced under the pilot
21 program before such date may continue until completion.

1 **SEC. 2879. CONTRIBUTIONS FOR CLIMATE RESILIENCE FOR**
2 **NORTH ATLANTIC TREATY ORGANIZATIONS**
3 **SECURITY INVESTMENT.**

4 Section 2806(a) of title 10, United States Code, is
5 amended by striking “and construction” and inserting
6 “construction, and climate resilience”.

7 **SEC. 2880. SCREENING AND REGISTRY OF INDIVIDUALS**
8 **WITH HEALTH CONDITIONS RESULTING**
9 **FROM UNSAFE HOUSING UNITS.**

10 (a) IN GENERAL.—Subchapter V of chapter 169 of
11 title 10, United States Code, is amended by adding at the
12 end the following new section:

13 **“§ 2895. Screening and registry of individuals with**
14 **health conditions resulting from unsafe**
15 **housing units**

16 “(a) SCREENING.—(1) The Secretary of Defense, in
17 consultation with appropriate scientific agencies as deter-
18 mined by the Secretary, may ensure that all military med-
19 ical treatment facilities screen eligible individuals for cov-
20 ered conditions.

21 “(2) The Secretary may establish procedures through
22 which screening under paragraph (1) may allow an eligible
23 individual to be included in the registry under subsection
24 (b).

1 “(b) REGISTRY.—(1) The Secretary of Defense shall
2 establish and maintain a registry of eligible individuals
3 who have a covered condition.

4 “(2) The Secretary shall include any information in
5 the registry under paragraph (1) that the Secretary deter-
6 mines necessary to ascertain and monitor the health of
7 eligible individuals and the connection between the health
8 of such individuals and an unsafe housing unit.

9 “(3) The Secretary shall develop a public information
10 campaign to inform eligible individuals about the registry
11 under paragraph (1), including how to register and the
12 benefits of registering.

13 “(c) DEFINITIONS.—In this section:

14 “(1) The term ‘covered armed force’ means the
15 following:

16 “(A) The Army.

17 “(B) The Navy.

18 “(C) The Marine Corps.

19 “(D) The Air Force.

20 “(E) The Space Force.

21 “(2) The term ‘covered condition’ means a med-
22 ical condition that is determined by the Secretary of
23 Defense to have resulted from residing in an unsafe
24 housing unit.

1 “(3) The term ‘eligible individual’ means a
2 member of a covered armed force or a family mem-
3 ber of a member of a covered armed force who has
4 resided in an unsafe housing unit.

5 “(4) The term ‘unsafe housing unit’ means a
6 dwelling unit that—

7 “(A) does not meet the housing quality
8 standards established under section 8(o)(8)(B)
9 of the United States Housing Act of 1937 (42
10 U.S.C. 1437f(o)(8)(B)); or

11 “(B) is not free from dangerous air pollu-
12 tion levels from mold.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of such subchapter is amended by insert-
15 ing after the item relating to section 2894a the following
16 new item:

17

“2895. Screening and registry of individuals with health conditions resulting
from unsafe housing units.”.

1 **SEC. 2881. RECOGNITION OF MEMORIAL, MEMORIAL GAR-**
 2 **DEN, AND K9 MEMORIAL OF THE NATIONAL**
 3 **NAVY UDT-SEAL MUSEUM IN FORT PIERCE,**
 4 **FLORIDA, AS A NATIONAL MEMORIAL, MEMO-**
 5 **RIAL GARDEN, AND K9 MEMORIAL, RESPEC-**
 6 **TIVELY, OF NAVY SEALS AND THEIR PREDE-**
 7 **CESSORS.**

8 The Memorial, Memorial Garden, and K9 Memorial
 9 of the National Navy UDT-SEAL Museum, located at
 10 3300 North Highway A1A, North Hutchinson Island, in
 11 Fort Pierce, Florida, are recognized as a national memo-
 12 rial, memorial garden, and K9 memorial, respectively, of
 13 Navy SEALs and their predecessors.

14 **TITLE XXIX—SCIENCE AND**
 15 **TECHNOLOGY MILITARY CON-**
 16 **STRUCTION**

17 **SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND**
 18 **ACQUISITION PROJECTS.**

19 The Secretary of the Army may acquire real property
 20 and carry out the military construction projects for the
 21 installations inside the United States, and in the amounts,
 22 set forth in the following table:

Army: Inside the United States

Country	Installation	Amount
Alabama	Redstone Arsenal	\$50,000,000
Maryland	Aberdeen	\$85,000,000
Mississippi	Vicksburg	\$20,000,000
New Jersey	Picatinny Arsenal	\$12,000,000

1 **SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND**
 2 **ACQUISITION PROJECT.**

3 The Secretary of the Navy may acquire real property
 4 and carry out the military construction project for the in-
 5 stallation inside the United States, and in the amount, set
 6 forth in the following table:

Navy: Inside the United States

Country	Installation	Amount
California	Corona	\$15,000,000
Maryland	Carderock	\$2,073,000
	Indian Head	\$8,039,000
Virginia	Dahlgren	\$2,503,000

7 **SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND**
 8 **LAND ACQUISITION PROJECTS.**

9 The Secretary of the Air Force may acquire real
 10 property and carry out the military construction projects
 11 for the installations inside the United States, and in the
 12 amounts, set forth in the following table:

Air Force: Inside the United States

Country	Installation	Amount
Hawaii	AFRL Maui	\$89,000,000
New York	AFRL Rome	\$4,200,000

13 **SEC. 2904. AUTHORIZATION OF APPROPRIATIONS.**

14 Funds are hereby authorized to be appropriated for
 15 fiscal years beginning after September 30, 2022, for the
 16 military construction projects inside the United States au-
 17 thorized by this title as specified in the funding table in
 18 section 4601.

1 **DIVISION C—DEPARTMENT OF**
2 **ENERGY NATIONAL SECURITY**
3 **AUTHORIZATIONS AND**
4 **OTHER AUTHORIZATIONS**
5 **TITLE XXXI—DEPARTMENT OF**
6 **ENERGY NATIONAL SECURITY**
7 **PROGRAMS**
8 **Subtitle A—National Security**
9 **Programs and Authorizations**

10 **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-**
11 **TION.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds
13 are hereby authorized to be appropriated to the Depart-
14 ment of Energy for fiscal year 2023 for the activities of
15 the National Nuclear Security Administration in carrying
16 out programs as specified in the funding table in section
17 4701.

18 (b) **AUTHORIZATION OF NEW PLANT PROJECTS.**—
19 From funds referred to in subsection (a) that are available
20 for carrying out plant projects, the Secretary of Energy
21 may carry out new plant projects for the National Nuclear
22 Security Administration as follows:

23 Project 23–D–516, Energetic Materials Charac-
24 terization Facility, Los Alamos National Laboratory,
25 Los Alamos, New Mexico, \$19,000,000.

1 Project 23–D–517, Electrical Power Capacity
2 Upgrade, Los Alamos National Laboratory, Los Ala-
3 mos, New Mexico, \$24,000,000.

4 Project 23–D–518, Plutonium Modernization
5 Operations & Waste Management Office Building,
6 Los Alamos National Laboratory, Los Alamos, New
7 Mexico, \$48,500,000.

8 Project 23–D–519, Special Materials Facility,
9 Y–12 National Security Complex, Oak Ridge, Ten-
10 nessee, \$49,500,000.

11 Project 23–D–533, Component Test Complex
12 Project, Bettis Atomic Power Laboratory, West
13 Mifflin, Pennsylvania, \$57,420,000.

14 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds
16 are hereby authorized to be appropriated to the Depart-
17 ment of Energy for fiscal year 2023 for defense environ-
18 mental cleanup activities in carrying out programs as
19 specified in the funding table in section 4701.

20 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—
21 From funds referred to in subsection (a) that are available
22 for carrying out plant projects, the Secretary of Energy
23 may carry out, for defense environmental cleanup activi-
24 ties, the following new plant projects:

1 Project 23–D–402, Calcine Construction, Idaho
2 National Laboratory, Idaho Falls, Idaho,
3 \$10,000,000.

4 Project 23–D–403, Hanford 200 West Area
5 Tank Farms Risk Management Project, Office of
6 River Protection, Richland, Washington,
7 \$45,000,000.

8 Project 23–D–404, 181D Export Water System
9 Reconfiguration and Upgrade, Hanford Site, Rich-
10 land, Washington, \$6,770,000.

11 Project 23–D–405, 181B Export Water System
12 Reconfiguration and Upgrade, Hanford Site, Rich-
13 land, Washington, \$480,000.

14 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

15 Funds are hereby authorized to be appropriated to
16 the Department of Energy for fiscal year 2023 for other
17 defense activities in carrying out programs as specified in
18 the funding table in section 4701.

19 **SEC. 3104. NUCLEAR ENERGY.**

20 Funds are hereby authorized to be appropriated to
21 the Department of Energy for fiscal year 2023 for nuclear
22 energy as specified in the funding table in section 4701.

1 **Subtitle B—Program Authoriza-**
2 **tions, Restrictions, Limitations,**
3 **and Other Matters**

4 **SEC. 3111. PLUTONIUM PIT PRODUCTION CAPACITY.**

5 (a) FINDING.—Congress finds that the National Nu-
6 clear Security Administration and the Nuclear Weapons
7 Council have acknowledged that producing 80 war reserve
8 plutonium pit per year by 2030 is not achievable.

9 (b) REQUIREMENT.—Subsection (a) of section 4219
10 of the Atomic Energy Defense Act (50 U.S.C. 2538a) is
11 amended to read as follows:

12 “(a) PRODUCTION.—

13 “(1) REQUIREMENT.—The Secretary of Energy
14 shall produce the annual number of war reserve plu-
15 tonium pits that the Secretary of Defense identifies
16 as a requirement of the Department of Defense.

17 “(2) CAPACITY.—In carrying out paragraph
18 (1), the Secretary of Energy shall—

19 “(A) ensure that Los Alamos National
20 Laboratory, Los Alamos, New Mexico, has the
21 ability to—

22 “(i) produce 30 war reserve plutonium
23 pits during any year that the Secretary of
24 Defense identifies such production amount

1 as a requirement of the Department of De-
2 fense; and

3 “(ii) implement surge efforts to
4 produce more than 30 war reserve pluto-
5 nium pits during any year that the Secre-
6 taries identifies such production amount as
7 a requirement of the Department of De-
8 fense;

9 “(B) ensure that the Savannah River Plu-
10 tonium Processing Facility at the Savannah
11 River Site, Aiken, South Carolina, has a sus-
12 tainable ability to—

13 “(i) produce 50 war reserve plutonium
14 pits during any year the Secretary of De-
15 fense identifies such production amount as
16 a requirement of the Department of De-
17 fense; and

18 “(ii) implement surge efforts to
19 produce more than 50 war reserve pluto-
20 nium pits during any year that the Secre-
21 taries identifies such production amount as
22 a requirement of the Department of De-
23 fense; and

24 “(C) maintain the Los Alamos National
25 Laboratory as the Plutonium Science and Pro-

1 duction Center of Excellence for the United
2 States.”.

3 (c) CERTIFICATIONS.—Such section is further
4 amended—

5 (1) by striking subsections (b) and (c);

6 (2) by redesignating subsections (d) through (f)
7 as subsections (c) through (e), respectively;

8 (3) by inserting after subsection (a) the fol-
9 lowing new subsection (b):

10 “(b) ANNUAL NOTIFICATIONS, CERTIFICATIONS, AND
11 PLANS.—

12 “(1) DEPARTMENT OF DEFENSE.—Not later
13 than March 1, 2023, and each year thereafter, the
14 Secretary of Defense shall notify the Secretary of
15 Energy and the appropriate congressional commit-
16 tees of the following:

17 “(A) The requirement of the Department
18 of Defense with respect to the total minimum
19 number of war reserve plutonium pits to be pro-
20 duced during the 10-year period following the
21 notification and a justification of the require-
22 ment.

23 “(B) The year, if any, in which not fewer
24 than 80 war reserve plutonium pits are needed

1 to be produced to meet the requirement of the
2 Department of Defense.

3 “(2) DEPARTMENT OF ENERGY.—Not later
4 than 30 days after the date on which the Secretary
5 of Energy receives a notification under paragraph
6 (1), the Secretary shall submit to the appropriate
7 congressional committees the following:

8 “(A) A certification of whether the pro-
9 grams and budget of the Secretary will enable
10 the nuclear security enterprise to meet the re-
11 quirements identified by the Secretary of De-
12 fense in the notification.

13 “(B) A plan by the Secretary of Energy to
14 meet such requirements, including an identifica-
15 tion of the number of war reserve plutonium
16 pits the Secretary will produce during each year
17 covered by the notification and a cost estimate
18 to meet such requirements.”; and

19 (4) by striking subsection (e), as so redesign-
20 nated, and inserting the following new subsection:

21 “(e) DEFINITIONS.—In this section:

22 “(1) The term ‘appropriate congressional com-
23 mittees’ means the following:

24 “(A) The congressional defense commit-
25 tees.

1 “(B) The Committee on Energy and Com-
2 merce of the House of Representatives and the
3 Committee on Energy and Natural Resources of
4 the Senate.

5 “(2) The term ‘covered project’ means—

6 “(A) the Savannah River Plutonium Proc-
7 essing Facility, Savannah River Site, Aiken,
8 South Carolina (Project 21–D–511); or

9 “(B) the Plutonium Pit Production
10 Project, Los Alamos National Laboratory, Los
11 Alamos, New Mexico (Project 21–D–512).”.

12 (d) CONFORMING REPEAL.—Section 3120 of the
13 John S. McCain National Defense Authorization Act for
14 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2292)
15 is repealed.

16 **SEC. 3112. NUCLEAR WARHEAD ACQUISITION PROCESS.**

17 (a) EXPANSION OF REPORTING AND CERTIFICATION
18 REQUIREMENTS.—Section 4223 of the Atomic Energy
19 Defense Act (50 U.S.C. 2538e), as amended by section
20 3114, is further amended as follows:

21 (1) By striking “the W93 nuclear weapon” each
22 place it appears and inserting “a covered nuclear
23 weapon”.

1 (2) By striking “a W93 nuclear weapon pro-
2 gram” each place it appears and inserting “a pro-
3 gram for that nuclear weapon”.

4 (3) In subsection (b)(2), by striking “for the
5 sub-surface ballistic nuclear (SSBN) force”.

6 (4) By striking subsection (d) and inserting the
7 following new subsection (d):

8 “(d) DEFINITIONS.—In this section:

9 “(1) The term ‘covered nuclear weapon’ means
10 the following:

11 “(A) The W93 nuclear weapon.

12 “(B) A modified nuclear weapon.

13 “(C) A new nuclear weapon.

14 “(2) The term ‘joint nuclear weapons life cycle’
15 has the meaning given that term in section 4220.

16 “(3) The terms ‘modified nuclear weapon’ and
17 ‘new nuclear weapon’ have the meaning given those
18 terms in section 4209.”.

19 (b) CONFORMING AMENDMENT.—Such Act is further
20 amended by striking the section heading for section 4223
21 and inserting the following (and conforming the table of
22 contents at the beginning of such Act accordingly): “**NU-**
23 **CLEAR WARHEAD ACQUISITION PROCESS**”.

1 **SEC. 3113. AUTHORIZED PERSONNEL LEVELS OF THE OF-**
2 **FICE OF THE ADMINISTRATOR.**

3 (a) MODIFICATION OF AUTHORIZED LEVELS.—Sub-
4 section (a) of section 3241A of the National Nuclear Secu-
5 rity Administration Act (50 U.S.C. 2441a) is amended to
6 read as follows:

7 “(a) FULL-TIME EQUIVALENT PERSONNEL LEV-
8 ELS.—

9 “(1) AUTHORIZED LEVEL.—For fiscal year
10 2023 and each fiscal year thereafter, the total num-
11 ber of employees of the Office of the Administrator
12 may not exceed 110 percent of the total number of
13 employees of the Office during the previous fiscal
14 year unless, during each fiscal year in which such
15 number is exceeded, the Administrator submits to
16 the congressional defense committees a report justi-
17 fying such excess.

18 “(2) NOTIFICATION OF TOTAL NUMBER.—Not
19 later than December 31, 2022, and each year there-
20 after, the Administrator shall notify the congres-
21 sional defense committees, the Committee on Energy
22 and Commerce of the House of Representatives, and
23 the Committee on Energy and Natural Resources of
24 the Senate of the total number of employees of the
25 Office of the Administrator during the previous fis-

1 cal year, broken down by the office in which the em-
2 ployees are assigned.”.

3 (b) REPORT.—Subsection (f) of such section is
4 amended to read as follows:

5 “(f) ANNUAL REPORT.—The Administrator shall in-
6 clude in the budget justification materials submitted to
7 Congress in support of the budget of the Administration
8 for each fiscal year (as submitted with the budget of the
9 President under section 1105(a) of title 31, United States
10 Code) a report containing the following information:

11 “(1) A projection of the expected number of
12 employees of the Office of the Administrator, as
13 counted under subsection (a), for the fiscal year cov-
14 ered by the budget justification materials and the
15 four subsequent fiscal years, broken down by the of-
16 fice in which the employees are projected to be as-
17 signed.

18 “(2) With respect to the most recent fiscal year
19 for which data is available—

20 “(A) the number of service support con-
21 tracts of the Administration and whether such
22 contracts are funded using program or program
23 direction funds;

1 “(B) the number of full-time equivalent
2 contractor employees working under each con-
3 tract identified under subparagraph (A);

4 “(C) the number of full-time equivalent
5 contractor employees described in subparagraph
6 (B) that have been employed under such a con-
7 tract for a period greater than two years;

8 “(D) with respect to each contract identi-
9 fied under subparagraph (A)—

10 “(i) identification of each appropria-
11 tions account that supports the contract;
12 and

13 “(ii) the amount obligated under the
14 contract during the fiscal year, listed by
15 each such account; and

16 “(E) with respect to each appropriations
17 account identified under subparagraph (D)(i),
18 the total amount obligated for contracts identi-
19 fied under subparagraph (A).”.

20 **SEC. 3114. MODIFICATION TO CERTAIN REPORTING RE-**
21 **QUIREMENTS.**

22 (a) **REPORTS ON NUCLEAR WARHEAD ACQUISITION**
23 **PROCESS.**—Section 4223 of the Atomic Energy Defense
24 Act (50 U.S.C. 2538e) is amended—

1 (1) in subsection (a)(2)(A), by striking “submit
2 to the congressional defense committees a plan” and
3 inserting “provide to the congressional defense com-
4 mittees a briefing on a plan”; and

5 (2) in subsection (b)—

6 (A) in paragraph (1), by striking “certify
7 to the congressional defense committees that”
8 and inserting “provide to the congressional de-
9 fense committees a briefing that includes cer-
10 tifications that—”; and

11 (B) in paragraph (2)—

12 (i) by inserting “, or provide to such
13 committees a briefing on,” after “a report
14 containing”; and

15 (ii) by inserting “or briefing, as the
16 case may be” after “date of the report”.

17 (b) REPORTS ON TRANSFERS OF CIVIL NUCLEAR
18 TECHNOLOGY.—Section 3136 of the National Defense
19 Authorization Act for Fiscal Year 2016 (42 U.S.C. 2077a)
20 is amended—

21 (1) by redesignating subsection (i) as subsection
22 (j); and

23 (2) by inserting after subsection (h) the fol-
24 lowing new subsection:

1 “(i) COMBINATION OF REPORTS.—The Secretary of
2 Energy may submit the annual reports required by sub-
3 sections (a), (d), and (e) as a single annual report, includ-
4 ing by providing portions of the information so required
5 as an annex to the single annual report.”.

6 (c) CONFORMING AMENDMENT.—Section 161 n. of
7 the Atomic Energy Act of 1954 (50 U.S.C. 2201(n)) is
8 amended by striking “section 3136(i) of the National De-
9 fense Authorization Act for Fiscal Year 2016 (42 U.S.C.
10 2077a(i))” and inserting “section 3136 of the National
11 Defense Authorization Act for Fiscal Year 2016 (42
12 U.S.C. 2077a(j))”.

13 **SEC. 3115. MODIFICATIONS TO LONG-TERM PLAN FOR**
14 **MEETING NATIONAL SECURITY REQUIRE-**
15 **MENTS FOR UNENCUMBERED URANIUM.**

16 (a) TIMING.—Subsection (a) of section 4221 of the
17 Atomic Energy Defense Act (50 U.S.C. 2538c) is amend-
18 ed—

19 (1) by striking “each even-numbered year
20 through 2026” and inserting “each odd-numbered
21 year through 2029”; and

22 (2) by striking “2065” and inserting “2070”.

23 (b) PLAN REQUIREMENTS.—Subsection (b) of such
24 section is amended—

1 (1) in paragraph (3), by inserting “through
2 2070” after “unencumbered uranium”;

3 (2) by redesignating paragraphs (4) through
4 (8) as paragraphs (5) through (9), respectively;

5 (3) by inserting after paragraph (3) the fol-
6 lowing new paragraph (4):

7 “(4) An assessment of current and projected
8 unencumbered uranium production by private indus-
9 try in the United States that could support future
10 defense requirements.”; and

11 (4) by striking paragraphs (8) and (9), as so
12 redesignated, and inserting the following new para-
13 graphs:

14 “(8) An assessment of—

15 “(A) whether, and if so when, additional
16 enrichment of uranium will be required to meet
17 national security requirements; and

18 “(B) the options the Secretary is consid-
19 ering to meet such requirements, including an
20 estimated cost and timeline for each option and
21 a description of any changes to policy or law
22 that the Secretary determines would be required
23 for each option.

24 “(9) An assessment of whether, and how, op-
25 tions to provide additional enriched uranium to meet

1 national security requirements could, as an addi-
2 tional benefit, contribute to the establishment of a
3 sustained domestic enrichment capacity and allow
4 the commercial sector of the United States to reduce
5 reliance on importing uranium from adversary coun-
6 tries.”.

7 (c) COMPTROLLER GENERAL REVIEW.—Such section
8 is further amended—

9 (1) by redesignating subsection (d) as sub-
10 section (e); and

11 (2) by inserting after subsection (c) the fol-
12 lowing new subsection:

13 “(d) COMPTROLLER GENERAL BRIEFING.—Not later
14 than 180 days after the date on which the congressional
15 defense committees receive each plan under subsection (a),
16 the Comptroller General of the United States shall provide
17 to the Committees on Armed Services of the House of
18 Representatives and the Senate a briefing that includes
19 an assessment of the plan.”.

20 **SEC. 3116. MODIFICATION OF MINOR CONSTRUCTION**
21 **THRESHOLD FOR PLANT PROJECTS.**

22 Section 4701(2) of the Atomic Energy Defense Act
23 (50 U.S.C. 2741(2)) is amended by striking
24 “\$25,000,000” and inserting “\$30,000,000”.

1 **SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS TO**
2 **RECONVERT OR RETIRE W76-2 WARHEADS.**

3 (a) PROHIBITION.—Except as provided in subsection
4 (b), none of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2023
6 for the National Nuclear Security Administration may be
7 obligated or expended to reconvert or retire a W76-2 war-
8 head.

9 (b) WAIVER.—The Administrator for Nuclear Secu-
10 rity may waive the prohibition in subsection (a) if the Ad-
11 ministrator, in consultation with the Secretary of Defense,
12 and the Chairman of the Joint Chiefs of Staff, certifies
13 in writing to the congressional defense committees—

14 (1) that Russia and China do not possess naval
15 capabilities similar to the W76-2 warhead in the ac-
16 tive stockpiles of the respective country; and

17 (2) that the Department of Defense does not
18 have a valid military requirement for the W76-2
19 warhead.

20 **SEC. 3118. COMPTROLLER GENERAL STUDY ON NATIONAL**
21 **NUCLEAR SECURITY ADMINISTRATION MAN-**
22 **AGEMENT AND OPERATION CONTRACTING**
23 **PROCESS.**

24 (a) STUDY AND REPORT REQUIRED.—Not later than
25 180 days after the date of the enactment of this Act, the
26 Comptroller General of the United States shall—

1 (1) conduct a study to identify and assess the
2 process by which the Administrator for Nuclear Se-
3 curity awards management and operation contracts
4 for Kansas City National Security Campus, Law-
5 rence Livermore National Laboratory, Los Alamos
6 National Laboratory, Nevada National Security Site,
7 Y-12 National Security Complex, Pantex Plant,
8 Sandia National Laboratories, and Savannah River
9 Site; and

10 (2) submit to the Administrator, the Nuclear
11 Weapons Council, and the congressional defense
12 committees a report containing the findings of such
13 study and any recommendations that the Comp-
14 troller General identifies based on its analysis.

15 (b) MATTERS.—The report under subsection (a) shall
16 include the following:

17 (1) An evaluation of the process by which man-
18 agement and operation contracts are awarded to
19 contractors for National Nuclear Security Adminis-
20 tration facilities.

21 (2) A detailed analysis of the impact that
22 transitioning to a new contractor has on the mission
23 and workforce of the National Nuclear Security Ad-
24 ministration, including an assessment of—

1 (A) costs incurred when a management
2 and operation contract is awarded and then
3 later canceled;

4 (B) cost estimates for the contract award
5 process; and

6 (C) any impact to the overall mission of
7 the facility.

8 (3) An identification of factors involved in the
9 awarding of the contract that could negatively affect
10 the workforce.

11 (4) A review of any recent successful protests
12 against the award of a management and operation
13 contract.

14 (5) Such other matters as may be determined
15 appropriate by the Comptroller General.

16 (c) BRIEFING.—Not later than 90 days after the date
17 on which the Administrator receives the report submitted
18 under subsection (a), the Administrator, in coordination
19 with the Nuclear Weapons Council, shall provide to the
20 congressional defense committees a briefing on any statu-
21 tory changes the Administrator determines necessary to
22 improve the management and operation contract awarding
23 process and to conduct the process in a more cost effective
24 manner.

1 **TITLE XXXII—DEFENSE NU-**
2 **CLEAR FACILITIES SAFETY**
3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 There are authorized to be appropriated for fiscal
6 year 2023, \$41,401,000 for the operation of the Defense
7 Nuclear Facilities Safety Board under chapter 21 of the
8 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

9 **SEC. 3202. CONTINUATION OF FUNCTIONS AND POWERS**
10 **DURING LOSS OF QUORUM.**

11 Section 311(e) of the Atomic Energy Act of 1954 (42
12 U.S.C. 2286(e)) is amended—

13 (1) by striking “Three members” and inserting
14 “(1) Three members”; and

15 (2) by adding at the end the following new
16 paragraphs:

17 “(2) During a covered period, the Chairperson may
18 carry out the functions and powers of the Board under
19 sections 312 through 316, notwithstanding that a quorum
20 does not exist.

21 “(3) In carrying out the functions and powers of the
22 Board during a covered period pursuant to paragraph (2),
23 the Chairperson shall consult with any other member of
24 the Board who is serving during the covered period and
25 not incapacitated, except that the Chairperson may make

1 recommendations to the Secretary of Energy and initiate
2 investigations under section 312 only with the concurrence
3 of any such other member.

4 “(4) In this subsection, the term ‘covered period’
5 means a period beginning on the date on which a quorum
6 specified in paragraph (1) does not exist by reason of ei-
7 ther or both a vacancy in the membership of the Board
8 or the incapacity of a member of the Board and ending
9 on the earlier of—

10 “(A) the date that is one year after such begin-
11 ning date; or

12 “(B) the date on which a quorum exists.”.

13 **TITLE XXXIV—NAVAL**
14 **PETROLEUM RESERVES**

15 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AMOUNT.—There are hereby authorized to be ap-
17 propriated to the Secretary of Energy \$13,004,000 for fis-
18 cal year 2023 for the purpose of carrying out activities
19 under chapter 869 of title 10, United States Code, relating
20 to the naval petroleum reserves.

21 (b) PERIOD OF AVAILABILITY.—Funds appropriated
22 pursuant to the authorization of appropriations in sub-
23 section (a) shall remain available until expended.

1 **TITLE XXXV—MARITIME**
2 **SECURITY**
3 **Subtitle A—Maritime**
4 **Administration**

5 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**
6 **TRATION.**

7 (a) IN GENERAL.—There are authorized to be appro-
8 priated to the Department of Transportation for fiscal
9 year 2023 for programs associated with maintaining the
10 United States merchant marine, the following amounts:

11 (1) For expenses necessary for operations of the
12 United States Merchant Marine Academy,
13 \$99,748,000, of which—

14 (A) \$87,848,000 shall be for Academy op-
15 erations; and

16 (B) \$11,900,000 shall be for capital asset
17 management at the Academy.

18 (2) For expenses necessary to support the State
19 maritime academies, \$120,700,000, of which—

20 (A) \$2,400,000 is for the Student Incen-
21 tive Program;

22 (B) \$6,000,000 is for direct payments;

23 (C) \$6,800,000 is for training ship fuel as-
24 sistance;

1 (D) \$30,500,000 for school ship mainte-
2 nance and repair; and

3 (E) \$75,000,000 for the National Security
4 Multi-Mission Vessel.

5 (3) For expenses necessary to support Maritime
6 Administration operations and programs, Head-
7 quarters Operations, \$67,433,000.

8 (4) For expenses necessary to dispose of vessels
9 in the National Defense Reserve Fleet, \$6,000,000.

10 (5) For expenses necessary to maintain and
11 preserve a United States flag merchant marine to
12 serve the national security needs of the United
13 States under chapter 531 of title 46, United States
14 Code, \$318,000,000.

15 (6) For expenses necessary for the loan guar-
16 antee program authorized under chapter 537 of title
17 46, United States Code, \$33,000,000, of which—

18 (A) \$30,000,000 may be used for the cost
19 (as defined in section 502(5) of the Federal
20 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))
21 of loan guarantees under the program; and

22 (B) \$3,000,000 may be used for adminis-
23 trative expenses relating to loan guarantee com-
24 mitments under the program.

1 (7) For expenses necessary to provide for the
2 Tanker Security Fleet, as authorized under chapter
3 534 of title 46, United States Code, \$60,000,000.

4 (8) For expenses necessary to support maritime
5 environmental and technical assistance activities au-
6 thorized under section 50307 of title 46, United
7 States Code, \$15,000,000.

8 (9) For expenses necessary to support marine
9 highway program activities authorized under chapter
10 556 of such title, \$15,000,000.

11 (10) For expenses necessary to provide assist-
12 ance to small shipyards and for the maritime train-
13 ing program authorized under section 54101 of title
14 46, United States Code, \$25,000,000.

15 (11) For expenses necessary to implement the
16 port infrastructure development activities authorized
17 under subsections (a) and (b) of section 54301 of
18 title 46, United States Code, \$685,000,000.

19 (12) For expenses necessary to provide for sea-
20 lift contested environment evaluation, \$2,000,000.

21 (13) For expenses necessary to provide for Na-
22 tional Defense Reserve Fleet resiliency, \$800,000.

23 (14) For expenses necessary to provide for
24 training ship State of Michigan maritime training
25 platform requirements, \$1,200,000.

1 (b) LIMITATION.—None of the amounts authorized to
2 be appropriated for port infrastructure development activi-
3 ties under subsection (a)(11) may be used to provide a
4 grant to purchase fully automated cargo handling equip-
5 ment that is remotely operated or remotely monitored,
6 with or without the exercise of human intervention or con-
7 trol, if the Secretary of Transportation determines such
8 equipment would result in a net loss of jobs within a port
9 or port terminal.

10 **SEC. 3502. SECRETARY OF TRANSPORTATION RESPONSIBI-**
11 **LITY WITH RESPECT TO CARGOES PRO-**
12 **CURED, FURNISHED, OR FINANCED BY**
13 **OTHER FEDERAL DEPARTMENTS AND AGEN-**
14 **CIES.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of the enactment of this Act, the Administrator of
17 the Maritime Administration shall issue a final rule to im-
18 plement and enforce section 55305(d) of title 46, United
19 States Code.

20 (b) PROGRAMS OF OTHER AGENCIES.—Section
21 55305(d)(2)(A) of title 46, United States Code, is amend-
22 ed by inserting after “section” the following: “and annu-
23 ally submit to the Committee on Transportation and In-
24 frastructure of the House of Representatives and the Com-

1 mittee on Commerce, Science, and Transportation of the
2 Senate a report on the administration of such programs”.

3 **SEC. 3503. UNITED STATES MARINE HIGHWAY PROGRAM.**

4 (a) UNITED STATES MARINE HIGHWAY PROGRAM.—
5 Section 55601 of title 46, United States Code, is amended
6 to read as follows:

7 **“§ 55601. United States marine highway program**

8 “(a) ESTABLISHMENT.—There is in the Department
9 of Transportation a program, to be known as the ‘United
10 States marine highway program’.

11 “(b) CRITERIA.—In order to be designated as a ma-
12 rine highway transportation route under subsection (c) or
13 as a marine highway transportation project under sub-
14 section (d), a route or project shall—

15 “(1) provide a coordinated and capable alter-
16 native to landside transportation;

17 “(2) mitigate or relieve landside congestion; or

18 “(3) promote marine highway transportation.

19 “(c) MARINE HIGHWAY TRANSPORTATION
20 ROUTES.—The Secretary may—

21 “(1) designate a route that meets the criteria
22 under subsection (b) as a marine highway transpor-
23 tation route; and

24 “(2) collect and disseminate data related to
25 such designation.

1 “(d) PROJECT DESIGNATION.—The Secretary may—

2 “(1) designate a project that meets the criteria
3 under subsection (b) as a marine highway transpor-
4 tation project if the Secretary determines that such
5 project uses vessels documented under chapter 121
6 and—

7 “(A) develops, expands, or promotes—

8 “(i) marine highway transportation
9 services;

10 “(ii) shipper utilization of marine
11 highway transportation; or

12 “(iii) port and landside infrastructure
13 for which assistance is not available under
14 section 54301; or

15 “(B) implements strategies developed
16 under section 5560; and

17 “(2) conduct research on solutions to impedi-
18 ments to such projects.

19 “(e) ASSISTANCE.—

20 “(1) IN GENERAL.—The Secretary may make
21 grants, or enter into contracts or cooperative agree-
22 ments, to implement a marine highway transpor-
23 tation project designated under subsection (e) or a
24 component of such a project.

1 “(2) APPLICATION.—To be eligible to receive a
2 grant or to enter into a contract or cooperative
3 agreement under this subsection, an applicant
4 shall—

5 “(A) submit to the Secretary an applica-
6 tion in such form and manner, at such time,
7 and containing such information as the Sec-
8 retary may require; and

9 “(B) demonstrate to the satisfaction of the
10 Secretary that—

11 “(i) the proposed project is financially
12 viable;

13 “(ii) the funds received under the
14 grant, contract, or cooperative agreement
15 will be spent or used efficiently and effec-
16 tively; and

17 “(iii) a market exists for the services
18 of the proposed project, as evidenced by
19 contracts or written statements of intent
20 from potential customers.

21 “(3) NON-FEDERAL SHARE.—Not more than 80
22 percent of the funding for any project for which
23 funding is provided under this subsection may come
24 from Federal sources.

1 “(4) PREFERENCE FOR FINANCIALLY VIABLE
2 PROJECTS.— In awarding grants or entering in con-
3 tracts or cooperative agreements under this sub-
4 section, the Secretary shall give a preference to
5 those projects or components that present the most
6 financially viable transportation services and require
7 the lowest percentage Federal share of the costs.

8 “(f) ADDITIONAL PROGRAM ACTIVITIES.—In car-
9 rying out the program established under subsection (a),
10 the Secretary of Transportation may—

11 “(1) coordinate with ports, State departments
12 of transportation, localities, other public agencies,
13 and appropriate private sector entities on the devel-
14 opment of landside facilities and infrastructure to
15 support marine highway transportation; and

16 “(2) develop performance measures for the pro-
17 gram.”.

18 (b) CLERICAL AMENDMENT.—The analysis for chap-
19 ter 556 of title 46, United States Code, is amended by
20 striking the item relating to section 55601 and inserting
21 the following:

“55601. United States marine highway program.”.

22 **SEC. 3504. MULTISTATE, STATE, AND REGIONAL TRANSPOR-**
23 **TATION PLANNING.**

24 (a) MULTISTATE, STATE, AND REGIONAL TRANSPOR-
25 TATION PLANNING.—Chapter 556 of title 46, United

1 States Code, is amended by inserting after section 55602
2 the following:

3 **“§ 55603. Multistate, State, and regional transpor-**
4 **tation planning**

5 “(a) IN GENERAL.—The Secretary, in consultation
6 with Federal entities, State and local governments, and
7 appropriate private sector entities, may develop strategies
8 to encourage the use of marine highway transportation for
9 transportation of passengers and cargo.

10 “(b) STRATEGIES.—If the Secretary develops strate-
11 gies under subsection (a), the Secretary may—

12 “(1) assess the extent to which States and local
13 governments include marine highway transportation
14 and other marine transportation solutions in trans-
15 portation planning;

16 “(2) encourage State departments of transpor-
17 tation to develop strategies, where appropriate, to
18 incorporate marine highway transportation, ferries,
19 and other marine transportation solutions for re-
20 gional and interstate transport of freight and pas-
21 sengers in transportation planning; and

22 “(3) encourage groups of States and multistate
23 transportation entities to determine how marine
24 highways can address congestion, bottlenecks, and
25 other interstate transportation challenges.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 556 of title 46, United States Code, is amended by
3 striking the item relating to section 55603 and inserting
4 the following:

“55603. Multistate, State, and regional transportation planning.”.

5 **Subtitle B—Merchant Marine**
6 **Academy**

7 **SEC. 3511. APPOINTMENT OF SUPERINTENDENT OF UNITED**
8 **STATES MERCHANT MARINE ACADEMY.**

9 Subsection (c) of section 51301 of title 46, United
10 States Code, is amended to read as follows:

11 “(c) SUPERINTENDENT.—The immediate command
12 of the United States Merchant Marine Academy shall be
13 in the Superintendent of the Academy, who shall be ap-
14 pointed by the Secretary of Transportation and subject to
15 the direction of the Maritime Administrator under the
16 general supervision of the Secretary of Transportation.”.

17 **SEC. 3512. EXEMPTION OF CERTAIN STUDENTS FROM RE-**
18 **QUIREMENT TO OBTAIN MERCHANT MAR-**
19 **INER LICENSE.**

20 Section 51309 of title 46, United States Code, is
21 amended by adding at the end the following:

22 “(d) EXEMPTION FROM REQUIREMENT TO OBTAIN
23 LICENSE.—The Secretary may modify or waive the re-
24 quirements of section 51306(a)(2) for students who pro-
25 vide reasonable concerns with obtaining a merchant mar-

1 iner license, including fear for safety while at sea after
2 instances of trauma, medical condition, or inability to ob-
3 tain required sea time or endorsement so long as such in-
4 ability is not due to a lack of proficiency or violation of
5 Academy policy. The issuance of a modification or waiver
6 under this subsection shall not delay or impede graduation
7 from the Academy.”.

8 **SEC. 3513. PROTECTION OF CADETS FROM SEXUAL AS-**
9 **SAULT ONBOARD VESSELS.**

10 (a) IN GENERAL.—Section 51322 of title 46, United
11 States Code, is amended—

12 (1) by striking subsection (a) and inserting the
13 following:

14 “(a) SAFETY CRITERIA.—The Maritime Adminis-
15 trator, after consulting with the Secretary of the depart-
16 ment in which the Coast Guard is operating, shall estab-
17 lish—

18 “(1) criteria, to which an owner or operator of
19 a vessel engaged in commercial service shall adhere
20 prior to carrying a cadet performing their Sea Year
21 service from the United States Merchant Marine
22 Academy, that addresses prevention of, and response
23 to, sexual harassment, dating violence, domestic vio-
24 lence, sexual assault, and stalking; and

1 “(2) a process for collecting pertinent informa-
2 tion from such owners or operators and verifying
3 their compliance with the criteria.

4 “(b) MINIMUM STANDARDS.—At a minimum, the cri-
5 teria established under subsection (a) shall require the
6 vessel owners or operators to have policies that address—

7 “(1) communication between a cadet and an in-
8 dividual ashore who is trained in responding to inci-
9 dents of sexual harassment, dating violence, domes-
10 tic violence, sexual assault, and stalking;

11 “(2) the safety and security of cadet staterooms
12 while a cadet is onboard the vessel;

13 “(3) requirements for crew to report complaints
14 or incidents of sexual assault, sexual harassment,
15 dating violence, domestic violence, and stalking con-
16 sistent with the requirements in section 10104;

17 “(4) the maintenance of records of reports of
18 sexual harassment, dating violence, domestic vio-
19 lence, sexual assault, and stalking onboard a vessel
20 carrying a cadet;

21 “(5) the maintenance of records of sexual har-
22 assment, dating violence, domestic violence, sexual
23 assault, and stalking training as required under sub-
24 section (f);

1 “(6) a requirement for the owner or operator
2 provide each cadet a copy of the policies and proce-
3 dures related to sexual harassment, dating violence,
4 domestic violence, sexual assault, and stalking poli-
5 cies that pertain to the vessel on which they will be
6 employed; and

7 “(7) any other issues the Maritime Adminis-
8 trator determines necessary to ensure the safety of
9 cadets during Sea Year training.

10 “(c) SELF-CERTIFICATION BY OWNERS OR OPERA-
11 TORS.—The Maritime Administrator shall require the
12 owner or operator of any commercial vessel that is car-
13 rying a cadet from the United States Merchant Marine
14 Academy to annually certify that—

15 “(1) the vessel owner or operator is in compli-
16 ance with the criteria established under subsection
17 (a); and

18 “(2) the vessel is in compliance with the Inter-
19 national Convention of Safety of Life at Sea, 1974
20 (32 UST 47) and sections 8106 and 70103(c).

21 “(d) INFORMATION, TRAINING, AND RESOURCES.—
22 The Maritime Administrator shall ensure that a cadet par-
23 ticipating in Sea Year—

24 “(1) receives training specific to vessel safety,
25 including sexual harassment, dating violence, domes-

1 tic violence, sexual assault, and stalking prevention
2 and response training, prior to the cadet boarding a
3 vessel for Sea Year training;

4 “(2) is equipped with an appropriate means of
5 communication and has been trained on its use;

6 “(3) has access to a helpline to report incidents
7 of sexual harassment, dating violence, domestic vio-
8 lence, sexual assault, or stalking that is monitored
9 by trained personnel; and

10 “(4) is informed of the legal requirements for
11 vessel owners and operators to provide for the secu-
12 rity of individuals onboard, including requirements
13 under section 70103(c) and chapter 81.”;

14 (2) by redesignating subsections (b) through (d)
15 as subsections (e) through (g), respectively;

16 (3) in subsection (e), as so redesignated, by
17 striking paragraph (2) and inserting the following
18 new paragraphs:

19 “(2) ACCESS TO INFORMATION.—The vessel op-
20 erator shall make available to staff conducting a ves-
21 sel check such information as the Maritime Adminis-
22 trator determines is necessary to determine whether
23 the vessel is being operated in compliance with the
24 criteria established under subsection (a).

1 “(3) REMOVAL OF STUDENTS.—If staff of the
2 Academy or staff of the Maritime Administration de-
3 termine that a commercial vessel is not in compli-
4 ance with the criteria established under subsection
5 (a), the staff—

6 “(A) may remove a cadet of the Academy
7 from the vessel; and

8 “(B) shall report such determination of
9 non-compliance to the owner or operator of the
10 vessel.”;

11 (4) in subsection (f), as so redesignated, by
12 striking “or the seafarer union” and inserting “and
13 the seafarer union”; and

14 (5) by adding at the end the following:

15 “(h) NONCOMMERCIAL VESSELS.—

16 “(1) IN GENERAL.—A public vessel (as defined
17 in section 2101) shall not be subject to the require-
18 ments of this section.

19 “(2) REQUIREMENTS FOR PARTICIPATION.—

20 The Maritime Administrator may establish criteria
21 and requirements that the operators of public vessels
22 shall meet to participate in the Sea Year program of
23 the United States Merchant Marine Academy that
24 addresses prevention of, and response to, sexual har-

1 assessment, dating violence, domestic violence, sexual
2 assault, and stalking.”.

3 (b) REGULATIONS.—

4 (1) IN GENERAL.—The Maritime Administrator
5 may prescribe rules necessary to carry out the
6 amendments made by this section.

7 (2) INTERIM RULES.—The Maritime Adminis-
8 trator may prescribe interim rules necessary to carry
9 out the amendments made by this section. For this
10 purpose, the Maritime Administrator in prescribing
11 rules under paragraph (1) is excepted from compli-
12 ance with the notice and comment requirements of
13 section 553 of title 5, United States Code. All rules
14 prescribed under the authority of the amendments
15 made by this section shall remain in effect until su-
16 perseded by a final rule.

17 (c) CONFORMING AMENDMENTS.—

18 (1) SEA YEAR COMPLIANCE.—Section 3514 of
19 the National Defense Authorization Act for Fiscal
20 Year 2017 (46 U.S.C. 51318 note) is repealed.

21 (2) ACCESS OF ACADEMY CADETS TO DOD SAFE
22 OR EQUIVALENT HELPLINE.—Section 3515 of the
23 National Defense Authorization Act for Fiscal Year
24 2018 (46 U.S.C. 51518 note) is amended by striking

1 subsection (b) and redesignating subsection (c) as
2 subsection (b).

3 **SEC. 3514. REQUIREMENTS RELATING TO TRAINING OF**
4 **MERCHANT MARINE ACADEMY CADETS ON**
5 **CERTAIN VESSELS.**

6 (a) REQUIREMENTS RELATING TO PROTECTION OF
7 CADETS FROM SEXUAL ASSAULT ONBOARD VESSELS.—

8 (1) IN GENERAL.—Subsection (b) of section
9 51307 of title 46, United States Code, is amended
10 to read as follows:

11 “(b) SEA YEAR CADETS ON CERTAIN VESSELS.—

12 “(1) REQUIREMENTS.—The Secretary shall re-
13 quire an operator of a vessel participating in the
14 Maritime Security Program under chapter 531 of
15 this title, the Cable Security Fleet under chapter
16 532 of this title, or the Tanker Security Fleet under
17 chapter 534 of this title to—

18 “(A) carry on each Maritime Security Pro-
19 gram vessel, Cable Security Fleet vessel, or
20 Tanker Security Fleet vessel 2 United States
21 Merchant Marine Academy cadets, if available,
22 on each voyage; and

23 “(B) implement and adhere to policies,
24 programs, criteria, and requirements estab-
25 lished pursuant to section 51322 of this title.

1 “(2) FAILURE TO IMPLEMENT OR ADHERE TO
2 REQUIREMENTS.—Failure to implement or adhere to
3 the policies, programs, criteria, and requirements re-
4 ferred to in paragraph (1)(B) may, as determined by
5 the Maritime Administrator, constitute a violation of
6 an operating agreement entered into under chapter
7 531, 532, or 533 of this title and the Maritime Ad-
8 ministrators may—

9 “(A) require the operator to take corrective
10 actions; or

11 “(B) withhold payment due to the operator
12 until the violation, as determined by the Mari-
13 time Administrator, has been remedied.

14 “(3) WITHHELD PAYMENTS.—Any payment
15 withheld pursuant to paragraph (2)(B) may be paid,
16 upon a determination by the Maritime Administrator
17 that the operator is in compliance with the policies,
18 programs, criteria, and requirements referred to in
19 paragraph (1)(B).”.

20 (2) APPLICABILITY.—Paragraph (2) of sub-
21 section (b) of section 51307, as amended by para-
22 graph (1), shall apply with respect to any failure to
23 implement or adhere to the policies, programs, cri-
24 teria, and requirements referred to in paragraph
25 (1)(B) of such subsection that occurs on or after the

1 date that is one year after the date of the enactment
2 of this Act.

3 (b) REQUIREMENTS FOR GOVERNMENT-OWNED VES-
4 SELS.—Subsection (c) of such section is amended—

5 (1) in the subsection heading by striking “MILI-
6 TARY SEALIFT COMMAND VESSELS” and inserting
7 “GOVERNMENT-OWNED VESSELS”;

8 (2) in paragraph (1), by redesignating subpara-
9 graphs (A) and (B) as clauses (i) and (ii), respec-
10 tively, and adjusting the margins accordingly;

11 (3) by redesignating paragraphs (1) and (2) as
12 subparagraphs (A) and (B), respectively, and adjust-
13 ing the margins accordingly;

14 (4) by inserting before subparagraph (A), as so
15 redesignated, the following:

16 “(1) IN GENERAL.—Consistent with the pur-
17 pose of the United States Merchant Marine Acad-
18 emy, as described in section 51301(b) of this chap-
19 ter, vessels owned or chartered by the United States
20 Government, including vessels of the United States
21 Coast Guard, United States Navy, Military Sealift
22 Command, are proper vessels for training cadets.

23 “(2) MILITARY SEALIFT COMMAND VESSELS.—
24 ”;

1 (5) in subparagraph (A), as so redesignated, by
2 striking “paragraph (2)” and inserting “subpara-
3 graph (B)”; and

4 (6) in subparagraph (B), as so redesignated, by
5 striking “paragraph (1)” and inserting “subpara-
6 graph (A)”.

7 (c) CONFORMING AMENDMENTS.—Title 46, United
8 States Code, is further amended—

9 (1) in section 53106(a)(2), by inserting “or sec-
10 tion 51307(b)” after “this section”;

11 (2) in section 53206(a)(2), by inserting “or sec-
12 tion 51307(b)” after “this section”; and

13 (3) in section 53406(a), by inserting “or section
14 51307(b)” after “this section”.

15 **SEC. 3515. REPORTS ON MATTERS RELATING TO THE**
16 **UNITED STATES MERCHANT MARINE ACAD-**
17 **EMY.**

18 (a) REPORT ON IMPLEMENTATION OF NAPA REC-
19 OMMENDATIONS.—

20 (1) IN GENERAL.—In accordance with para-
21 graph (3), the Secretary of Transportation shall sub-
22 mit to the appropriate congressional committees re-
23 ports on the status of the implementation of the rec-
24 ommendations specified in paragraph (4).

1 (2) ELEMENTS.—Each report under paragraph
2 (1) shall include the following:

3 (A) A description of the status of the im-
4 plementation of each recommendation specified
5 in paragraph (4), including whether the Sec-
6 retary—

7 (i) concurs with the recommendation;

8 (ii) partially concurs with the rec-
9 ommendation; or

10 (iii) does not concur with the rec-
11 ommendation.

12 (B) An explanation of—

13 (i) with respect to a recommendation
14 with which the Secretary concurs, the ac-
15 tions the Secretary intends to take to im-
16 plement such recommendation, including—

17 (I) any rules, regulations, poli-
18 cies, or other guidance that have been
19 issued, revised, changed, or cancelled
20 as a result of the implementation of
21 the recommendation; and

22 (II) any impediments to the im-
23 plementation of the recommendation;

24 (ii) with respect to a recommendation
25 with which the Secretary partially concurs,

1 the actions the Secretary intends to take to
2 implement the portion of such rec-
3 ommendation with which the Secretary
4 concurs, including—

5 (I) intermediate actions, mile-
6 stone dates, and the expected comple-
7 tion date for the implementation of
8 the portion of the recommendation;
9 and

10 (II) any rules, regulations, poli-
11 cies, or other guidance that are ex-
12 pected to be issued, revised, changed,
13 or cancelled as a result of the imple-
14 mentation of the portion of the rec-
15 ommendation;

16 (iii) with respect to a recommendation
17 with which the Secretary does not concur,
18 an explanation of why the Secretary does
19 not concur with such recommendation; and

20 (iv) any statutory changes that may
21 be necessary—

22 (I) to fully implement the rec-
23 ommendations specified in paragraph
24 (4) with which the Secretary concurs;
25 or

1 (II) to partially implement the
2 recommendations specified in such
3 paragraph with which the Secretary
4 partially concurs.

5 (C) A visual depiction of the status of the
6 completion of the recommendations specified in
7 paragraph (4).

8 (3) TIMING OF REPORTS.—The Secretary of
9 Transportation shall submit an initial report under
10 paragraph (1) not later than 90 days after the date
11 of the enactment of this Act. Following the sub-
12 mittal of the initial report, the Secretary shall sub-
13 mit updated versions of the report not less fre-
14 quently than once every 180 days until the date on
15 which the Secretary submits to the appropriate con-
16 gressional committees a certification that each rec-
17 ommendation specified in paragraph (4)—

18 (A) with which the Secretary concurs—

19 (i) has been fully implemented; or

20 (ii) cannot be fully implemented, in-
21 cluding an explanation of why; and

22 (B) with which the Secretary partially con-
23 curs—

24 (i) has been partially implemented; or

1 (ii) cannot be partially implemented,
2 including an explanation of why.

3 (4) RECOMMENDATIONS SPECIFIED.—The rec-
4 ommendations specified in this paragraph are the
5 recommendations set forth in the report prepared by
6 a panel of the National Academy of Public Adminis-
7 tration pursuant to section 3513 of the National De-
8 fense Authorization Act for Fiscal Year 2020 (Pub-
9 lic Law 116–92; 133 Stat. 1979) titled “Organiza-
10 tional Assessment of the U.S. Merchant Marine
11 Academy: A Path Forward”, dated November 2021.

12 (b) REPORT ON IMPLEMENTATION OF POLICY RE-
13 LATING TO SEXUAL HARASSMENT AND OTHER MAT-
14 TERS.—Not later than one year after the date of the en-
15 actment of this Act, the Secretary of Transportation shall
16 submit to the appropriate congressional committees a re-
17 port on the status of the implementation the policy on sex-
18 ual harassment, dating violence, domestic violence, sexual
19 assault, and stalking at the United States Merchant Ma-
20 rine Academy as required under section 51318 of title 46,
21 United States Code.

22 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
23 FINED.—In this section, the term “appropriate congres-
24 sional committees” means—

1 (1) the Committee on Armed Services and the
2 Committee on Commerce, Science, and Transpor-
3 tation of the Senate; and

4 (2) the Committee on Armed Services and the
5 Committee on Transportation and Infrastructure of
6 the House of Representatives.

7 **Subtitle C—Vessels**

8 **SEC. 3521. WAIVER OF NAVIGATION AND VESSEL-INSPEC-** 9 **TION LAWS.**

10 Section 501 of title 46, United States Code, is
11 amended—

12 (1) in subsection (b)(1) by inserting “on a ves-
13 sel specific basis” after “those laws”; and

14 (2) in subsection (c)(1)—

15 (A) by inserting “and the individual re-
16 questing such waiver (if not the owner or oper-
17 ator of the vessel)” before “shall submit”;

18 (B) in subparagraph (C) by striking
19 “and”;

20 (C) by redesignating subparagraphs (B),
21 (C), and (D), as subparagraphs (C), (D), and
22 (G), respectively;

23 (D) by inserting after subparagraph (A)
24 the following:

1 “(B) the name of the owner and operator
2 of the vessel;” and

3 (E) by inserting after subparagraph (D),
4 as so redesignated, the following:

5 “(E) a description of the cargo carried;

6 “(F) an explanation as to why the waiver
7 is necessary in the interest of national defense;
8 and”.

9 **SEC. 3522. CERTIFICATES OF NUMBERS FOR UNDOCU-**
10 **MENTED VESSELS.**

11 Section 12304(a) of title 46, United States Code, is
12 amended—

13 (1) by striking “shall be pocketsized,”; and

14 (2) by inserting “in hard copy or digital form.

15 Any certificate issued in hard copy under this sec-
16 tion shall be pocketsized. The certificate shall be”
17 after “and may be”.

18 **SEC. 3523. RECAPITALIZATION OF NATIONAL DEFENSE RE-**
19 **SERVE FLEET.**

20 (a) IN GENERAL.—The Secretary of Transportation,
21 in consultation with the Chief of Naval Operations and
22 the Commandant of the Coast Guard, shall direct the Mar-
23 itime Administrator to carry out a program under which
24 the Administrator—

1 (1) shall complete the design of a roll-on, roll-
2 off cargo vessel for the National Defense Reserve
3 Fleet to allow for the construction of such vessel to
4 begin in fiscal year 2024; and

5 (2) subject to the availability of appropriations,
6 shall have an entity enter into a contract for the
7 construction of not more than ten such vessels in ac-
8 cordance with this section.

9 (b) CONSTRUCTION AND DOCUMENTATION REQUIRE-
10 MENTS.—A vessel constructed pursuant to this section
11 shall meet the requirements for and be issued a certificate
12 of documentation and a coastwise endorsement under
13 chapter 121 of title 46, United States Code.

14 (c) DESIGN STANDARDS AND CONSTRUCTION PRAC-
15 TICES.—Subject to subsection (b), a vessel constructed
16 pursuant to this section shall be constructed using com-
17 mercial design standards and commercial construction
18 practices that are consistent with the best interests of the
19 Federal Government.

20 (d) CONSULTATION WITH OTHER FEDERAL ENTI-
21 TIES.—The Maritime Administrator may consult and co-
22 ordinate with the Secretary of the Navy regarding the ves-
23 sel described in subsection (a) and activities associated
24 with such vessel.

1 (e) CONTRACTING.—The Maritime Administrator
2 shall provide for an entity other than the Maritime Admin-
3 istration to contract for the construction of the vessel de-
4 scribed in subsection (a).

5 (f) LIMITATION ON USE OF FUNDS FOR USED VES-
6 SELS.—Amounts authorized to be appropriated by this or
7 any other Act for use by the Maritime Administration to
8 carry out this section may not be used for the procurement
9 of any used vessel.

10 (g) BUY AMERICA REQUIREMENT.—Section 4864 of
11 title 10, United States Code, shall apply to all components
12 of a vessel constructed under this section.

13 **SEC. 3524. CARGOES PROCURED, FURNISHED, OR FI-**
14 **NANCED BY THE UNITED STATES GOVERN-**
15 **MENT.**

16 (a) IN GENERAL.—Section 55305 of title 46, United
17 States Code, is amended—

18 (1) by striking subsection (a);

19 (2) by redesignating subsection (b) as sub-
20 section (a);

21 (3) in subsection (c)—

22 (A) by striking “The President” and in-
23 sserting the following:

24 “(1) IN GENERAL.—The President”; and

25 (B) by adding at the end the following:

1 “(2) SUBMISSION TO CONGRESS.—At least once
2 each fiscal year, the President or the Secretary of
3 Defense, as applicable, shall submit to the appro-
4 priate congressional committees, in writing, a notice
5 of any waiver granted under this subsection and the
6 reasons for granting such waiver.”;

7 (4) by redesignating subsections (e) through (e)
8 as subsections (d) through (f), respectively;

9 (5) by inserting after subsection (a) the fol-
10 lowing:

11 “(b) ELIGIBLE VESSELS.—To be eligible to carry
12 cargo under this section, a privately-owned commercial
13 vessel—

14 “(1) shall be documented under the laws of the
15 United States for at least 3 years; or

16 “(2) may be documented under the laws of the
17 United States for less than 3 years if the vessel
18 owner signs an agreement with the Secretary pro-
19 viding that—

20 “(A) the vessel shall remain documented
21 under the laws of the United States for at least
22 3 years; and

23 “(B) the vessel owner shall, upon request
24 of the Secretary, agree to enroll the vessel in an
25 Emergency Preparedness Program under chap-

1 ter 531 or voluntary agreement authorized
2 under section 708 of the Defense Production
3 Act of 1950 (50 U.S.C. 4558) and shall remain
4 so enrolled until the vessel ceases to be docu-
5 mented under the laws of the United States.

6 “(c) VIOLATION OF AGREEMENT.—

7 “(1) IN GENERAL.—A vessel under an agree-
8 ment described in subsection (b)(2) may be seized by
9 and forfeited to the United States if, in violation of
10 such agreement—

11 “(A) the vessel owner places the vessel
12 under foreign registry; or

13 “(B) a person operates the vessel under
14 the authority of a foreign country.

15 “(2) INAPPLICABILITY OF OTHER LAW.—Sec-
16 tion 12112 of title 46, United States Code, shall not
17 apply to the seizure and forfeiture of a vessel pursu-
18 ant to paragraph (1).”; and

19 (6) by adding at the end the following:

20 “(g) AUDIT AND REPORT.—In carrying out this sec-
21 tion, the Secretary shall annually—

22 “(1) audit the list of vessels that are operating
23 under an agreement described in subsection (b)(2);
24 and

25 “(2) submit to Congress a report describing—

1 “(A) each of the vessels operating under
2 paragraph (2) of section 55305(b) and each
3 agreement signed by the Secretary pursuant to
4 such paragraph;

5 “(B) the results of any audit described in
6 paragraph (1); and

7 “(C) any other pertinent information that
8 the Secretary determines to be of interest to
9 Congress.”.

10 (b) TECHNICAL AMENDMENT.—

11 (1) CHAPTER ANALYSIS.—The analysis for
12 chapter 553 of title 46, United States Code, is
13 amended by striking the item relating to subchapter
14 I and inserting the following:

“SUBCHAPTER I—GOVERNMENT IMPELLED TRANSPORTATION”.

15 (2) CARGOES PROCURED, FURNISHED, OR FI-
16 NANCED BY THE UNITED STATES GOVERNMENT.—
17 Section 55305(d)(2)(D) of title 46, United States
18 Code, is amended by striking “section 25(c)(1) of
19 the Office of Federal Procurement Policy Act (41
20 U.S.C. 1303(a)(1))” and inserting “section
21 1303(a)(1) of title 41, United States Code,”.

1 **Subtitle D—Reports and Other**
2 **Matters**

3 **SEC. 3532. NATIONAL MARITIME TRANSPORTATION RE-**
4 **PORT AND STRATEGY.**

5 (a) NATIONAL MARITIME TRANSPORTATION RE-
6 PORT.—Not later than October 31, 2023, the Secretary
7 of Defense shall submit to the appropriate congressional
8 committees a national maritime transportation report.
9 Such report shall include each of the following:

10 (1) An analysis of the causes for the decline in
11 the number of vessels documented under chapter
12 121 of title 46, United States Code and operating in
13 the international trade.

14 (2) An examination of the national security and
15 economic requirements for the United States mer-
16 chant marine during peacetime and during surge
17 and sustained national defense sealift that address-
18 es—

19 (A) whether existing United States-flag
20 shipping, maritime labor, and shipbuilding and
21 repair capacity is sufficient to fulfill such sealift
22 requirements; and

23 (B) if such capacity is not sufficient, the
24 capacity, including naval auxiliary ships, that
25 would be needed during a major conflict by—

- 1 (i) the military for strategic sealift;
2 and
3 (ii) the private sector to sustain the
4 economy.

5 (3) An evaluation of the contracting procedures
6 for United States Government cargo transport and
7 a determination of whether such policies ensure suf-
8 ficient access to vessels documented under chapter
9 121 of title 46, United States Code.

10 (4) A review of the objectives under section
11 50101(a) of title 46, United States Code, and a de-
12 termination of the extent to which legislation, pro-
13 grams, policies, and regulations adopted since the
14 adoption of such objectives in the Merchant Marine
15 Act, 1936 have aligned with such objectives.

16 (5) A comparison between the subsidy programs
17 of other beneficial flag programs and the existing
18 support programs in the United States.

19 (b) NATIONAL MARITIME TRANSPORTATION STRAT-
20 EGY.—Not later than October 31, 2024, the Secretary of
21 Defense shall submit to the appropriate congressional
22 committees a national maritime transportation strategy.
23 Such strategy shall include each of the following:

- 24 (1) Recommendations to encourage the growth
25 of shipping by United States-flag and United States-

1 owned vessels and the growth of the United States
2 shipbuilding industrial base that are—

3 (A) sufficient for national and economic se-
4 curity;

5 (B) consistent with the objectives and pol-
6 icy under section 50101 of title 46, United
7 States Code;

8 (C) compatible with international treaties
9 and agreements governing maritime safety, se-
10 curity, and environmental protection; and

11 (D) compatible with rapidly evolving mari-
12 time transportation technology.

13 (2) Recommendations to increase the size of the
14 United States-flagged fleet and increase the pool of
15 United States mariners through—

16 (A) bolstering existing funding sources;

17 (B) new funding; or

18 (C) new programs.

19 (c) INDEPENDENT ENTITY PREPARATION.—The Sec-
20 retary of Defense shall seek to enter into an agreement
21 with an appropriate non-Department of Defense entity
22 that specializes in maritime research under which such en-
23 tity shall prepare the report and strategy required under
24 this section.

1 (d) CONSULTATION REQUIREMENT.—In carrying out
2 this section, the Secretary of Defense shall consult with—

3 (1) the Secretary of Transportation, acting
4 through the Maritime Administrator; and

5 (2) the Secretary of the Department in which
6 the Coast Guard operating, acting through the Com-
7 mandant of the Coast Guard.

8 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—

9 In this section, the term “appropriate congressional com-
10 mittees” means—

11 (1) the Committee on Armed Services and the
12 Committee on Transportation and Infrastructure of
13 the House of the Representatives; and

14 (2) the Committee on Armed Services and the
15 Committee on Commerce, Science and Transpor-
16 tation of the Senate.

17 **DIVISION D—FUNDING TABLES**

18 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**

19 **BLES.**

20 (a) IN GENERAL.—Whenever a funding table in this
21 division specifies a dollar amount authorized for a project,
22 program, or activity, the obligation and expenditure of the
23 specified dollar amount for the project, program, or activ-
24 ity is hereby authorized, subject to the availability of ap-
25 propriations.

1 (b) MERIT-BASED DECISIONS.—

2 (1) IN GENERAL.—A decision to commit, obli-
3 gate, or expend funds with or to a specific entity on
4 the basis of a dollar amount authorized pursuant to
5 subsection (a) shall—

6 (A) except as provided in paragraph (2),
7 be based on merit-based selection procedures in
8 accordance with the requirements of sections
9 2304(k) and 2374 of title 10, United States
10 Code, or on competitive procedures; and

11 (B) comply with other applicable provisions
12 of law.

13 (2) EXCEPTION.—Paragraph (1)(A) does not
14 apply to a decision to commit, obligate, or expend
15 funds on the basis of a dollar amount authorized
16 pursuant to subsection (a) if the project, program,
17 or activity involved—

18 (A) is listed in section 4201; and

19 (B) is identified as Community Project
20 Funding through the inclusion of the abbrevia-
21 tion “CPF” immediately before the name of the
22 project, program, or activity.

23 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-
24 MING AUTHORITY.—An amount specified in the funding
25 tables in this division may be transferred or repro-

1 grammed under a transfer or reprogramming authority
 2 provided by another provision of this Act or by other law.
 3 The transfer or reprogramming of an amount specified in
 4 such funding tables shall not count against a ceiling on
 5 such transfers or reprogrammings under section 1001 of
 6 this Act or any other provision of law, unless such transfer
 7 or reprogramming would move funds between appropria-
 8 tion accounts.

9 (d) **APPLICABILITY TO CLASSIFIED ANNEX.**—This
 10 section applies to any classified annex that accompanies
 11 this Act.

12 (e) **ORAL AND WRITTEN COMMUNICATIONS.**—No
 13 oral or written communication concerning any amount
 14 specified in the funding tables in this division shall super-
 15 sede the requirements of this section.

16 **TITLE XLI—PROCUREMENT**

17 **SEC. 4101. PROCUREMENT.**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
AIRCRAFT PROCUREMENT, ARMY			
FIXED WING			
002	MQ-1 UAV		350,000
	Program increase—MQ-1 for Army National Guard		[350,000]
005	SMALL UNMANNED AIRCRAFT SYSTEMS	10,598	20,598
	Short Range Reconnaissance acceleration		[10,000]
ROTARY			
007	AH-64 APACHE BLOCK IIIA REMAN	524,661	524,661
008	AH-64 APACHE BLOCK IIIA REMAN AP	169,218	169,218
010	UH-60 BLACKHAWK M MODEL (MYP)	650,406	706,806
	Add 2 aircraft—combat loss replacement		[57,400]
	Unjustified growth- program management administration		[-1,000]
011	UH-60 BLACKHAWK M MODEL (MYP) AP	68,147	68,147
012	UH-60 BLACK HAWK L AND V MODELS	178,658	178,658
013	CH-47 HELICOPTER	169,149	366,849
	Three additional aircraft		[197,700]
014	CH-47 HELICOPTER AP	18,749	18,749
MODIFICATION OF AIRCRAFT			
016	MQ-1 PAYLOAD	57,700	177,700
	Program increase—recapitalize 12 MQ-1 aircraft		[120,000]
018	GRAY EAGLE MODS2	13,038	13,038
019	MULTI SENSOR ABN RECON	21,380	21,380
020	AH-64 MODS	85,840	122,849
	AH-64 Link 16 modifications		[22,009]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Manned-unmanned teaming		[15,000]
021	CH-47 CARGO HELICOPTER MODS (MYP)	11,215	36,215
	Degraded visual environment system		[25,000]
024	EMARSS SEMA MODS	1,591	1,591
026	UTILITY HELICOPTER MODS	21,346	33,346
	Load stabilization systems		[12,000]
027	NETWORK AND MISSION PLAN	44,526	44,026
	Unjustified growth—program management administration		[-500]
028	COMMS, NAV SURVEILLANCE	72,387	72,387
030	AVIATION ASSURED PNT	71,130	71,130
031	GATM ROLLUP	14,683	14,683
	GROUND SUPPORT AVIONICS		
034	AIRCRAFT SURVIVABILITY EQUIPMENT	167,927	167,927
035	SURVIVABILITY CM	6,622	6,622
036	CMWS	107,112	107,112
037	COMMON INFRARED COUNTERMEASURES (CIRCM)	288,209	288,209
	OTHER SUPPORT		
039	COMMON GROUND EQUIPMENT	20,823	20,823
040	AIRCREW INTEGRATED SYSTEMS	25,773	25,773
041	AIR TRAFFIC CONTROL	27,492	27,492
042	LAUNCHER, 2.75 ROCKET	1,275	1,275
	TOTAL AIRCRAFT PROCUREMENT, ARMY	2,849,655	3,657,264
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN	4,260	4,260
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN AP	9,200	9,200
003	M-SHORAD—PROCUREMENT	135,747	410,809
	Additional units—Army UPL		[111,100]
	Hellfire pod replacement—Army UPL		[55,740]
	Production line—Army UPL		[108,222]
004	MSE MISSILE	1,037,093	1,037,093
005	PRECISION STRIKE MISSILE (PRSM)	213,172	213,172
006	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I	18,924	20,174
	Force Protection Systems—Indirect Fire Protection Capability		[1,250]
	AIR-TO-SURFACE MISSILE SYSTEM		
007	HELLFIRE SYS SUMMARY	111,294	111,294
008	JOINT AIR-TO-GROUND MSLs (JAGM)	216,030	216,030
010	LONG-RANGE HYPERSONIC WEAPON	249,285	249,285
	ANTI-TANK/ASSAULT MISSILE SYS		
011	JAVELIN (AAWS-M) SYSTEM SUMMARY	162,968	258,868
	Program increase—CLU		[95,900]
012	TOW 2 SYSTEM SUMMARY	105,423	105,423
013	GUIDED MLRS ROCKET (GMLRS)	785,028	750,028
	Prior Year carryover		[-35,000]
014	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	4,354	4,354
015	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)	155,705	155,705
016	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)	37,937	112,937
	Procurement of Switchblade 600 variant		[75,000]
	MODIFICATIONS		
017	PATRIOT MODS	253,689	1,253,689
	4 Additional Fire Units to Equip 16th Patriot Battalion		[1,000,000]
020	ITAS/TOW MODS	5,154	5,154
021	MLRS MODS	218,359	208,359
	Program decrease		[-10,000]
022	HIMARS MODIFICATIONS	20,468	20,468
	SPARES AND REPAIR PARTS		
023	SPARES AND REPAIR PARTS	6,508	6,508
	SUPPORT EQUIPMENT & FACILITIES		
024	AIR DEFENSE TARGETS	11,317	11,317
	TOTAL MISSILE PROCUREMENT, ARMY	3,761,915	5,164,127
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	ARMORED MULTI PURPOSE VEHICLE (AMPV)	380,677	780,677
	Program increase		[400,000]
002	ASSAULT BREACHER VEHICLE (ABV)	3,852	3,852
003	MOBILE PROTECTED FIREPOWER	356,708	356,708
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER UPGRADE	671,271	891,171
	Program increase modifications—Army UPL		[219,900]
005	BRADLEY PROGRAM (MOD)	279,531	335,631
	Improved Bradley Acquisition Subsystem upgrade—Army UPL		[56,100]
006	M109 FOV MODIFICATIONS	3,028	3,028
007	PALADIN INTEGRATED MANAGEMENT (PIM)	493,003	653,003
	Procure 40 additional sets		[160,000]
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	138,759	138,759
012	JOINT ASSAULT BRIDGE	36,990	36,990

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
014	ABRAMS UPGRADE PROGRAM	656,340	1,289,934
	Program increase modifications—Army UPL		[108,994]
	Program increase upgrades—Army UPL		[524,600]
	WEAPONS & OTHER COMBAT VEHICLES		
017	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	26,627	26,627
018	MORTAR SYSTEMS	8,516	8,516
019	LOCATION & AZIMUTH DETERMINATION SYSTEM (LADS)	48,301	48,301
020	XM320 GRENADE LAUNCHER MODULE (GLM)	11,703	11,703
021	PRECISION SNIPER RIFLE	6,436	6,436
024	NEXT GENERATION SQUAD WEAPON	221,293	221,293
	MOD OF WEAPONS AND OTHER COMBAT VEH		
028	M777 MODS	3,374	3,374
029	M4 CARBINE MODS		8,000
	M4 Carbine Upper Receivers		[8,000]
033	M119 MODIFICATIONS	2,263	2,263
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV)	2,138	2,138
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	225,220	225,220
	TOTAL PROCUREMENT OF W&TCV, ARMY	3,576,030	5,053,624
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	59,447	71,067
	Program increase		[11,620]
002	CTG, 7.62MM, ALL TYPES	90,019	110,589
	Program increase		[20,570]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION	128,662	128,662
004	CTG, HANDGUN, ALL TYPES	317	317
005	CTG, .50 CAL, ALL TYPES	35,849	65,355
	Program increase		[29,506]
006	CTG, 20MM, ALL TYPES	11,761	21,761
	CRAM Program increase		[10,000]
007	CTG, 25MM, ALL TYPES	10,270	10,270
008	CTG, 30MM, ALL TYPES	143,045	163,045
	Program increase—M-SHORAD ground vehicle programs		[20,000]
009	CTG, 40MM, ALL TYPES	85,213	85,213
	MORTAR AMMUNITION		
010	60MM MORTAR, ALL TYPES	33,338	33,338
011	81MM MORTAR, ALL TYPES	56,577	56,577
012	120MM MORTAR, ALL TYPES	127,168	127,168
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	296,943	293,443
	120mm MPT—Unit cost growth		[-3,500]
	ARTILLERY AMMUNITION		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	7,647	5,647
	Artillery Cartridge unit cost growth		[-2,000]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES	182,455	172,455
	Proj Arty 155mm HE RAP M1210—Early to need		[-10,000]
017	PRECISION ARTILLERY MUNITIONS	166,334	166,334
018	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	143,763	143,763
	MINES		
019	MINES & CLEARING CHARGES, ALL TYPES	80,920	65,920
	M58A4 Linear Demolition Charge—Program Reduction		[-10,000]
	MK22 rocket—Program Reduction		[-5,000]
020	CLOSE TERRAIN SHAPING OBSTACLE	53,579	53,579
	ROCKETS		
021	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	18,159	18,159
022	ROCKET, HYDRA 70, ALL TYPES	171,697	171,697
	OTHER AMMUNITION		
023	CAD/PAD, ALL TYPES	7,643	7,643
024	DEMOLITION MUNITIONS, ALL TYPES	29,796	29,796
025	GRENADES, ALL TYPES	36,251	36,251
026	SIGNALS, ALL TYPES	13,852	13,852
027	SIMULATORS, ALL TYPES	9,350	9,350
028	REACTIVE ARMOR TILES		6,025
	Additional Bradley tiles—Army UPL		[6,025]
	MISCELLANEOUS		
029	AMMO COMPONENTS, ALL TYPES	3,823	3,823
030	ITEMS LESS THAN \$5 MILLION (AMMO)	19,921	19,921
031	AMMUNITION PECULIAR EQUIPMENT	13,001	13,001
032	FIRST DESTINATION TRANSPORTATION (AMMO)	17,528	17,528
033	CLOSEOUT LIABILITIES	101	101
	PRODUCTION BASE SUPPORT		
034	INDUSTRIAL FACILITIES	499,613	678,063
	Construction of Automated Contaminated Waste Plant, Lake City AAP		[10,000]
	Construction of Electrical System Upgrade Phase I, Seranton AAP		[3,000]
	Construction of Erie 1—Unload Manipulator, Seranton AAP		[700]
	Construction of Forge Shop – Process Smog Removal System, Seranton AAP		[500]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Construction of Forge Shop—Replace Pipes (Subway Area), Scranton AAP		[1,250]
	Construction of Industrial Sewer Modernization, Iowa AAP		[1,600]
	Construction of Infrastructure Repairs Phase I, Scranton AAP		[4,300]
	Construction of Infrastructure Repairs Phase II, Scranton AAP		[3,030]
	Construction of Medium Cal X-Ray Equipment & Infrastructure, Iowa AAP ...		[2,400]
	Construction of Replace Internal Water/Condensate Lines, Bldgs 1, 2, & 3, Lake City AAP.		[8,530]
	Construction of Small Caliber Automated Primer Design, Lake City AAP		[8,000]
	Construction of Storage Yard K Mod & Automation, Iowa AAP		[3,300]
	Construction of Ultra Violet Fire Detection System, Iowa AAP		[3,740]
	Construction of Upgrade Laundry Facility, Holston AAP		[5,600]
	Construction of Water Distribution System, Radford AAP		[25,000]
	Construction of Water In-take Pumps (B. 407), Radford AAP		[2,500]
	Urgent Safety Upgrades to LCAAP		[95,000]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION	80,970	80,970
036	ARMS INITIATIVE	4,039	4,039
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	2,639,051	2,884,722
OTHER PROCUREMENT, ARMY			
TACTICAL VEHICLES			
002	SEMITRAILERS, FLATBED:	23,021	23,021
003	SEMITRAILERS, TANKERS	21,869	21,869
004	HI MOB MULTI-PURP WHLD VEH (HMMWV)	6,121	6,121
005	GROUND MOBILITY VEHICLES (GMV)	34,316	47,116
	Program increase		[12,800]
007	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	703,110	703,110
008	TRUCK, DUMP, 20T (CCE)		30,000
	Program increase		[30,000]
009	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	74,086	157,746
	Program increase		[83,660]
010	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	23,772	23,772
011	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	39,950	39,950
012	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	96,112	239,612
	Program increase		[143,500]
013	PLS ESP	54,674	54,674
016	MODIFICATION OF IN SVC EQUIP	31,819	214,819
	HMMWV safety upgrades		[183,000]
NON-TACTICAL VEHICLES			
017	PASSENGER CARRYING VEHICLES	1,286	1,286
018	NONTACTICAL VEHICLES, OTHER	15,059	15,059
COMM—JOINT COMMUNICATIONS			
019	SIGNAL MODERNIZATION PROGRAM	179,853	169,853
	Equipment Cost Growth		[-5,000]
	Software Cost Growth		[-5,000]
020	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	382,007	417,007
	Program acceleration (mobile networking for three maneuver battalions)		[35,000]
022	DISASTER INCIDENT RESPONSE COMMS TERMINAL (DI	4,066	4,066
023	JCSE EQUIPMENT (USRDECOM)	5,505	5,505
COMM—SATELLITE COMMUNICATIONS			
026	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	107,228	107,228
027	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	119,259	119,259
028	SHF TERM	23,173	23,173
029	ASSURED POSITIONING, NAVIGATION AND TIMING	184,911	204,911
	MAPS—Army UPL		[20,000]
030	EHF SATELLITE COMMUNICATION	5,853	5,853
031	SMART-T (SPACE)	4,916	4,916
032	GLOBAL BRDCST SVC—GBS	3,179	3,179
COMM—C3 SYSTEM			
034	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,287	87,287
	Unjustified cost growth		[-7,000]
COMM—COMBAT COMMUNICATIONS			
035	HANDHELD MANPACK SMALL FORM FIT (HMS)	728,366	728,366
037	ARMY LINK 16 SYSTEMS	47,581	47,581
039	UNIFIED COMMAND SUITE	20,178	20,178
040	COTS COMMUNICATIONS EQUIPMENT	320,595	320,595
041	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	7,621	7,621
042	ARMY COMMUNICATIONS & ELECTRONICS	59,705	59,705
COMM—INTELLIGENCE COMM			
043	CI AUTOMATION ARCHITECTURE-INTEL	13,891	13,891
045	MULTI-DOMAIN INTELLIGENCE	20,637	20,637
INFORMATION SECURITY			
046	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	1,019	1,019
047	COMMUNICATIONS SECURITY (COMSEC)	125,692	125,692
049	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,796	1,796
051	BIOMETRIC ENABLING CAPABILITY (BEC)	816	816
052	ARCYBER DEFENSIVE CYBER OPERATIONS	18,239	18,239
COMM—LONG HAUL COMMUNICATIONS			
054	BASE SUPPORT COMMUNICATIONS	10,262	25,262

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2023 Request	House Authorized
	CONUS land mobile radio		[15,000]
	COMM—BASE COMMUNICATIONS		
055	INFORMATION SYSTEMS	116,522	140,522
	IT Network Refresh		[24,000]
056	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	5,036	5,036
059	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	214,806	214,806
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
062	TITAN	84,821	0
	Army requested realignment to OPA line 66		[-19,680]
	Army Requested Realignment to RDTE		[-50,900]
	Funding ahead of need		[-14,241]
063	JTT/CIBS-M	2,352	2,352
064	TERRESTRIAL LAYER SYSTEMS (TLS)	88,915	88,915
066	DCGS-A-INTEL	76,771	116,451
	Additional systems—Army UPL		[20,000]
	Army requested realignment from OPA line 62		[19,680]
067	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL	349	349
068	TROJAN	20,562	69,282
	Add 15—Army UPL		[48,720]
069	MOD OF IN-SVC EQUIP (INTEL SPT)	30,424	59,724
	Prophet Enhanced ESP Kits		[20,000]
	Service Tactical SIGINT upgrades—INDOPACOM UPL		[9,300]
070	BIOMETRIC TACTICAL COLLECTION DEVICES	2,269	2,269
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
073	AIR VIGILANCE (AV)	5,688	5,688
074	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	3,060	3,060
076	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	19,519	19,519
077	CI MODERNIZATION	437	437
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
078	SENTINEL MODS	166,736	166,736
079	NIGHT VISION DEVICES	424,253	619,953
	ENVGB program extension		[100,000]
	IVAS—Army UPL		[95,700]
080	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	11,357	11,357
082	FAMILY OF WEAPON SIGHTS (FWS)	202,258	194,258
	Program decrease		[-8,000]
083	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE	5,116	5,116
084	FORWARD LOOKING INFRARED (IFLIR)	37,914	37,914
085	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS)	326,364	448,364
	Coyote BLK2+ interceptors—Army UPL		[122,000]
086	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	186,515	176,515
	Program growth		[-10,000]
087	JOINT EFFECTS TARGETING SYSTEM (JETS)	10,304	10,304
088	COMPUTER BALLISTICS: LHMCB XM32	3,038	3,038
089	MORTAR FIRE CONTROL SYSTEM	4,879	4,879
090	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	4,370	4,370
091	COUNTERFIRE RADARS	162,208	162,208
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
092	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (.....	60,455	60,455
093	FIRE SUPPORT C2 FAMILY	9,676	9,676
094	AIR & MSL DEFENSE PLANNING & CONTROL SYS	72,619	72,619
095	IAMD BATTLE COMMAND SYSTEM	438,967	438,967
096	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,586	4,586
097	NETWORK MANAGEMENT INITIALIALIZATION AND SERVICE	37,199	37,199
098	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	4,102	4,102
099	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP)	6,926	6,926
101	MOD OF IN-SVC EQUIPMENT (ENFIRE)	4,076	15,076
	GPS laser leveling system		[11,000]
	ELECT EQUIP—AUTOMATION		
102	ARMY TRAINING MODERNIZATION	8,033	8,033
103	AUTOMATED DATA PROCESSING EQUIP	96,554	106,554
	AFRICOM Enterprise C2 Network Resiliency		[10,000]
104	ACCESSIONS INFORMATION ENVIRONMENT (AIE)	43,767	33,767
	Insufficient justification		[-10,000]
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
	ELECT EQUIP—SUPPORT		
111	BCT EMERGING TECHNOLOGIES	12,853	12,853
	CLASSIFIED PROGRAMS		
111A	CLASSIFIED PROGRAMS	1,596	1,596
	CHEMICAL DEFENSIVE EQUIPMENT		
113	BASE DEFENSE SYSTEMS (BDS)	47,960	47,960
114	CBRN DEFENSE	56,129	56,129
	BRIDGING EQUIPMENT		
116	TACTICAL BRIDGING	13,785	13,785
118	BRIDGE SUPPLEMENTAL SET	6,774	6,774

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
119	COMMON BRIDGE TRANSPORTER (CBT) RECAP	10,379	10,379
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
124	ROBOTICS AND APPLIQUE SYSTEMS	52,340	37,340
	SMETS program delay		[-15,000]
	COMBAT SERVICE SUPPORT EQUIPMENT		
127	HEATERS AND ECUS	7,672	7,672
129	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	4,691	4,691
130	GROUND SOLDIER SYSTEM	124,953	124,953
131	MOBILE SOLDIER POWER	15,933	15,933
132	FORCE PROVIDER		58,000
	Program increase		[58,000]
134	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	42,444	42,444
136	ITEMS LESS THAN \$5M (ENG SPT)	4,155	4,155
	PETROLEUM EQUIPMENT		
137	QUALITY SURVEILLANCE EQUIPMENT	2,845	2,845
138	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	26,433	45,733
	Modular Fuel System—Tank Rack Module - Army UPL		[19,300]
	MEDICAL EQUIPMENT		
139	COMBAT SUPPORT MEDICAL	75,606	75,606
	MAINTENANCE EQUIPMENT		
140	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	3,936	3,936
	CONSTRUCTION EQUIPMENT		
147	ALL TERRAIN CRANES	31,341	31,341
148	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)		18,300
	Program increase		[18,300]
149	FAMILY OF DIVER SUPPORT EQUIPMENT	3,256	3,256
150	CONST EQUIP ESP	9,104	9,104
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
151	ARMY WATERCRAFT ESP	47,889	47,889
152	MANEUVER SUPPORT VESSEL (MSV)	104,676	104,676
153	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	10,131	10,131
	GENERATORS		
154	GENERATORS AND ASSOCIATED EQUIP	54,400	54,400
155	TACTICAL ELECTRIC POWER RECAPITALIZATION	8,293	8,293
	MATERIAL HANDLING EQUIPMENT		
156	FAMILY OF FORKLIFTS	8,819	8,819
	TRAINING EQUIPMENT		
157	COMBAT TRAINING CENTERS SUPPORT	48,046	48,046
158	TRAINING DEVICES, NONSYSTEM	201,966	194,966
	Program decrease		[-7,000]
159	SYNTHETIC TRAINING ENVIRONMENT (STE)	255,670	295,670
	One World Terrain (STE-OWT)—Army UPL		[40,000]
160	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	9,546	9,546
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
162	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	36,514	36,514
164	TEST EQUIPMENT MODERNIZATION (TEMOD)	32,734	32,734
	OTHER SUPPORT EQUIPMENT		
166	PHYSICAL SECURITY SYSTEMS (OPA3)	102,556	110,706
	Force Protection Systems—Physical Security Systems		[14,150]
	Program decrease		[-6,000]
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	80,779
	Program decrease		[-4,000]
	OPA2		
172	INITIAL SPARES—C&E	10,463	10,463
	TOTAL OTHER PROCUREMENT, ARMY	8,457,509	9,448,798
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
001	F/A-18E/F (FIGHTER) HORNET	90,865	737,065
	8 aircraft—USNR		[666,000]
	Program decrease		[-19,800]
002	JOINT STRIKE FIGHTER CV	1,663,515	1,704,115
	TR-3 Organic Depot Standup		[40,600]
003	JOINT STRIKE FIGHTER CV AP	387,596	387,596
004	JSF STOVL	1,909,635	1,950,235
	TR-3 Organic Depot Standup		[40,600]
005	JSF STOVL AP	200,118	200,118
006	CH-53K (HEAVY LIFT)	1,669,986	1,913,986
	Add 2 aircraft		[250,000]
	Unjustified cost growth—Other ILS		[-2,000]
	Unjustified cost growth—Pubs/ Tech data		[-4,000]
007	CH-53K (HEAVY LIFT) AP	357,824	357,824
008	V-22 (MEDIUM LIFT)	31,795	243,795
	Unit quantity increase—2 aircraft		[212,000]
011	P-8A POSEIDON	41,521	31,521

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Program decrease		[-10,000]
012	E-2D ADV HAWKEYE	842,401	1,242,301
	2 additional E-2D aircraft—Navy UPL		[399,900]
	TRAINER AIRCRAFT		
014	MULTI-ENGINE TRAINING SYSTEM (METS)	123,217	123,217
015	ADVANCED HELICOPTER TRAINING SYSTEM	119,816	119,816
	OTHER AIRCRAFT		
016	KC-130J	439,501	1,138,601
	2 additional USMC C-130 aircraft—USMC UPL		[252,900]
	3 additional Navy C-130 aircraft—Navy UPL		[446,200]
017	KC-130J AP	29,122	44,522
	Advanced Procurement for USMC aircraft—USMC UPL		[15,400]
019	MQ-4 TRITON	587,820	567,820
	Program decrease		[-20,000]
020	MQ-4 TRITON AP	75,235	75,235
021	MQ-8 UAV		21,000
	Costs associated with restoring 5 LCS		[21,000]
022	STUASL0 UAV	2,703	2,703
023	MQ-25	696,713	696,713
024	MQ-25 AP	51,463	51,463
025	MARINE GROUP 5 UAS	103,882	93,882
	Program decrease		[-10,000]
	MODIFICATION OF AIRCRAFT		
027	F-18 A-D UNIQUE	141,514	141,514
028	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM	572,681	572,681
029	MARINE GROUP 5 UAS SERIES	86,116	86,116
030	AEA SYSTEMS	25,058	25,058
031	AV-8 SERIES	26,657	26,657
032	INFRARED SEARCH AND TRACK (IRST)	144,699	144,699
033	ADVERSARY	105,188	105,188
034	F-18 SERIES	480,663	480,663
035	H-53 SERIES	40,151	40,151
036	MH-60 SERIES	126,238	126,238
037	H-1 SERIES	122,498	135,798
	H-1 Digital Interoperability (DI) Link-16		[13,300]
038	EP-3 SERIES	8,492	8,492
039	E-2 SERIES	188,897	188,897
040	TRAINER A/C SERIES	9,568	9,568
042	C-130 SERIES	132,170	132,170
043	FEWSG	695	695
044	CARGO/TRANSPORT A/C SERIES	10,902	10,902
045	E-6 SERIES	129,049	129,049
046	EXECUTIVE HELICOPTERS SERIES	55,265	55,265
047	T-45 SERIES	201,670	201,670
048	POWER PLANT CHANGES	24,685	24,685
049	JPATS SERIES	19,780	19,780
050	AVIATION LIFE SUPPORT MODS	1,143	1,143
051	COMMON ECM EQUIPMENT	129,722	129,722
052	COMMON AVIONICS CHANGES	136,883	136,883
053	COMMON DEFENSIVE WEAPON SYSTEM	6,373	6,373
054	ID SYSTEMS	3,828	3,828
055	P-8 SERIES	249,342	310,042
	2 additional kits for P-8 increment 3—Navy UPL		[60,700]
056	MAGTF EW FOR AVIATION	24,684	24,684
057	MQ-8 SERIES	9,846	17,146
	Costs associated with restoring 5 LCS		[7,300]
058	V-22 (TIL/TROTOR ACFT) OSPREY	207,621	290,121
	V-22 Nacelle Improvement		[82,500]
059	NEXT GENERATION JAMMER (NGJ)	401,563	468,563
	Program increase—2 shipsets - Navy UPL		[67,000]
060	F-35 STOVL SERIES	216,356	216,356
061	F-35 CV SERIES	208,336	208,336
062	QRC	47,864	47,864
063	MQ-4 SERIES	94,738	94,738
064	RQ-21 SERIES	6,576	6,576
	AIRCRAFT SPARES AND REPAIR PARTS		
068	SPARES AND REPAIR PARTS	1,872,417	2,071,365
	Costs associated with restoring 5 LCS		[1,200]
	F-35B Engine/Lift System—USMC UPL		[117,000]
	MH-60R spares		[23,143]
	MH-60S spares		[7,605]
	Various systems—Navy UPL		[50,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
069	COMMON GROUND EQUIPMENT	542,214	542,214
070	AIRCRAFT INDUSTRIAL FACILITIES	101,559	101,559
071	WAR CONSUMABLES	40,316	40,316
072	OTHER PRODUCTION CHARGES	46,403	46,403
073	SPECIAL SUPPORT EQUIPMENT	423,280	423,280

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
TOTAL AIRCRAFT PROCUREMENT, NAVY		16,848,428	19,556,976
WEAPONS PROCUREMENT, NAVY			
MODIFICATION OF MISSILES			
001	TRIDENT II MODS	1,125,164	1,125,164
SUPPORT EQUIPMENT & FACILITIES			
002	MISSILE INDUSTRIAL FACILITIES	7,767	7,767
STRATEGIC MISSILES			
003	TOMAHAWK	160,190	403,790
	Expeditionary VLS Reload System—Navy UPL		[1,600]
	Unit quantity increase		[242,000]
TACTICAL MISSILES			
004	AMRAAM	335,900	335,900
005	SIDEWINDER	63,288	89,188
	Additional missiles—Navy UPL		[25,900]
006	STANDARD MISSILE	489,123	489,123
008	JASSM	58,481	58,481
009	SMALL DIAMETER BOMB II	108,317	108,317
010	RAM	92,131	92,131
011	JOINT AIR GROUND MISSILE (JAGM)	78,395	78,395
012	HELLFIRE	6,603	6,603
013	AERIAL TARGETS	183,222	183,222
014	DRONES AND DECOYS	62,930	62,930
015	OTHER MISSILE SUPPORT	3,524	3,524
016	LRASM	226,022	259,122
	Additional missiles—Navy UPL		[33,100]
017	NAVAL STRIKE MISSILE (NSM)	59,034	59,034
MODIFICATION OF MISSILES			
018	TOMAHAWK MODS	435,308	435,308
019	ESSM	282,035	282,035
020	AARGM	131,275	131,275
021	STANDARD MISSILES MODS	71,198	71,198
SUPPORT EQUIPMENT & FACILITIES			
022	WEAPONS INDUSTRIAL FACILITIES	1,976	1,976
ORDNANCE SUPPORT EQUIPMENT			
025	ORDNANCE SUPPORT EQUIPMENT	40,793	40,793
TORPEDOES AND RELATED EQUIP			
026	SSTD	3,789	3,789
027	MK-48 TORPEDO	151,128	200,128
	MK 48 Heavyweight Torpedo Procurement—Navy UPL		[49,000]
028	ASW TARGETS	14,403	14,403
MOD OF TORPEDOES AND RELATED EQUIP			
029	MK-54 TORPEDO MODS	106,772	126,772
	Program increase		[20,000]
030	MK-48 TORPEDO ADCAP MODS	18,502	18,502
031	MARITIME MINES	9,282	9,282
SUPPORT EQUIPMENT			
032	TORPEDO SUPPORT EQUIPMENT	87,044	87,044
033	ASW RANGE SUPPORT	3,965	3,965
DESTINATION TRANSPORTATION			
034	FIRST DESTINATION TRANSPORTATION	5,315	5,315
GUNS AND GUN MOUNTS			
035	SMALL ARMS AND WEAPONS	13,859	13,859
MODIFICATION OF GUNS AND GUN MOUNTS			
036	CIWS MODS	2,655	2,655
037	COAST GUARD WEAPONS	34,259	34,259
038	GUN MOUNT MODS	81,725	81,725
039	LCS MODULE WEAPONS	4,580	4,580
040	AIRBORNE MINE NEUTRALIZATION SYSTEMS	8,710	8,710
SPARES AND REPAIR PARTS			
042	SPARES AND REPAIR PARTS	170,041	170,041
TOTAL WEAPONS PROCUREMENT, NAVY		4,738,705	5,110,305
PROCUREMENT OF AMMO, NAVY & MC			
NAVY AMMUNITION			
001	GENERAL PURPOSE BOMBS	47,198	47,198
002	JDAM	76,688	76,688
003	AIRBORNE ROCKETS, ALL TYPES	70,005	70,005
004	MACHINE GUN AMMUNITION	20,586	20,586
005	PRACTICE BOMBS	51,109	51,109
006	CARTRIDGES & CART ACTUATED DEVICES	72,534	72,534
007	AIR EXPENDABLE COUNTERMEASURES	114,475	114,475
008	JATOS	7,096	7,096
009	5 INCH/54 GUN AMMUNITION	30,018	30,018
010	INTERMEDIATE CALIBER GUN AMMUNITION	40,089	40,089
011	OTHER SHIP GUN AMMUNITION	42,707	42,707
012	SMALL ARMS & LANDING PARTY AMMO	49,023	49,023
013	PYROTECHNIC AND DEMOLITION	9,480	9,480

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
014	AMMUNITION LESS THAN \$5 MILLION	1,622	1,622
	MARINE CORPS AMMUNITION		
015	MORTARS	71,214	71,214
016	DIRECT SUPPORT MUNITIONS	65,169	65,169
017	INFANTRY WEAPONS AMMUNITION	225,271	225,271
018	COMBAT SUPPORT MUNITIONS	19,691	19,691
019	AMMO MODERNIZATION	17,327	17,327
020	ARTILLERY MUNITIONS	15,514	15,514
021	ITEMS LESS THAN \$5 MILLION	5,476	5,476
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	1,052,292	1,052,292
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	3,079,223	3,079,223
002	OHIO REPLACEMENT SUBMARINE AP	2,778,553	2,778,553
	OTHER WARSHIPS		
003	CARRIER REPLACEMENT PROGRAM	1,481,530	1,466,530
	Program decrease		[-15,000]
004	CVN-81	1,052,024	1,037,024
	Program decrease		[-15,000]
005	VIRGINIA CLASS SUBMARINE	4,534,184	4,534,184
006	VIRGINIA CLASS SUBMARINE AP	2,025,651	2,025,651
008	CVN REFUELING OVERHAULS AP	618,295	618,295
009	DDG 1000	72,976	72,976
010	DDG-51	4,376,537	5,814,806
	Large Surface Combatant Shipyard Infrastructure		[250,000]
	One additional ship		[1,188,269]
011	DDG-51 AP	618,352	748,352
	Third DDG in FY 2024		[130,000]
013	FFG-FRIGATE	1,085,224	2,082,473
	One additional ship		[923,849]
	Wholeness for FFG-62 Procurement—Navy UPL		[73,400]
014	FFG-FRIGATE AP	74,949	74,949
	AMPHIBIOUS SHIPS		
015	LPD FLIGHT II	1,673,000	1,673,000
016	LPD FLIGHT II AP		250,000
	LPD-33 Advanced Procurement		[250,000]
020	LHA REPLACEMENT	1,085,470	1,374,470
	LHA 10 advance procurement		[289,000]
021	EXPEDITIONARY FAST TRANSPORT (EPF)		695,000
	EMS		[695,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
022	TAO FLEET OILER	794,719	1,540,719
	One additional ship		[746,000]
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	95,915	95,915
027	OUTFITTING	707,412	707,412
028	SHIP TO SHORE CONNECTOR	190,433	391,838
	Unit quantity increase		[201,405]
029	SERVICE CRAFT	68,274	68,274
030	LCAC SLEP	36,301	36,301
031	AUXILIARY VESSELS (USED SEALIFT)	140,686	140,686
032	COMPLETION OF PY SHIPBUILDING PROGRAMS	1,328,146	1,373,146
	CVN 73 RCOH Cost-to-Complete—Navy UPL		[45,000]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	27,917,854	32,679,777
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	46,478	46,478
	GENERATORS		
002	SURFACE COMBATANT HM&E	84,615	84,615
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	98,079	78,079
	Program decrease		[-20,000]
	OTHER SHIPBOARD EQUIPMENT		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	266,300	226,300
	Unjustified growth		[-40,000]
005	DDG MOD	770,341	770,341
006	FIREFIGHTING EQUIPMENT	19,687	19,687
007	COMMAND AND CONTROL SWITCHBOARD	2,406	2,406
008	LHA/LHD MIDLIFE	38,200	53,700
	LHD and LHA Class Electric Plant Wholeness—Navy UPL		[15,500]
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM	20,028	15,028
	Program decrease		[-5,000]
010	POLLUTION CONTROL EQUIPMENT	17,682	17,682
011	SUBMARINE SUPPORT EQUIPMENT	117,799	117,799
012	VIRGINIA CLASS SUPPORT EQUIPMENT	32,300	32,300
013	LCS CLASS SUPPORT EQUIPMENT	15,238	10,238
	Unjustified growth		[-5,000]

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
014	SUBMARINE BATTERIES	24,137	24,137
015	LPD CLASS SUPPORT EQUIPMENT	54,496	54,496
016	DDG 1000 CLASS SUPPORT EQUIPMENT	314,333	284,333
	Program decrease		[-30,000]
017	STRATEGIC PLATFORM SUPPORT EQUIP	13,504	13,504
018	DSSP EQUIPMENT	3,660	3,660
019	CG MODERNIZATION	59,054	59,054
020	LCAC	17,452	17,452
021	UNDERWATER EOD EQUIPMENT	35,417	35,417
022	ITEMS LESS THAN \$5 MILLION	60,812	60,812
023	CHEMICAL WARFARE DETECTORS	3,202	3,202
	REACTOR PLANT EQUIPMENT		
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,242,532	1,242,532
026	REACTOR POWER UNITS	4,690	4,690
027	REACTOR COMPONENTS	408,989	408,989
	OCEAN ENGINEERING		
028	DIVING AND SALVAGE EQUIPMENT	11,773	11,773
	SMALL BOATS		
029	STANDARD BOATS	57,262	78,730
	Six additional 40-foot Patrol Boats		[21,468]
	PRODUCTION FACILITIES EQUIPMENT		
030	OPERATING FORCES IPE	174,743	174,743
	OTHER SHIP SUPPORT		
031	LCS COMMON MISSION MODULES EQUIPMENT	57,313	57,313
032	LCS MCM MISSION MODULES	94,987	97,187
	Mine Countermeasures Mission Package Capacity and Wholeness—Navy UPL		[2,200]
033	LCS ASW MISSION MODULES	3,594	0
	Program decrease		[-3,594]
034	LCS SUW MISSION MODULES	5,100	5,100
035	LCS IN-SERVICE MODERNIZATION	76,526	111,526
	Costs associated with restoring 5 LCS		[65,000]
	Program decrease		[-30,000]
036	SMALL & MEDIUM UUV	49,763	44,763
	Unjustified growth		[-5,000]
	SHIP SONARS		
037	SPQ-9B RADAR	12,063	12,063
038	AN/SQQ-89 SURF ASW COMBAT SYSTEM	141,591	141,591
039	SSN ACOUSTIC EQUIPMENT	446,653	446,653
040	UNDERSEA WARFARE SUPPORT EQUIPMENT	17,424	17,424
	ASW ELECTRONIC EQUIPMENT		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM	31,708	31,708
042	SSTD	14,325	14,325
043	FIXED SURVEILLANCE SYSTEM	266,228	266,228
044	SURTASS	25,030	46,130
	Navy UPL		[21,100]
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ-32	292,417	292,417
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	311,210	316,910
	Counter-Command, Control, Communications, Computers and Combat Systems Intelligence, Surveillance and Reconnaissance and Targeting (C-C5ISR&T)—Navy UPL		[5,700]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	2,487	2,487
	OTHER SHIP ELECTRONIC EQUIPMENT		
048	COOPERATIVE ENGAGEMENT CAPABILITY	34,500	34,500
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	19,038	19,038
050	ATDLS	73,675	73,675
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,435	3,435
052	MINESWEEPING SYSTEM REPLACEMENT	16,336	16,336
054	NAVSTAR GPS RECEIVERS (SPACE)	30,439	30,439
055	AMERICAN FORCES RADIO AND TV SERVICE	2,724	2,724
056	STRATEGIC PLATFORM SUPPORT EQUIP	6,266	6,266
	AVIATION ELECTRONIC EQUIPMENT		
057	ASHORE ATC EQUIPMENT	89,396	89,396
058	AFLOAT ATC EQUIPMENT	86,732	86,732
059	ID SYSTEMS	59,226	59,226
060	JOINT PRECISION APPROACH AND LANDING SYSTEM (.....	8,186	8,186
061	NAVAL MISSION PLANNING SYSTEMS	26,778	26,778
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	3,520	3,520
063	TACTICAL/MOBILE C4I SYSTEMS	31,840	31,840
064	DCGS-N	15,606	15,606
065	CANES	402,550	382,550
	Insufficient justification		[-40,000]
	Intel secure data links		[20,000]
066	RADIAC	9,062	9,062
067	CANES-INTELL	48,665	48,665
068	GPETE	23,479	23,479

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
069	MASF	11,792	11,792
070	INTEG COMBAT SYSTEM TEST FACILITY	6,053	6,053
071	EMI CONTROL INSTRUMENTATION	4,219	4,219
072	ITEMS LESS THAN \$5 MILLION	102,846	102,846
	SHIPBOARD COMMUNICATIONS		
073	SHIPBOARD TACTICAL COMMUNICATIONS	36,941	36,941
074	SHIP COMMUNICATIONS AUTOMATION	101,691	101,691
075	COMMUNICATIONS ITEMS UNDER \$5M	55,290	55,290
	SUBMARINE COMMUNICATIONS		
076	SUBMARINE BROADCAST SUPPORT	91,150	91,150
077	SUBMARINE COMMUNICATION EQUIPMENT	74,569	74,569
	SATELLITE COMMUNICATIONS		
078	SATELLITE COMMUNICATIONS SYSTEMS	39,827	39,827
079	NAVY MULTIBAND TERMINAL (NMT)	24,586	24,586
	SHORE COMMUNICATIONS		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,699	4,699
	CRYPTOGRAPHIC EQUIPMENT		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP)	156,034	156,034
082	MIO INTEL EXPLOITATION TEAM	1,055	1,055
	CRYPTOLOGIC EQUIPMENT		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,832	20,332
	Service Tactical SIGINT Upgrades—INDOPACOM UPL		[1,500]
	OTHER ELECTRONIC SUPPORT		
092	COAST GUARD EQUIPMENT	68,556	68,556
	SONOBUOYS		
094	SONOBUOYS—ALL TYPES	291,670	303,521
	Program increase		[11,851]
	AIRCRAFT SUPPORT EQUIPMENT		
095	MINOTAUR	5,247	5,247
096	WEAPONS RANGE SUPPORT EQUIPMENT	106,209	106,209
097	AIRCRAFT SUPPORT EQUIPMENT	275,461	275,461
098	ADVANCED ARRESTING GEAR (AAG)	22,717	22,717
099	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
	SHIP GUN SYSTEM EQUIPMENT		
105	SHIP GUN SYSTEMS EQUIPMENT	5,902	5,902
	SHIP MISSILE SYSTEMS EQUIPMENT		
106	HARPOON SUPPORT EQUIPMENT	217	217
107	SHIP MISSILE SUPPORT EQUIPMENT	286,788	292,788
	SPY-1 Low Noise Amplifier		[6,000]
108	TOMAHAWK SUPPORT EQUIPMENT	95,856	95,856
	FBM SUPPORT EQUIPMENT		
109	STRATEGIC MISSILE SYSTEMS EQUIP	279,430	279,430
	ASW SUPPORT EQUIPMENT		
110	SSN COMBAT CONTROL SYSTEMS	128,874	128,874
111	ASW SUPPORT EQUIPMENT	26,920	35,720
	Secure Autonomous Data Link for USW Portable Ranges		[8,800]
	OTHER ORDNANCE SUPPORT EQUIPMENT		
112	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	17,048	20,548
	Dismounted Reconnaissance—Sets, Kits and Outfits (DR-SKO)		[3,500]
113	ITEMS LESS THAN \$5 MILLION	5,938	5,938
	OTHER EXPENDABLE ORDNANCE		
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
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
117	PASSENGER CARRYING VEHICLES	4,799	4,799
118	GENERAL PURPOSE TRUCKS	2,542	2,542
119	CONSTRUCTION & MAINTENANCE EQUIP	50,619	61,019
	GPS laser leveling system		[9,200]
	VLS training equipment—Navy UPL		[1,200]
120	FIRE FIGHTING EQUIPMENT	16,305	16,305
121	TACTICAL VEHICLES	28,586	33,386
	Program increase—Navy UPL		[4,800]
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
	SUPPLY SUPPORT EQUIPMENT		
125	SUPPLY EQUIPMENT	32,338	32,338
126	FIRST DESTINATION TRANSPORTATION	6,255	6,255
127	SPECIAL PURPOSE SUPPLY SYSTEMS	613,039	613,039
	TRAINING DEVICES		
128	TRAINING SUPPORT EQUIPMENT	1,285	1,285
129	TRAINING AND EDUCATION EQUIPMENT	44,618	44,618

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
COMMAND SUPPORT EQUIPMENT			
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	114,598
	Program decrease		[-4,000]
138	ENTERPRISE INFORMATION TECHNOLOGY	29,407	29,407
OTHER			
142	NEXT GENERATION ENTERPRISE SERVICE	201,314	201,314
143	CYBERSPACE ACTIVITIES	5,018	5,018
144	CYBER MISSION FORCES	17,115	17,115
CLASSIFIED PROGRAMS			
144A	CLASSIFIED PROGRAMS	17,295	17,295
SPARES AND REPAIR PARTS			
145	SPARES AND REPAIR PARTS	532,313	532,313
	TOTAL OTHER PROCUREMENT, NAVY	11,746,503	11,761,728
PROCUREMENT, MARINE CORPS			
TRACKED COMBAT VEHICLES			
001	AAV7A1 PIP	5,653	5,653
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	536,678	536,678
003	LAV PIP	57,099	57,099
ARTILLERY AND OTHER WEAPONS			
004	155MM LIGHTWEIGHT TOWED HOWITZER	1,782	1,782
005	ARTILLERY WEAPONS SYSTEM	143,808	143,808
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	11,118	11,118
GUIDED MISSILES			
007	TOMAHAWK	42,958	42,958
008	NAVAL STRIKE MISSILE (NSM)	174,369	174,369
009	GROUND BASED AIR DEFENSE	173,801	230,601
	MADIS Inc 1 fielding—USMC UPL		[56,800]
010	ANTI-ARMOR MISSILE-JAVELIN	18,495	18,495
011	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,419	21,419
012	ANTI-ARMOR MISSILE-TOW	663	663
013	GUIDED MLRS ROCKET (GMLRS)	7,605	7,605
COMMAND AND CONTROL SYSTEMS			
014	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	30,292	30,292
REPAIR AND TEST EQUIPMENT			
015	REPAIR AND TEST EQUIPMENT	58,024	58,024
OTHER SUPPORT (TEL)			
016	MODIFICATION KITS	293	293
COMMAND AND CONTROL SYSTEM (NON-TEL)			
017	ITEMS UNDER \$5 MILLION (COMM & ELEC)	83,345	83,345
018	AIR OPERATIONS C2 SYSTEMS	11,048	11,048
RADAR + EQUIPMENT (NON-TEL)			
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	61,943	441,943
	Additional G/ATOR radars—USMC UPL		[380,000]
INTELL/COMM EQUIPMENT (NON-TEL)			
020	GCSS-MC	1,663	1,663
021	FIRE SUPPORT SYSTEM	48,322	48,322
022	INTELLIGENCE SUPPORT EQUIPMENT	182,894	177,894
	Program decrease		[-5,000]
024	UNMANNED AIR SYSTEMS (INTEL)	47,595	47,595
025	DCGS-MC	47,998	47,998
026	UAS PAYLOADS	8,619	8,619
OTHER SUPPORT (NON-TEL)			
029	MARINE CORPS ENTERPRISE NETWORK (MCEN)	276,763	276,763
030	COMMON COMPUTER RESOURCES	40,096	40,096
031	COMMAND POST SYSTEMS	58,314	58,314
032	RADIO SYSTEMS	612,450	600,450
	Program decrease		[-12,000]
033	COMM SWITCHING & CONTROL SYSTEMS	51,976	51,976
034	COMM & ELEC INFRASTRUCTURE SUPPORT	26,029	26,029
035	CYBERSPACE ACTIVITIES	17,759	17,759
036	CYBER MISSION FORCES	4,036	4,036
CLASSIFIED PROGRAMS			
038A	CLASSIFIED PROGRAMS	3,884	3,884
ADMINISTRATIVE VEHICLES			
039	COMMERCIAL CARGO VEHICLES	35,179	35,179
TACTICAL VEHICLES			
040	MOTOR TRANSPORT MODIFICATIONS	17,807	17,807
041	JOINT LIGHT TACTICAL VEHICLE	222,257	339,657
	Accelerate HMMWV replacement—USMC UPL		[117,400]
043	TRAILERS	2,721	2,721
ENGINEER AND OTHER EQUIPMENT			

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
045	TACTICAL FUEL SYSTEMS	7,854	7,854
046	POWER EQUIPMENT ASSORTED	5,841	5,841
047	AMPHIBIOUS SUPPORT EQUIPMENT	38,120	38,120
048	EOD SYSTEMS	201,047	191,047
	Unjustified growth—MEGFoS		[-10,000]
	MATERIALS HANDLING EQUIPMENT		
049	PHYSICAL SECURITY EQUIPMENT	69,967	69,967
	GENERAL PROPERTY		
050	FIELD MEDICAL EQUIPMENT	21,780	21,780
051	TRAINING DEVICES	86,272	111,272
	Program increase (Force on Force Training System)		[25,000]
052	FAMILY OF CONSTRUCTION EQUIPMENT	27,605	27,605
053	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	15,033	15,033
	OTHER SUPPORT		
054	ITEMS LESS THAN \$5 MILLION	26,433	26,433
	SPARES AND REPAIR PARTS		
055	SPARES AND REPAIR PARTS	34,799	34,799
	TOTAL PROCUREMENT, MARINE CORPS	3,681,506	4,233,706
	AIRCRAFT PROCUREMENT, AIR FORCE		
	STRATEGIC OFFENSIVE		
001	B-21 RAIDER	1,498,431	1,498,431
002	B-21 RAIDER AP	288,165	288,165
	TACTICAL FORCES		
003	F-35	3,320,757	3,516,957
	Technical realignment		[115,000]
	TR-3 Organic Depot Standup		[81,200]
004	F-35 AP	594,886	479,886
	Technical realignment		[-115,000]
005	F-15EX	2,422,348	2,422,348
006	F-15EX AP	264,000	264,000
	TACTICAL AIRLIFT		
007	KC-46A MDAP	2,684,503	2,684,503
	OTHER AIRLIFT		
008	C-130J	75,293	75,293
009	MC-130J	40,351	40,351
	UPT TRAINERS		
011	ADVANCED TRAINER REPLACEMENT T-X	10,507	10,507
	HELICOPTERS		
012	MH-139A	156,192	152,492
	Unjustified growth—government costs		[-3,700]
013	COMBAT RESCUE HELICOPTER	707,018	707,018
	MISSION SUPPORT AIRCRAFT		
015	CIVIL AIR PATROL A/C	2,952	11,600
	Program increase		[8,648]
	OTHER AIRCRAFT		
016	TARGET DRONES	128,906	128,906
017	COMPASS CALL		553,700
	Add 4 EC-37B aircraft		[553,700]
018	E-11 BACN/HAG	67,260	66,847
	Technical realignment		[-413]
019	MQ-9	17,039	7,012
	Early to need—production shutdown		[-10,027]
021	AGILITY PRIME PROCUREMENT	3,612	3,612
	STRATEGIC AIRCRAFT		
022	B-2A	106,752	106,752
023	B-1B	36,313	38,813
	Additional Pylon Purchases		[5,000]
	Program decrease		[-2,500]
024	B-52	127,854	120,908
	Technical realignment		[-6,946]
025	LARGE AIRCRAFT INFRARED COUNTERMEASURES	25,286	25,286
	TACTICAL AIRCRAFT		
026	A-10	83,972	83,972
027	E-11 BACN/HAG	10,309	10,309
028	F-15	194,379	194,379
029	F-16	700,455	700,455
030	F-22A	764,222	764,222
031	F-35 MODIFICATIONS	414,382	414,382
032	F-15 EPAW	259,837	259,837
034	KC-46A MDAP	467	467
	AIRLIFT AIRCRAFT		
035	C-5	46,027	5,673
	Program decrease		[-10,000]
	Technical realignment		[-30,354]
036	C-17A	152,009	157,509
	Technical realignment		[5,500]
037	C-32A	4,068	4,068

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
038	C-37A	6,062	6,062
	TRAINER AIRCRAFT		
039	GLIDER MODS	149	149
040	T-6	6,215	6,215
041	T-1	6,262	6,262
042	T-38	111,668	161,168
	Ejection Seat Upgrade		[49,500]
	OTHER AIRCRAFT		
044	U-2 MODS	81,650	81,650
045	KC-10A (ATCA)	3,443	3,443
046	C-21	2,024	2,024
047	VC-25A MOD	2,146	2,146
048	C-40	2,197	2,197
049	C-130	114,268	131,768
	Technical realignment		[17,500]
050	C-130J MODS	112,299	112,299
051	C-135	149,023	163,523
	Program decrease		[-5,000]
	Technical realignment		[19,500]
052	COMPASS CALL	16,630	346,630
	Add 4 EC-37B A & B kits, spares, and installation		[330,000]
053	RC-135	212,828	252,828
	M-code compliance		[39,400]
	Service Tactical SIGINT Upgrades—INDOPACOM UPL		[600]
054	E-3	54,247	54,247
055	E-4	5,973	5,973
056	E-8	16,610	0
	Program decrease		[-16,610]
059	H-1	1,757	1,757
060	H-60	10,820	10,820
061	COMBAT RESCUE HELICOPTER MODIFICATION	3,083	3,083
062	RQ-4 MODS	1,286	1,286
063	HC/MC-130 MODIFICATIONS	138,956	118,956
	Technical realignment		[-20,000]
064	OTHER AIRCRAFT	29,029	70,296
	Maritime Patrol Aircraft		[28,500]
	Technical realignment		[12,767]
065	MQ-9 MODS	64,370	215,095
	Multi-Domain Operations modernization		[156,725]
	Unjustified cost—MQ-9 Upgrade		[-6,000]
066	MQ-9 UAS PAYLOADS		40,000
	Program increase—electronic support measure payload		[40,000]
067	SENIOR LEADER C3, SYSTEM—AIRCRAFT	24,784	24,784
068	CV-22 MODS	153,026	168,826
	CV-22 Reliability Acceleration		[15,800]
	AIRCRAFT SPARES AND REPAIR PARTS		
069	INITIAL SPARES/REPAIR PARTS	623,661	725,407
	Program increase—Compass Call spare engines (4) - USAF UPL		[94,800]
	Technical realignment		[6,946]
	COMMON SUPPORT EQUIPMENT		
070	AIRCRAFT REPLACEMENT SUPPORT EQUIP	138,935	138,935
	OTHER AIRCRAFT		
	POST PRODUCTION SUPPORT		
063A	HC/MC-130 POST PRODUCTION SUPPORT		20,000
	Technical realignment		[20,000]
071	B-2A	1,802	1,802
072	B-2B	36,325	36,325
073	B-52	5,883	5,883
074	F-15	2,764	2,764
075	F-16	5,102	5,102
077	MQ9 POST PROD	7,069	7,069
078	RQ-4 POST PRODUCTION CHARGES	40,845	40,845
	AIRLIFT AIRCRAFT		
	INDUSTRIAL PREPAREDNESS		
035A	C-5 POST PRODUCTION SUPPORT		18,000
	Technical realignment		[18,000]
079	INDUSTRIAL RESPONSIVENESS	19,128	19,128
	WAR CONSUMABLES		
080	WAR CONSUMABLES	31,165	31,165
	OTHER PRODUCTION CHARGES		
081	OTHER PRODUCTION CHARGES	1,047,300	1,440,300
	Program decrease—early to need		[-75,000]
	Program increase		[468,000]
	CLASSIFIED PROGRAMS		
083A	CLASSIFIED PROGRAMS	18,092	18,092
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	18,517,428	20,302,964

MISSILE PROCUREMENT, AIR FORCE

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
MISSILE REPLACEMENT EQUIPMENT—BALLISTIC			
001	MISSILE REPLACEMENT EQ-BALLISTIC	57,476	57,476
STRATEGIC			
004	LONG RANGE STAND-OFF WEAPON	31,454	31,454
TACTICAL			
005	REPLAC EQUIP & WAR CONSUMABLES	30,510	30,510
006	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON	46,566	0
	Technical realignment		[-46,566]
007	JOINT AIR-SURFACE STANDOFF MISSILE	784,971	784,971
008	LRASMO	114,025	114,025
009	SIDEWINDER (AIM-9X)	111,855	111,855
010	AMRAAM	320,056	320,056
011	PREDATOR HELLFIRE MISSILE	1,040	1,040
012	SMALL DIAMETER BOMB	46,475	46,475
013	SMALL DIAMETER BOMB II	279,006	379,006
	Program increase—Air Force UPL		[100,000]
014	STAND-IN ATTACK WEAPON (SIAW)	77,975	77,975
INDUSTRIAL FACILITIES			
015	INDUSTRIAL PREPAREDNESS/POL PREVENTION	868	868
CLASS IV			
018	ICBM FUZE MOD	99,691	99,691
019	ICBM FUZE MOD AP	37,673	37,673
020	MM III MODIFICATIONS	68,193	68,193
022	AIR LAUNCH CRUISE MISSILE (ALCM)	33,778	33,778
MISSILE SPARES AND REPAIR PARTS			
023	MSL SPRS/REPAIR PARTS (INITIAL)	15,354	15,354
024	MSL SPRS/REPAIR PARTS (REPLEN)	62,978	62,978
SPECIAL PROGRAMS			
028	SPECIAL UPDATE PROGRAMS	36,933	36,933
CLASSIFIED PROGRAMS			
028A	CLASSIFIED PROGRAMS	705,540	705,540
	TOTAL MISSILE PROCUREMENT, AIR FORCE	2,962,417	3,015,851
PROCUREMENT OF AMMUNITION, AIR FORCE			
ROCKETS			
001	ROCKETS	22,190	22,190
CARTRIDGES			
002	CARTRIDGES	124,164	124,164
BOMBS			
004	GENERAL PURPOSE BOMBS	162,800	162,800
005	MASSIVE ORDNANCE PENETRATOR (MOP)	19,743	19,743
006	JOINT DIRECT ATTACK MUNITION	251,956	251,956
OTHER ITEMS			
008	CAD/PAD	50,473	50,473
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,343	9,843
	Dismounted Reconnaissance—Sets, Kits and Outfits (DR-SKO)		[3,500]
010	SPARES AND REPAIR PARTS	573	573
012	FIRST DESTINATION TRANSPORTATION	1,903	1,903
013	ITEMS LESS THAN \$5,000,000	5,014	1,014
	Program decrease—Flares		[-4,000]
FLARES			
014	EXPENDABLE COUNTERMEASURES	120,548	105,548
	Program decrease		[-15,000]
FUZES			
015	FUZES	121,528	121,528
SMALL ARMS			
016	SMALL ARMS	16,395	16,395
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	903,630	888,130
PROCUREMENT, SPACE FORCE			
SPACE PROCUREMENT, SF			
002	AF SATELLITE COMM SYSTEM	51,414	51,414
003	COUNTERSPACE SYSTEMS	62,691	62,691
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	26,394	26,394
005	WIDEBAND GAPFILLER SATELLITES (SPACE)	21,982	21,982
006	GENERAL INFORMATION TECH—SPACE	5,424	5,424
007	GPSIII FOLLOW ON	657,562	657,562
008	GPS III SPACE SEGMENT	103,340	103,340
009	GLOBAL POSITIONING (SPACE)	950	950
010	HERITAGE TRANSITION	21,896	21,896
011	SPACEBORNE EQUIP (COMSEC)	29,587	29,587
012	MILSATCOM	29,333	29,333
013	SBIR HIGH (SPACE)	148,666	148,666
014	SPECIAL SPACE ACTIVITIES	817,484	805,484
	Underexecution		[-12,000]
015	MOBILE USER OBJECTIVE SYSTEM	46,833	46,833
016	NATIONAL SECURITY SPACE LAUNCH	1,056,133	1,056,133
017	NUDET DETECTION SYSTEM	7,062	7,062

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
018	PTES HUB	42,464	42,464
019	ROCKET SYSTEMS LAUNCH PROGRAM	39,145	39,145
020	SPACE DEVELOPMENT AGENCY LAUNCH	314,288	514,288
	Technical realignment		[200,000]
022	SPACE MODS	73,957	73,957
023	SPACELIFT RANGE SYSTEM SPACE	71,712	71,712
	SPARES		
024	SPARES AND REPAIR PARTS	1,352	1,352
	TOTAL PROCUREMENT, SPACE FORCE	3,629,669	3,817,669
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	2,446	2,446
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	1,125	1,125
003	CAP VEHICLES	999	1,900
	Program increase		[901]
004	CARGO AND UTILITY VEHICLES	35,220	35,220
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	60,461	60,461
006	SECURITY AND TACTICAL VEHICLES	382	382
007	SPECIAL PURPOSE VEHICLES	49,623	49,623
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	11,231	11,231
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	12,559	12,559
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	6,409	6,409
011	BASE MAINTENANCE SUPPORT VEHICLES	72,012	72,012
	COMM SECURITY EQUIPMENT (COMSEC)		
013	COMSEC EQUIPMENT	96,851	96,851
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM	467,901	467,901
	INTELLIGENCE PROGRAMS		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES	7,043	7,043
016	INTELLIGENCE TRAINING EQUIPMENT	2,424	2,424
017	INTELLIGENCE COMM EQUIPMENT	25,308	25,308
	ELECTRONICS PROGRAMS		
018	AIR TRAFFIC CONTROL & LANDING SYS	65,531	65,531
019	BATTLE CONTROL SYSTEM—FIXED	1,597	1,597
020	THEATER AIR CONTROL SYS IMPROVEMEN	9,611	9,611
021	3D EXPEDITIONARY LONG-RANGE RADAR	174,640	167,140
	Program decrease		[-7,500]
022	WEATHER OBSERVATION FORECAST	20,658	20,658
023	STRATEGIC COMMAND AND CONTROL	93,351	86,220
	Technical realignment		[-7,131]
024	CHEYENNE MOUNTAIN COMPLEX	6,118	55,418
	Complex Infrastructure Refurbishments		[49,300]
025	MISSION PLANNING SYSTEMS	13,947	13,947
	SPCL COMM-ELECTRONICS PROJECTS		
028	GENERAL INFORMATION TECHNOLOGY	101,517	131,517
	NORTHCOM UPL—AI/ML Enhancements		[30,000]
029	AF GLOBAL COMMAND & CONTROL SYS	2,487	2,487
030	BATTLEFIELD AIRBORNE CONTROL NODE (BACN)	32,807	32,807
031	MOBILITY COMMAND AND CONTROL	10,210	10,210
035	COMBAT TRAINING RANGES	134,213	134,213
036	MINIMUM ESSENTIAL EMERGENCY COMM N	66,294	66,294
037	WIDE AREA SURVEILLANCE (WAS)	29,518	29,518
038	C3 COUNTERMEASURES	55,324	55,324
040	GCSS-AF FOS	786	786
042	MAINTENANCE REPAIR & OVERHAUL INITIATIVE	248	248
043	THEATER BATTLE MGT C2 SYSTEM	275	275
044	AIR & SPACE OPERATIONS CENTER (AOC)	2,611	2,611
	AIR FORCE COMMUNICATIONS		
046	BASE INFORMATION TRANSPRT INFRASTR (BITI) WIRED	29,791	29,791
047	AFNET	83,320	83,320
048	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,199	5,199
049	USCENTCOM	11,896	11,896
050	USSTRATCOM	4,619	4,619
	ORGANIZATION AND BASE		
051	TACTICAL C-E EQUIPMENT	120,050	110,050
	Program decrease		[-10,000]
052	RADIO EQUIPMENT	14,053	14,053
054	BASE COMM INFRASTRUCTURE	91,313	96,413
	Alaskan Long-Range Radars—Sites Digitalization		[5,100]
	MODIFICATIONS		
055	COMM ELECT MODS	167,419	167,419
	CLASSIFIED PROGRAMS		
055A	CLASSIFIED PROGRAMS	89,484	89,484

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
PERSONAL SAFETY & RESCUE EQUIP			
056	PERSONAL SAFETY AND RESCUE EQUIPMENT	92,995	101,895
	Rapid Response Shelters		[8,900]
DEPOT PLANT+MTRLS HANDLING EQ			
057	POWER CONDITIONING EQUIPMENT	12,199	12,199
058	MECHANIZED MATERIAL HANDLING EQUIP	9,326	9,326
BASE SUPPORT EQUIPMENT			
059	BASE PROCURED EQUIPMENT	52,890	52,890
060	ENGINEERING AND EOD EQUIPMENT	231,552	231,552
061	MOBILITY EQUIPMENT	28,758	28,758
062	FUELS SUPPORT EQUIPMENT (FSE)	21,740	21,740
SPECIAL SUPPORT PROJECTS			
065	DARP RC135	28,153	28,153
066	DCGS-AF	217,713	217,713
070	SPECIAL UPDATE PROGRAM	978,499	978,499
CLASSIFIED PROGRAMS			
070A	CLASSIFIED PROGRAMS	21,702,225	21,452,225
	Excess carryover		[-250,000]
SPARES AND REPAIR PARTS			
071	SPARES AND REPAIR PARTS (CYBER)	1,007	1,007
072	SPARES AND REPAIR PARTS	23,175	23,175
	TOTAL OTHER PROCUREMENT, AIR FORCE	25,691,113	25,510,683
PROCUREMENT, DEFENSE-WIDE			
MAJOR EQUIPMENT, SDA			
025	MAJOR EQUIPMENT, DPAA	513	513
050	MAJOR EQUIPMENT, OSD	64,291	64,291
MAJOR EQUIPMENT, NSA			
047	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	6,738	6,738
MAJOR EQUIPMENT, WHS			
054	MAJOR EQUIPMENT, WHS	310	310
MAJOR EQUIPMENT, DISA			
011	INFORMATION SYSTEMS SECURITY	24,044	24,044
012	TELEPORT PROGRAM	50,475	50,475
013	JOINT FORCES HEADQUARTERS—DODIN	674	674
014	ITEMS LESS THAN \$5 MILLION	46,614	46,614
015	DEFENSE INFORMATION SYSTEM NETWORK	87,345	87,345
016	WHITE HOUSE COMMUNICATION AGENCY	130,145	130,145
017	SENIOR LEADERSHIP ENTERPRISE	47,864	47,864
018	JOINT REGIONAL SECURITY STACKS (JRSS)	17,135	10,135
	Program decrease		[-7,000]
019	JOINT SERVICE PROVIDER	86,183	86,183
020	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,756	42,756
MAJOR EQUIPMENT, DLA			
022	MAJOR EQUIPMENT	24,501	24,501
MAJOR EQUIPMENT, DCSA			
001	MAJOR EQUIPMENT	2,346	2,346
MAJOR EQUIPMENT, TJS			
052	MAJOR EQUIPMENT, TJS	3,900	3,900
MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY			
030	THAAD	74,994	347,894
	25 additional THAAD interceptors		[272,900]
031	GROUND BASED MIDCOURSE	11,300	11,300
032	AEGIS BMD	402,235	425,735
	Procure Replacement IMU		[23,500]
034	BMDS AN/TPY-2 RADARS	4,606	59,606
	AN/TPY-2 TRIMM Refresh		[30,000]
	BMDS Sensors		[10,000]
	HEMP Hardening		[15,000]
035	SM-3 Iلاس	337,975	337,975
036	ARROW 3 UPPER TIER SYSTEMS	80,000	80,000
037	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	40,000	40,000
038	DEFENSE OF GUAM PROCUREMENT	26,514	26,514
039	AEGIS ASHORE PHASE III	30,056	30,056
040	IRON DOME	80,000	80,000
041	AEGIS BMD HARDWARE AND SOFTWARE	78,181	100,181
	SPY-1 Low Noise Amplifier		[22,000]
MAJOR EQUIPMENT, DHRA			
003	PERSONNEL ADMINISTRATION	4,522	4,522
MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY			
027	VEHICLES	139	139
028	OTHER MAJOR EQUIPMENT	14,296	14,296
MAJOR EQUIPMENT, DODEA			
024	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	2,048	2,048
MAJOR EQUIPMENT, DMACT			
023	MAJOR EQUIPMENT	11,117	11,117
CLASSIFIED PROGRAMS			
054A	CLASSIFIED PROGRAMS	681,894	692,394

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	JWICS modernization		[10,500]
AVIATION PROGRAMS			
055	ARMED OVERWATCH/TARGETING	246,000	246,000
056	MANNED ISR	5,000	5,000
057	MC-12	3,344	3,344
059	ROTARY WING UPGRADES AND SUSTAINMENT	214,575	214,575
060	UNMANNED ISR	41,749	41,749
061	NON-STANDARD AVIATION	7,156	7,156
062	U-28	4,589	4,589
063	MH-47 CHINOOK	133,144	133,144
064	CV-22 MODIFICATION	75,629	83,215
	CV-22 & MC-130J Link-16 TacNet Tactical Receiver		[7,586]
065	MQ-9 UNMANNED AERIAL VEHICLE	9,000	9,000
066	PRECISION STRIKE PACKAGE	57,450	57,450
067	AC/MC-130J	225,569	225,569
068	C-130 MODIFICATIONS	11,945	16,893
	CV-22 & MC-130J Link-16 TacNet Tactical Receiver		[4,948]
SHIPBUILDING			
069	UNDERWATER SYSTEMS	45,631	45,631
AMMUNITION PROGRAMS			
070	ORDNANCE ITEMS <\$5M	151,233	159,889
	M3E1 Multi Purpose Anti Armor Anti Personnel Weapon System (MAWWS) Family of Munitions.		[4,951]
	Maritime Scalable Effects (MSE) Electronic Warfare System Acceleration		[3,705]
OTHER PROCUREMENT PROGRAMS			
071	INTELLIGENCE SYSTEMS	175,616	219,094
	SOCOM Enclosed Spaces Reconnaissance Collection Suite (ESRCS)		[15,000]
	Stalker VXE Block 30 Vertical Takeoff & Landing (VTOL) Acceleration		[28,478]
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	2,214	2,214
073	OTHER ITEMS <\$5M	98,096	98,096
074	COMBATANT CRAFT SYSTEMS	85,566	85,566
075	SPECIAL PROGRAMS	20,042	249,042
	Medium Fixed Wing Recapitalization		[229,000]
076	TACTICAL VEHICLES	51,605	59,605
	PB-NSCV		[8,000]
077	WARRIOR SYSTEMS <\$5M	306,846	359,129
	AFSOC Force Generation (AFSOPORGEN) Tactical Communications (TACCOM).		[18,730]
	Counter Unmanned Systems (CUxS) Procurement Acceleration		[33,553]
078	COMBAT MISSION REQUIREMENTS	4,991	4,991
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE	18,723	24,137
	Low Visibility Vanishing Technology (LVVT)		[5,414]
081	OPERATIONAL ENHANCEMENTS	347,473	374,227
	Ground Vehicle Forward Looking Infrared (FLIR)		[11,000]
	High Speed Assault Craft (HSAC) Roof Application Kit (RAK) Acceleration ..		[5,000]
	Intelligence, Surveillance, and Reconnaissance (ISR) Transceivers Acceleration		[10,754]
CBDP			
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	199,439	199,439
083	CB PROTECTION & HAZARD MITIGATION	187,164	192,164
	Waterless & Sprayable Solutions for Decontamination of Chemical and Biologi- cal Warfare Agents.		[5,000]
	TOTAL PROCUREMENT, DEFENSE-WIDE	5,245,500	6,013,519
NATIONAL GUARD AND RESERVE EQUIPMENT			
UNDISTRIBUTED			
007	UNDISTRIBUTED		50,000
	Program increase		[50,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		50,000
	TOTAL PROCUREMENT	144,219,205	160,202,135

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 2 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2023 Request	House Authorized
RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
BASIC RESEARCH				
001	0601102A	DEFENSE RESEARCH SCIENCES	279,328	340,194
		Counter-UAS Technology Research		[5,000]
		Program increase		[55,866]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES	70,775	90,775
		Defense University Research Instrumentation Program		[20,000]
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	100,909	109,909
		Automotive Research Center		[5,000]
		Biotechnology		[4,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,355	5,355
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,456	15,456
		Program increase		[5,000]
		SUBTOTAL BASIC RESEARCH	466,823	561,689
APPLIED RESEARCH				
006	0602002A	ARMY AGILE INNOVATION AND DEVELOPMENT-APPLIED RESEARCH.	9,534	9,534
008	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	6,192	6,192
009	0602141A	LETHALITY TECHNOLOGY	87,717	182,717
		Armament digital and mission engineering		[35,000]
		Collaborative networked armament lethality and fire control		[25,000]
		Investigate novel armament systems and technologies		[5,000]
		Modular open systems architecture		[5,000]
		Solid-state additive manufacturing research		[20,000]
		Turret gunner survivability and simulation		[5,000]
010	0602142A	ARMY APPLIED RESEARCH	27,833	57,533
		Digital night vision technology		[9,700]
		Warfighter Weapon Systems Digital Integration		[20,000]
011	0602143A	SOLDIER LETHALITY TECHNOLOGY	103,839	123,839
		Advanced textiles and shelters		[6,000]
		Footwear research		[4,000]
		Pathfinder		[10,000]
		Program decrease		[-5,000]
		Program increase		[5,000]
012	0602144A	GROUND TECHNOLOGY	52,848	96,048
		Advanced Gunner Restraint System		[2,200]
		Aerospace Manufacturing Center Pilot Program		[12,000]
		Cold and complex environments sensing research		[9,000]
		High performance polymer composites and coatings		[10,000]
		Polar proving ground and training program		[5,000]
		Unmanned mobility		[5,000]
013	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	174,090	184,890
		Compact hyperspectral imager development		[4,800]
		Structural thermoplastics		[6,000]
014	0602146A	NETWORK CSI TECHNOLOGY	64,115	136,115
		AI for position, navigation, and timing		[6,000]
		Alternative position, navigation, and timing		[20,000]
		Portable Doppler radar		[7,500]
		Rapid design and fabrication of high enthalpy alloys for long range precision fires missiles.		[3,500]
		Secure anti-tamper		[15,000]
		Weapons system security		[20,000]
015	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	43,029	99,779
		Carbon-carbon high-temperature composites		[15,000]
		Low cost missile technology development		[7,000]
		Low cost missile technology development+J23		[3,000]
		Novel printed armament components		[10,000]
		Precision long range integrated strike missile		[6,750]
		Program increase		[15,000]
016	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	69,348	84,348

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	House Authorized
		High density eVTOL power source		[15,000]
017	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	27,016	72,016
		CEMA missile defender		[20,000]
		Counter-UAS Center of Excellence		[10,000]
		High energy laser engagement technologies		[15,000]
018	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	16,454	21,454
		Program increase		[5,000]
019	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH	27,399	27,399
020	0602182A	C3I APPLIED RESEARCH	27,892	27,892
021	0602183A	AIR PLATFORM APPLIED RESEARCH	41,588	56,588
		Aerospace Propulsion and Power Technology		[10,000]
		Hybrid solar photovoltaic-thermoelectric panel		[5,000]
022	0602184A	SOLDIER APPLIED RESEARCH	15,716	15,716
023	0602213A	C3I APPLIED CYBER	13,605	13,605
024	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH ...	21,919	171,919
		Tri-Service Biotechnology for a Resilient Supply Chain / Biotechnology for Materials.		[150,000]
025	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	19,649	19,649
026	0602787A	MEDICAL TECHNOLOGY	33,976	33,976
		SUBTOTAL APPLIED RESEARCH	883,759	1,441,209
		ADVANCED TECHNOLOGY DEVELOPMENT		
027	0603002A	MEDICAL ADVANCED TECHNOLOGY	5,207	11,907
		CPF—U.S. Army Battlefield Exercise and Combat Related Traumatic Brain and Spinal Injury Research.		[1,700]
		Hearing protection for communications		[5,000]
028	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	15,598	15,598
029	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION	20,900	20,900
030	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	6,395	11,395
		Program increase		[5,000]
031	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY	45,463	45,463
032	0603042A	C3I ADVANCED TECHNOLOGY	12,716	12,716
033	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY	17,946	27,946
		Integrated Floor System Upgrades for H-60 Variants		[10,000]
034	0603044A	SOLDIER ADVANCED TECHNOLOGY	479	10,499
		CPF—Advancing Military Exoskeleton Technology State-of-The-Art Project.		[2,890]
		CPF—Building 2, Doriot Climatic Chambers, Exterior Repair		[3,630]
		CPF—Small Unit Digital Twin for Robotic and Sensor Systems Integration.		[3,500]
036	0603116A	LETHALITY ADVANCED TECHNOLOGY	9,796	9,796
037	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	134,874	134,874
038	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	100,935	120,935
		FRAG-CT		[4,000]
		Sensored head-borne suspension systems		[8,000]
		Soldier Integration Experimentation/Airborne Rally Point		[8,000]
039	0603119A	GROUND ADVANCED TECHNOLOGY	32,546	106,846
		Additive manufacturing with indigenous materials		[15,000]
		Cold Regions Research and Engineering Laboratory		[10,000]
		Concrete properties prediction		[1,800]
		Platform agnostic remote armament systems		[40,000]
		Printed infrastructure and cold weather construction capabilities ..		[7,500]
040	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	21,486	21,486
041	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH	56,853	56,853
042	0603457A	C3I CYBER ADVANCED DEVELOPMENT	41,354	41,354
043	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	251,964	301,964
		Program increase		[50,000]
044	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	193,242	261,242
		Digital enterprise technology		[15,000]
		Electrified vehicle infrared signature management		[9,000]
		HTPEM APU		[10,000]
		Lithium 6T battery development		[8,000]
		Soldier-ground vehicle interface design		[6,000]
		Synthetic graphite research		[20,000]
045	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	125,565	135,565
		PNT technologies in degraded environments		[10,000]
046	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	100,830	202,740
		Autoloader development		[21,400]
		Hypersonic and strategic materials and structures		[20,000]
		Maneuvering submunitions		[18,000]
		Missile Multi Agent eXtensible Engagement Services (MAXES) ...		[15,000]
		PrSM Inc 4—Army UPL		[27,510]
047	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	177,836	187,836

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	House Authorized
		Program increase—Additive manufacturing		[10,000]
048	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	11,147	81,147
		Integration of distributed gain HEL laser weapon system		[35,000]
		Program increase		[35,000]
049	0603920A	HUMANITARIAN DEMINING	8,933	8,933
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	1,392,065	1,827,995
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
050	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	12,001	46,001
		Mobile Solid State High Power Microwave		[12,000]
		Position, Navigation, and Timing (PNT) Resiliency		[8,000]
		Sensing, Modeling, Analysis, Requirements, and Testing		[14,000]
051	0603308A	ARMY SPACE SYSTEMS INTEGRATION	17,945	21,445
		Mission Essential Weather Small Satellites		[3,500]
053	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,001	64,001
054	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	64,669	64,669
055	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	49,944	87,444
		AMPV—Hybrid electric vehicle		[37,500]
056	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	4,060	4,060
057	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	72,314	72,314
058	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	18,048	168,048
		IVAS—Army UPL		[150,000]
059	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	31,249	38,749
		Underwater Demilitarization of Munitions		[7,500]
060	0603790A	NATO RESEARCH AND DEVELOPMENT	3,805	3,805
061	0603801A	AVIATION—ADV DEV	1,162,344	1,180,484
		Program increase—Future Vertical Lift		[23,000]
		Unjustified growth—FLRAA MTA program management		[-4,860]
062	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	9,638	9,638
063	0603807A	MEDICAL SYSTEMS—ADV DEV	598	598
064	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	25,971	25,971
065	0604017A	ROBOTICS DEVELOPMENT	26,594	26,594
066	0604019A	EXPANDED MISSION AREA MISSILE (EMAM)	220,820	220,820
067	0604020A	CROSS FUNCTIONAL TEAM (CFT) ADVANCED DEVELOPMENT & PROTOTYPING.	106,000	111,000
		Program increase		[5,000]
069	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	35,509	35,509
070	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV	49,932	49,932
071	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV.	863	863
072	0604100A	ANALYSIS OF ALTERNATIVES	10,659	10,659
073	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,425	21,425
		Program Protection		[20,000]
074	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	95,719	100,719
		Identification Friend or Foe (IFF) modernization		[5,000]
075	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	382,147	422,147
		Program protection		[40,000]
076	0604115A	TECHNOLOGY MATURATION INITIATIVES	269,756	339,756
		Strategic long range cannon		[70,000]
077	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	225,147	225,147
078	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	198,111	198,111
079	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	43,797	57,797
		ALTNV—Army UPL		[14,000]
080	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	166,452	215,852
		AI prototype—Army UPL		[13,500]
		Call for Fire Trainer—Army UPL		[10,000]
		Program increase (STE live training systems)		[17,000]
		Program increase TSS/TMT and SVT—Army UPL		[8,900]
081	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	15,840	15,840
082	0604135A	STRATEGIC MID-RANGE FIRES	404,291	404,291
083	0604182A	HYPERSONICS	173,168	223,168
		National Hypersonic Initiative—Develop Leap-Ahead Concepts and Capabilities.		[50,000]
084	0604403A	FUTURE INTERCEPTOR	8,179	8,179
085	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	35,110	35,110
086	0604541A	UNIFIED NETWORK TRANSPORT	36,966	76,966
		Common mounted form factor—Army UPL		[40,000]
089	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT ..	55,677	55,677
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	4,098,749	4,642,789

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	House Authorized
SYSTEM DEVELOPMENT & DEMONSTRATION				
090	0604201A	AIRCRAFT AVIONICS	3,335	3,335
091	0604270A	ELECTRONIC WARFARE DEVELOPMENT	4,243	4,243
092	0604601A	INFANTRY SUPPORT WEAPONS	66,529	76,529
		Commercial magazine reliability testing		[5,000]
		Program increase		[5,000]
093	0604604A	MEDIUM TACTICAL VEHICLES	22,163	22,163
094	0604611A	JAVELIN	7,870	7,870
095	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	50,924	50,924
096	0604633A	AIR TRAFFIC CONTROL	2,623	2,623
097	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV)	115,986	115,986
098	0604642A	LIGHT TACTICAL WHEELED VEHICLES		10,049
		Electric light recon vehicle—Army UPL		[10,049]
099	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	71,287	71,287
100	0604710A	NIGHT VISION SYSTEMS—ENG DEV	62,679	84,179
		IVAS—Army UPL		[16,500]
		Third Generation Forward Looking Infrared (3GFLIR) FALCONS		[5,000]
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	35,541
		Program decrease		[-4,000]
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	259,178
		Program decrease		[-4,600]
111	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	41,669	65,369
		Chassis upgrade for ABV/JAB—Army UPL		[23,700]
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	111,690
116	0604820A	RADAR DEVELOPMENT	71,259	71,259
117	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	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	146,802
		Active protection system testing		[16,000]
		Army Aviation & Missile Center Digital Engineering Software pilot program		[9,400]
		Autonomous Vehicle Test Bed		[11,700]
121	0604854A	ARTILLERY SYSTEMS—EMD	23,106	23,106
122	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	124,475	124,475
123	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	67,564	47,564
		Unjustified growth		[-20,000]
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	13,487
		Unjustified growth		[-10,000]
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	259,311
		Program increase (10kw–50kw DE-MSHORAD) and C-UAS PHEL		[70,000]
		Threat Simulation Modeling (HNE-TSM)		[4,000]
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	108,987
		Army Requested Realignment from Procurement		[50,900]
141	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	119,516	143,616
		CYBERCOM UPL—JCWA integration		[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

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150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	2,366	2,366
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	265,288	257,288
		Program decrease		[-8,000]
152	0605531A	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	97,774
		Service Tactical SIGINT Upgrades—INDOPACOM UPL		[4,900]
		Terrestrial Layer System EAB—Army UPL		[35,936]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	4,031,334	4,276,919
		MANAGEMENT SUPPORT		
161	0604256A	THREAT SIMULATOR DEVELOPMENT	18,437	18,437
162	0604258A	TARGET SYSTEMS DEVELOPMENT	19,132	39,132
		Small UAS engine development		[20,000]
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 Rapid Assurance Modernization Program—Test (RAMP-T)	37,962	72,962
				[35,000]
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. Agile Manufacturing for Advanced Armament Systems	48,316	53,316
				[5,000]
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 Technology Refresh for Reagan Test Site (RTS) Mission Control Centers.	90,088	98,088
				[8,000]
184	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,424	1,424
186	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	5,816	5,816
		SUBTOTAL MANAGEMENT SUPPORT	1,554,252	1,622,252
		OPERATIONAL SYSTEMS DEVELOPMENT		
188	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	18,463	18,463
189	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	9,284	21,284
		Program increase		[12,000]
190	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PRO- GRAMS. Materials improvements	11,674	16,674
				[5,000]
193	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	52,513	72,513
		Chinook 714C engine upgrade		[20,000]
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	35,074
		Program increase		[25,000]
198	0607148A	AN/TPQ-53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	62,559	62,559
199	0607150A	INTEL CYBER DEVELOPMENT	13,343	13,343
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	162,312
		Patriot Obsolescence and Program Protection		[10,000]
204	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYS- TEM (JADOCs).	19,329	19,329
205	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	192,310	294,510
		Abrams modernization		[97,200]

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		Auxiliary power unit development		[5,000]
206	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	136,680	136,680
207	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS. Gray Eagle—M-code		[14,400]
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	53,109
		Stinger missile—Army UPL		[50,000]
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
227A	9999999999	CLASSIFIED PROGRAMS	6,664	6,664
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	1,188,403	1,427,003
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
228	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT. SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	94,888	94,888
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	13,710,273	15,894,744
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	90,076	209,700
		Advanced autonomous robotics		[10,000]
		Program increase		[109,624]
003	0601153N	DEFENSE RESEARCH SCIENCES	499,116	499,116
		SUBTOTAL BASIC RESEARCH	589,192	708,816
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	22,953	38,953
		Next Generation Information Operations		[16,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	133,426	194,926
		Additive Manufacturing of Unmanned Maritime Systems		[10,000]
		CPF—Resilient Autonomous Systems Research and Workforce Diversity.		[4,000]
		CPF—Talent and Technology for Navy Power and Energy Systems.		[3,000]
		Direct air capture and carbon removal technology program		[10,000]
		Intelligent Data Management for Distributed Naval Platforms		[10,500]
		Next Generation Integrated Power and Energy Systems		[10,500]
		Relative Positioning of Autonomous Platforms		[5,000]
		Resilient Autonomous Systems Research & Workforce Diversity		[8,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	53,467	73,967
		Advanced lithium-ion batteries		[5,000]
		CPF—Unmanned Logistics Solutions for the U.S. Marine Corps ..		[3,000]
		Cyber, AI & LVC Tech Scouting & Workforce Development		[2,500]
		Unmanned logistics solutions		[10,000]
007	0602235N	COMMON PICTURE APPLIED RESEARCH	51,911	56,911
		Program increase		[5,000]
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	70,957	85,957
		Anti-corrosion coatings		[10,000]
		High mobility ground robots		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	92,444	112,444
		Chip Scale Open Architecture		[20,000]
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	74,622	84,622
		Undersea distributed sensing systems		[10,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,700	6,700
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	58,111	87,111
		CPF—Persistent Maritime Surveillance		[4,000]
		Undersea vehicle technology partnerships		[20,000]
		UUV Research		[5,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	173,641	205,641
		Program increase		[32,000]

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014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	31,649	31,649
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH.	120,637	146,237
		Advanced Concept of Operations—Navy UPL		[25,600]
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	81,296	81,296
		SUBTOTAL APPLIED RESEARCH	971,814	1,206,414
		ADVANCED TECHNOLOGY DEVELOPMENT		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	16,933	16,933
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,253	8,253
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	280,285	284,885
		Program increase		[4,600]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT.	14,048	14,048
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	251,267	251,267
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,704	60,704
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,999	19,999
		Multi-Medicine Manufacturing Platform		[15,000]
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS.	83,137	84,287
		Naval virtual innovation		[1,150]
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	2,007	2,007
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	144,122	230,422
		Advanced Concept of Operations—Navy UPL		[61,300]
		Scalable laser weapon system		[25,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	865,755	972,805
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603128N	UNMANNED AERIAL SYSTEM	96,883	96,883
028	0603178N	LARGE UNMANNED SURFACE VEHICLES (LUSV)	146,840	146,840
029	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	39,737	39,737
030	0603216N	AVIATION SURVIVABILITY	17,434	17,434
031	0603239N	NAVAL CONSTRUCTION FORCES	1,706	1,706
033	0603254N	ASW SYSTEMS DEVELOPMENT	15,986	15,986
034	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,562	3,562
035	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	18,628	66,828
		Advanced Concept of Operations—Navy UPL		[40,700]
		Data dissemination and interoperability		[7,500]
036	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.	87,825	87,825
037	0603506N	SURFACE SHIP TORPEDO DEFENSE	473	6,623
		Nixie development		[6,150]
038	0603512N	CARRIER SYSTEMS DEVELOPMENT	11,567	11,567
039	0603525N	PILOT FISH	672,461	672,461
040	0603527N	RETRACT LARCH	7,483	7,483
041	0603536N	RETRACT JUNIPER	239,336	239,336
042	0603542N	RADIOLOGICAL CONTROL	772	772
043	0603553N	SURFACE ASW	1,180	1,180
044	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	105,703	110,703
		Program increase		[5,000]
045	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,917	10,917
046	0603563N	SHIP CONCEPT ADVANCED DESIGN	82,205	101,205
		Additive Manufacturing in Ship Advanced Concept Design		[5,000]
		Advance LAW development		[4,000]
		Polymorphic Build Farms		[10,000]
047	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	75,327	75,327
048	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	227,400	227,400
049	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	176,600	185,600
		Lithium Iron Phosphate Batteries Integration		[9,000]
050	0603576N	CHALK EAGLE	91,584	91,584
051	0603581N	LITTORAL COMBAT SHIP (LCS)	96,444	106,344
		LCS Fire Control RADAR Demonstration		[9,900]
052	0603582N	COMBAT SYSTEM INTEGRATION	18,236	18,236
053	0603595N	OHIO REPLACEMENT	335,981	360,981
		Composites for Wet Submarine Application		[15,000]
		Program increase		[10,000]
054	0603596N	LCS MISSION MODULES	41,533	50,533
		Mine Countermeasures Mission Package Capacity and Wholeness—Navy UPL		[9,000]
055	0603597N	AUTOMATED TEST AND RE-TEST (ATRT)	9,773	9,773
056	0603599N	FRIGATE DEVELOPMENT	118,626	118,626
057	0603609N	CONVENTIONAL MUNITIONS	9,286	9,286

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058	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	111,431	111,431
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	36,496	36,496
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,193	6,193
061	0603721N	ENVIRONMENTAL PROTECTION	21,647	21,647
062	0603724N	NAVY ENERGY PROGRAM	60,320	70,320
		Marine energy systems		[10,000]
063	0603725N	FACILITIES IMPROVEMENT	5,664	5,664
064	0603734N	CHALK CORAL	833,634	833,634
065	0603739N	NAVY LOGISTIC PRODUCTIVITY	899	899
066	0603746N	RETRACT MAPLE	363,973	363,973
067	0603748N	LINK PLUMERIA	1,038,661	1,038,661
068	0603751N	RETRACT ELM	83,445	83,445
069	0603764M	LINK EVERGREEN	313,761	313,761
070	0603790N	NATO RESEARCH AND DEVELOPMENT	8,041	8,041
071	0603795N	LAND ATTACK TECHNOLOGY	358	358
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING	30,533	30,533
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS— DEMVAL	18,628	18,628
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	65,080	65,080
075	0604014N	F/A —18 INFRARED SEARCH AND TRACK (IRST)	40,069	40,069
076	0604027N	DIGITAL WARFARE OFFICE	165,753	165,753
077	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	106,347	106,347
078	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	60,697	60,697
079	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEM- ONSTRATION..	57,000	57,000
081	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	116,498	116,498
082	0604126N	LITTORAL AIRBORNE MCM	47,389	47,389
083	0604127N	SURFACE MINE COUNTERMEASURES	12,959	12,959
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM). Program increase—distributed aperture infrared countermeasure system.	15,028	[30,000]
085	0604289M	NEXT GENERATION LOGISTICS	2,342	10,742
		Digital manufacturing data vault		[8,400]
086	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,103	5,103
087	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	62,927	62,927
088	0604454N	LX (R)	26,630	26,630
089	0604536N	ADVANCED UNDERSEA PROTOTYPING	116,880	116,880
090	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	7,438	7,438
091	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	84,734	109,734
		Research and development for a nuclear-capable sea-launched cruise missile.		[25,000]
092	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ ENGINEERING SUPPORT.	10,229	10,229
093	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT. Hypersonic Offensive Anti-Surface Warfare Increment 2 (OASuW Inc 2)—Navy UPL. Long Range Anti-Ship Missile (LRASM) AGM-158C-3 range im- provement (Navy JASSM)—Navy UPL. Long Range Anti-Ship Missile (LRSAM)	124,204	261,304
				[34,100]
				[53,000]
				[50,000]
094	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS))	104,000	104,000
095	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES ..	181,620	166,620
		Program decrease		[-15,000]
096	0605514M	GROUND BASED ANTI-SHIP MISSILE	43,090	43,090
097	0605516M	LONG RANGE FIRES	36,693	36,693
098	0605518N	CONVENTIONAL PROMPT STRIKE (CPS)	1,205,041	1,225,041
		Full-Scale Rapid CPS Flight Tests		[20,000]
099	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,856	9,856
100	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	1,735	23,535
		KARGO		[6,800]
		Transition of the Autonomous Maritime Patrol Aircraft (AMPA) JCTD to Naval Aviation System Command (NAVAIR).		[15,000]
101	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	796	796
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES.	8,405,310	8,773,860
		SYSTEM DEVELOPMENT & DEMONSTRATION		
102	0603208N	TRAINING SYSTEM AIRCRAFT	15,128	15,128
103	0604038N	MARITIME TARGETING CELL	39,600	39,600
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

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111	0604234N	ADVANCED HAWKEYE	502,956	482,956
		Program decrease		[-20,000]
112	0604245M	H-1 UPGRADES	43,759	58,559
		H-1 Digital Interoperability (DI) Mobile User Objective System (MUOS)		[14,800]
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	84,679
		Program Increase—MidBand Capability		[30,000]
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	329,787	314,787
		Program decrease		[-15,000]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	301,737	151,737
		Program delay		[-150,000]
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	342,943
		SM-6 Rocket Motor Industrial Base Expansion		[23,000]
126	0604373N	AIRBORNE MCM	10,882	10,882
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	45,892	45,892
129	0604501N	ADVANCED ABOVE WATER SENSORS	81,254	81,254
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION	93,501	103,001
		Submarine Electronic Warfare Capability Improvements		[9,500]
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	504,985
		Accelerated design		[188,900]
		Advanced Submarine Control		[8,500]
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	105,793
		INDOPACOM UPL—Anti-Surface Warfare (ASuW) Hammerhead Mine		[25,000]
		Quickstrike Powered Mines		[20,000]
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	127,087
		Counter-Command, Control, Communications, Computers and Combat Systems Intelligence, Surveillance and Reconnaissance and Targeting (C-C5ISR&T)—Navy UPL		[29,400]
		Small Ship EW Self Protection Demonstration		[5,000]
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	295,353
		High performance data analytics		[10,000]
		Navy ePS—early to need		[-5,000]
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	224,240
		CPF—High-Energy Density and High-Power Density Li-Ion Battery Magazines (HEBM) in Defense Applications		[4,000]
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	10,106
		Program increase		[7,220]
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

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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	22,341
		Threat Mosaic Warfare		[10,000]
175	0304785N	ISR & INFO OPERATIONS	135,366	135,366
176	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	37,038	37,038
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,606,583	6,801,903
		MANAGEMENT SUPPORT		
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	97,316
		AUTEC data fusion capabilities		[2,000]
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	165,152
		NRE project backlog reduction		[60,000]
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
		SUBTOTAL MANAGEMENT SUPPORT	1,132,670	1,194,670
		OPERATIONAL SYSTEMS DEVELOPMENT		
198	0603273N	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYSTEMS.	65,735	65,735
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	304,502
		D5LE2 Risk Reduction		[20,000]
206	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	50,939	50,939
207	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	81,237	88,237
		Program increase		[7,000]
208	0101402N	NAVY STRATEGIC COMMUNICATIONS	49,424	49,424
209	0204136N	F/A-18 SQUADRONS	238,974	242,974
		Jet Noise Reduction		[4,000]
210	0204228N	SURFACE SUPPORT	12,197	12,197
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC).	132,719	132,719
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	68,417	82,917
		Deployable Surveillance System, Deep Water Active		[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
		G/ATOR air traffic control development—USMC UPL		[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	114,305
		Classified—USMC UPL		[5,000]
		Program decrease		[-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	113,736

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		Program Increase—USMC UPL		[6,600]
		Tactical Warfare Simulation improvements—USMC UPL		[6,600]
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	41,705
		Program decrease		[-4,000]
242	0305220N	MQ-4C TRITON	13,893	-1,107
		Program decrease		[-15,000]
243	0305231N	MQ-8 UAV		13,100
		Costs associated with restoring 5 LCS		[13,100]
244	0305232M	RQ-11 UAV	1,234	1,234
245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	3,761	3,761
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	56,261	56,261
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	9,780	9,780
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	24,437
		Multi-physics simulation		[15,000]
253	0702207N	DEPOT MAINTENANCE (NON-IF)	26,248	26,248
254	0708730N	MARITIME TECHNOLOGY (MARITECH)	2,133	2,133
255A	999999999	CLASSIFIED PROGRAMS	1,701,811	1,714,591
		Program increase		[12,780]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	5,483,386	5,587,966
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
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
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	24,008	24,008
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	24,078,718	25,270,442
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	375,325	455,397
		Drone medic platform		[5,000]
		Program increase		[75,072]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	171,192	177,542
		CPF—Aeromedical Research Center		[2,350]
		CPF—GHz-THz Antenna Systems for Massive Data Transmissions in Real-Time.		[4,000]
		SUBTOTAL BASIC RESEARCH	546,517	632,939
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	88,672	88,672
005	0602102F	MATERIALS	134,795	144,795
		Thermal protection for hypersonic vehicles		[10,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	159,453	175,953
		Aeromechanics and integration		[10,000]
		Rapid aerospace fabrication technology		[6,500]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	135,771	160,842
		Digital engineering and prototype capability		[20,071]
		Program increase		[5,000]
008	0602203F	AEROSPACE PROPULSION	172,861	172,861
009	0602204F	AEROSPACE SENSORS	192,733	197,733
		Program increase		[5,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,856	8,856
012	0602602F	CONVENTIONAL MUNITIONS	137,303	147,303
		Advanced hypersonic propulsion		[10,000]
013	0602605F	DIRECTED ENERGY TECHNOLOGY	109,302	104,947
		AI-enabled decisionmaking		[4,000]

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Line	Program Element	Item	FY 2023 Request	House Authorized
		Technical realignment		[-8,355]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	166,041	260,041
		AI for networks		[10,000]
		Internet of Things Laboratory		[7,000]
		Multi-Edge Computing Command and Control		[12,000]
		Program increase		[10,000]
		Quantum testbed		[10,000]
		Trapped ion quantum computer		[30,000]
		Trusted computing base for mission flight computer		[5,000]
		UAS traffic management		[10,000]
		SUBTOTAL APPLIED RESEARCH	1,305,787	1,462,003
		ADVANCED TECHNOLOGY DEVELOPMENT		
016	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	152,559	146,559
		Automated geospatial intelligence detection algorithm		[9,000]
		Insufficient justification		[-15,000]
017	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	29,116	53,116
		FSS & UWB radome production		[9,000]
		Metals Affordability Initiative		[15,000]
018	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	10,695	10,695
019	0603203F	ADVANCED AEROSPACE SENSORS	36,997	36,997
020	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	54,727	86,820
		Airborne Missile Defense Beam Director Development and Flight Environmental Qualification		[10,000]
		Modular Open Autonomous Software Testing		[5,600]
		Program increase		[25,000]
		Technical realignment		[-8,507]
021	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	64,254	96,511
		Attributable combat UAV propulsion		[13,750]
		Program increase		[10,000]
		Technical realignment		[8,507]
022	0603270F	ELECTRONIC COMBAT TECHNOLOGY	33,380	48,380
		High speed expendable turboranjets		[5,000]
		Program increase		[10,000]
023	0603273F	SCIENCE & TECHNOLOGY FOR NUCLEAR RE-ENTRY SYS- TEMS.	39,431	39,431
026	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVEL- OPMENT.	20,652	20,652
027	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	187,374	187,374
028	0603605F	ADVANCED WEAPONS TECHNOLOGY	98,503	98,503
029	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	47,759	69,759
		Agile Factory Floor for Depot Sustainment		[8,000]
		Carbon/carbon for hypersonics		[10,000]
		CPF—Additive Manufacturing and Ultra-High Performance Con- crete.		[4,000]
030	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEM- ONSTRATION.	51,824	51,824
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOP- MENT.	827,271	946,621
		ADVANCED COMPONENT DEVELOPMENT & PROTO- TYPES		
031	0603036F	MODULAR ADVANCED MISSILE	125,688	125,688
032	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	6,101	6,101
033	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	17,318	17,318
034	0603790F	NATO RESEARCH AND DEVELOPMENT	4,295	4,295
035	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	46,432	46,432
036	0604001F	NC3 ADVANCED CONCEPTS	5,098	5,098
038	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	231,408	200,408
		Program decrease		[-31,000]
039	0604004F	ADVANCED ENGINE DEVELOPMENT	353,658	503,658
		AETP		[150,000]
040	0604006F	DEPT OF THE AIR FORCE TECH ARCHITECTURE	66,615	66,615
041	0604015F	LONG RANGE STRIKE—BOMBER	3,253,584	3,253,584
042	0604032F	DIRECTED ENERGY PROTOTYPING	4,269	4,269
043	0604033F	HYPERSONICS PROTOTYPING	431,868	172,547
		Flight in Relevant Environments (FIRE) increase		[11,000]
		Technical realignment		[-270,321]
044	0604183F	HYPERSONICS PROTOTYPING—HYPERSONIC ATTACK CRUISE MISSILE (HACM).	144,891	461,778
		Technical realignment		[316,887]
045	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	12,010	12,010
046	0604257F	ADVANCED TECHNOLOGY AND SENSORS	13,311	13,311
047	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER	203,213	203,213
048	0604317F	TECHNOLOGY TRANSFER	16,759	16,759
049	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	106,826	141,826
		Program Increase—Replace Expended Inventory		[35,000]

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050	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	44,526	44,526
051	0604668F	JOINT TRANSPORTATION MANAGEMENT SYSTEM (JTMS)	51,758	51,758
052	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	27,586	27,586
053	0604858F	TECH TRANSITION PROGRAM	649,545	600,795
		Program increase		[9,250]
		Technical realignment		[-58,000]
054	0604860F	OPERATIONAL ENERGY AND INSTALLATION RESILIENCE ...		15,500
		Technical realignment		[15,500]
055	0605230F	GROUND BASED STRATEGIC DETERRENT		3,000
		ICBM transition readiness modeling and simulation		[3,000]
056	0207110F	NEXT GENERATION AIR DOMINANCE	1,657,733	1,608,233
		Program decrease		[-49,500]
057	0207179F	AUTONOMOUS COLLABORATIVE PLATFORMS	51,747	51,747
058	0207420F	COMBAT IDENTIFICATION	1,866	1,866
059	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	14,490	14,490
060	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	52,498	48,498
		Program decrease		[-4,000]
061	0208030F	WAR RESERVE MATERIEL—AMMUNITION	10,288	10,288
064	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	37,460	37,460
065	0305601F	MISSION PARTNER ENVIRONMENTS	17,378	17,378
066	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT	234,576	286,476
		Joint Cyber Warfighting Architecture—CYBERCOM UPL		[51,900]
067	0306415F	ENABLED CYBER ACTIVITIES	16,728	16,728
070	0808737F	CVV INTEGRATED PREVENTION	9,315	9,315
071	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	14,050	14,050
072	1206415F	U.S. SPACE COMMAND RESEARCH AND DEVELOPMENT SUPPORT.	10,350	10,350
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	7,945,238	8,124,954
		SYSTEM DEVELOPMENT & DEMONSTRATION		
073	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	9,879	9,879
074	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	176,824	176,824
075	0604222F	NUCLEAR WEAPONS SUPPORT	64,425	64,425
076	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,222	2,222
077	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	133,117	133,117
078	0604287F	PHYSICAL SECURITY EQUIPMENT	8,493	8,493
079	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	5,279	5,279
080	0604604F	SUBMUNITIONS	3,273	3,273
081	0604617F	AGILE COMBAT SUPPORT	14,252	14,252
083	0604706F	LIFE SUPPORT SYSTEMS	47,442	47,442
084	0604735F	COMBAT TRAINING RANGES	91,284	91,284
086	0604932F	LONG RANGE STANDOFF WEAPON	928,850	928,850
087	0604933F	ICBM FUZE MODERNIZATION	98,376	98,376
088	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	2,222	2,222
089	0605056F	OPEN ARCHITECTURE MANAGEMENT	38,222	38,222
090	0605223F	ADVANCED PILOT TRAINING	37,121	37,121
091	0605229F	HH-60W	58,974	58,974
092	0605238F	GROUND BASED STRATEGIC DETERRENT EMD	3,614,290	3,614,290
094	0207171F	F-15 EPAWSS	67,956	67,956
095	0207279F	ISOLATED PERSONNEL SURVIVABILITY AND RECOVERY	27,881	27,881
096	0207328F	STAND IN ATTACK WEAPON	283,152	283,152
097	0207701F	FULL COMBAT MISSION TRAINING	3,028	12,528
		Airborne Augmented Reality		[9,500]
102	0401221F	KC-46A TANKER SQUADRONS	197,510	197,510
103	0401319F	VC-25B	492,932	392,932
		Program decrease		[-100,000]
104	0701212F	AUTOMATED TEST SYSTEMS	16,664	16,664
105	0804772F	TRAINING DEVELOPMENTS	15,138	15,138
107	1206442F	NEXT GENERATION OPIR	148	148
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	6,438,954	6,348,454
		MANAGEMENT SUPPORT		
108	0604256F	THREAT SIMULATOR DEVELOPMENT	21,067	56,067
		Program increase		[35,000]
109	0604759F	MAJOR T&E INVESTMENT	44,714	74,714
		Program increase		[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	826,854
115	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	255,995	283,995
		Technical realignment		[28,000]
116	0605828F	ACQ WORKFORCE- GLOBAL REACH	457,589	457,589
117	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	459,223	473,423
		Technical realignment		[14,200]
118	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	3,696	3,696

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119	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	229,610	253,610
		Technical realignment		[24,000]
120	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	92,648	67,361
		Technical realignment		[-25,287]
121	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	241,226	236,382
		Technical realignment		[-4,844]
122	0605898F	MANAGEMENT HQ—R&D	4,347	5,624
		Technical realignment		[1,277]
123	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	77,820	77,820
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
		Establishment and initial operations of the NC3 Rapid Engineering Architecture Collaboration Hub (REACH).		[20,000]
129	0308602F	ENTEPRISE 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
		SUBTOTAL MANAGEMENT SUPPORT	3,033,528	3,155,874
		OPERATIONAL SYSTEMS DEVELOPMENT		
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	32,901
		Insufficient justification		[-5,000]
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	17,994
		Program decrease		[-30,000]
145	0606018F	NC3 INTEGRATION	23,559	23,559
147	0101113F	B-52 SQUADRONS	770,313	689,313
		Program decrease		[-81,000]
148	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	571	571
149	0101126F	B-1B SQUADRONS	13,144	30,144
		Hypersonic Integration Validation Testing		[17,000]
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	31,951
		Multi-Domain Operations modernization development		[31,500]
158	0102412F	NORTH WARNING SYSTEM (NWS)	76,910	76,910
159	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR	12,210	17,210
		Ultra-wide band receiver		[5,000]
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	30,195
		AI for EW		[7,000]
164	0207131F	A-10 SQUADRONS	72,393	72,393
165	0207133F	F-16 SQUADRONS	244,696	244,696
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
		Software Update		[12,000]
179	0207327F	SMALL DIAMETER BOMB (SDB)	27,713	77,713

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		Technology refresh & improvement—Air Force UPL		[50,000]
181	0207412F	CONTROL AND REPORTING CENTER (CRC)	6,615	12,815
		Combat Air Intelligence Systems		[6,200]
182	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	239,658	237,658
		Early to need—communication network upgrade		[-2,000]
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	113,892
		Joint Cyber Warfighting Architecture—CYBERCOM UPL		[37,300]
202	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	8,367	8,367
203	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	80,740	80,740
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 AWARENESS	3,069	3,069
219	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) ...	25,701	25,701
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	115,528
		Special Mission Airborne SIGINT Enterprise Technology		[7,000]
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	33,138
		All-domain multi-sensor and multi-intelligence data fusion		[10,000]
		Operationalize foreign language exploitation capabilities		[10,000]
233	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,895	4,895
234	0305103F	CYBER SECURITY INITIATIVE	91	91
235	0305111F	WEATHER SERVICE	11,716	21,716
		Commercial weather data pilot		[10,000]
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	80,048
		Sensor Open Systems Architecture		[20,000]
		Wide Area Motion Imagery		[5,000]
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	31,887
		IR Suppression		[6,500]
259	0401132F	C-130J PROGRAM	11,060	21,060
		Winglets		[10,000]
260	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	2,909	2,909
261	0401218F	KC-135S	12,955	12,955
262	0401318F	CV-22	10,121	10,121

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263	0408011F	SPECIAL TACTICS / COMBAT CONTROL	6,297	6,297
264	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	19,892	23,892
		CPF—Aviation Training Academy of the Future		[4,000]
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
276A	999999999	CLASSIFIED PROGRAMS	17,240,641	17,271,641
		Program increase		[31,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	23,090,569	23,252,069
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
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
		Technical realignment		[-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
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	946,437	909,091
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	44,134,301	44,832,005
		RDTE, SPACE FORCE APPLIED RESEARCH		
002	1206601SF	SPACE TECHNOLOGY	243,737	278,892
		Advanced Analog Microelectronics		[6,800]
		AI for space technology		[5,000]
		Technical realignment		[8,355]
		University Consortia for Space Technology		[15,000]
		SUBTOTAL APPLIED RESEARCH	243,737	278,892
		ADVANCED TECHNOLOGY DEVELOPMENT		
003	1206310SF	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	460,820	526,820
		Defense in depth as mission assurance for spacecraft		[20,000]
		Multilevel, Secure, Autonomous Mission Operations at AFRL		[20,000]
		Program increase		[26,000]
004	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	103,395	80,168
		Reduce follow-on tranches		[-26,000]
		Technical realignment		[2,773]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	564,215	606,988
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
005	0604002SF	SPACE FORCE WEATHER SERVICES RESEARCH	816	816
006	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	382,594	382,594
007	1203622SF	SPACE WARFIGHTING ANALYSIS	44,791	44,791
008	1203710SF	EO/IR WEATHER SYSTEMS	96,519	96,519
010	1206410SF	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING ...	986,822	990,822
		C2BMC integration		[4,000]
012	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	230,621	230,621
013	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	106,252	106,252
014	1206438SF	SPACE CONTROL TECHNOLOGY	57,953	69,953
		Program increase		[12,000]
016	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM	59,169	59,169
017	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	121,069	121,069
018	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	294,828	294,828

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019	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	565,597	565,597
020	1206857SF	SPACE RAPID CAPABILITIES OFFICE	45,427	45,427
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	2,992,458	3,008,458
		SYSTEM DEVELOPMENT & DEMONSTRATION		
021	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	325,927	325,927
022	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	49,628	49,628
023	1206421SF	COUNTERSPACE SYSTEMS	21,848	21,848
024	1206422SF	WEATHER SYSTEM FOLLOW-ON	48,870	48,870
025	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	105,140	105,140
026	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	11,701	11,701
027	1206432SF	POLAR MILSATCOM (SPACE)	67,465	67,465
028	1206433SF	WIDEBAND GLOBAL SATCOM (SPACE)	48,438	48,438
029	1206440SF	NEXT-GEN OPIR—GROUND		612,529
		Technical realignment		[612,529]
030	1206442SF	NEXT GENERATION OPIR	3,479,459	253,801
		Technical realignment		[-3,225,658]
031	1206443SF	NEXT-GEN OPIR—GEO		1,713,933
		Technical realignment		[1,713,933]
032	1206444SF	NEXT-GEN OPIR—POLAR		899,196
		Technical realignment		[899,196]
033	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION	23,513	23,513
034	1206446SF	RESILIENT MISSILE WARNING MISSILE TRACKING—LOW EARTH ORBIT (LEO).	499,840	525,637
		Technical realignment		[25,797]
035	1206447SF	RESILIENT MISSILE WARNING MISSILE TRACKING—MEDIUM EARTH ORBIT (MEO).	139,131	303,930
		Technical realignment		[164,799]
036	1206448SF	RESILIENT MISSILE WARNING MISSILE TRACKING—INTEGRATED GROUND SEGMENT.	390,596	0
		Technical realignment		[-390,596]
037	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	124,103	154,103
		Increase EMD for NSSL Phase 3 and beyond activities		[30,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	5,335,659	5,165,659
		MANAGEMENT SUPPORT		
039	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	21,453	21,453
040	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	253,716	253,716
041	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	13,962	20,962
		Spacelift Range System improvements		[7,000]
042	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO	2,773	0
		Technical realignment		[-2,773]
043	1206759SF	MAJOR T&E INVESTMENT—SPACE	89,751	89,751
044	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,922	17,922
045	1206862SF	TACTICALLY RESPONSIVE LAUNCH		100,000
		Continue Tactically Responsive Space		[75,000]
		Program increase		[25,000]
046	1206864SF	SPACE TEST PROGRAM (STP)	25,366	25,366
		SUBTOTAL MANAGEMENT SUPPORT	424,943	529,170
		OPERATIONAL SYSTEM DEVELOPMENT		
048	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	5,321	5,321
049	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	128,243	128,243
050	1203040SF	DCO-SPACE	28,162	28,162
051	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS	165,892	165,892
052	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	42,199	42,199
053	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	2,062	2,062
054	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,157	4,157
055	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	38,103	38,103
056	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,658	11,658
057	1203265SF	GPS III SPACE SEGMENT	1,626	1,626
058	1203330SF	SPACE SUPERIORITY ISR	29,128	29,128
059	1203620SF	NATIONAL SPACE DEFENSE CENTER	2,856	2,856
060	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	18,615	18,615
061	1203906SF	NCMC—TWAA SYSTEM	7,274	7,274
062	1203913SF	NUDET DETECTION SYSTEM (SPACE)	80,429	80,429
063	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	80,903	85,903
		Program increase		[5,000]
064	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	359,720	359,720
068	1206770SF	ENTERPRISE GROUND SERVICES	123,601	123,601
068A	9999999999	CLASSIFIED PROGRAMS	4,973,358	4,927,058
		Funding early to need		[-379,300]

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		INDOPACOM Space Control		[308,000]
		Program adjustment		[25,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	6,103,307	6,062,007
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
070	1208248SF	SPACE COMMAND & CONTROL—SOFTWARE PILOT PROGRAM.	155,053	155,053
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	155,053	155,053
		TOTAL RDTE, SPACE FORCE	15,819,372	15,806,227
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	11,584	11,584
002	0601101E	DEFENSE RESEARCH SCIENCES	401,870	495,444
		AI for supply chain		[4,100]
		Math and Computer Science		[5,000]
		Program increase		[84,474]
003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES	16,257	16,257
004	0601110D8Z	BASIC RESEARCH INITIATIVES	62,386	184,686
		CPF—FIU/SOUTHCOM Security Research Hub / Enhanced Domain Awareness (EDA) Initiative.		[1,300]
		CPF—HBCU Training for the Future of Aerospace		[1,000]
		Future G		[100,000]
		MINERVA		[20,000]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	80,874	80,874
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	132,347	168,347
		Community colleges		[5,000]
		CPF—Florida Memorial Avionics Smart Scholars		[1,000]
		SMART		[30,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	33,288	111,711
		CPF—Augmenting Quantum Sensing Research, Education and Training in DoD CoE at DSU.		[1,111]
		CPF—Florida Memorial University Department of Natural Sciences STEM Equipment.		[600]
		Program increase		[76,712]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	34,734	34,734
		SUBTOTAL BASIC RESEARCH	773,340	1,103,637
		APPLIED RESEARCH		
010	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	18,961	18,961
011	0602115E	BIOMEDICAL TECHNOLOGY	106,958	114,658
		Next-Generation Combat Casualty Care		[7,700]
012	0602128D8Z	PROMOTION AND PROTECTION STRATEGIES	3,275	3,275
014	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	20,634	20,634
015	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	46,159	46,159
016	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	67,666	67,666
017	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	388,270	418,270
		Artificial Intelligence and Human-Machine Symbiosis		[5,000]
		Cyber security		[5,000]
		Underexplored Systems for Utility-Scale Quantum Computing		[20,000]
018	0602383E	BIOLOGICAL WARFARE DEFENSE	23,059	23,059
019	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	256,197	334,697
		Program increase		[78,500]
020	0602668D8Z	CYBER SECURITY RESEARCH	17,264	17,264
021	0602675D8Z	SOCIAL SCIENCES FOR ENVIRONMENTAL SECURITY	4,000	4,000
022	0602702E	TACTICAL TECHNOLOGY	221,883	261,883
		Information Analytics Technology		[5,000]
		MAD-FIRES		[35,000]
023	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	352,976	355,276
		Expanding Human Resiliency		[2,300]
024	0602716E	ELECTRONICS TECHNOLOGY	557,745	557,745
025	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	192,162	192,162
026	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	11,030	11,030
027	0602890D8Z	HIGH ENERGY LASER RESEARCH	48,587	68,587
		Program increase		[20,000]
028	1160401BB	SOF TECHNOLOGY DEVELOPMENT	49,174	49,174
		SUBTOTAL APPLIED RESEARCH	2,386,000	2,564,500
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	34,065	84,065
		Munitions technology development		[50,000]

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030	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,919	4,919
031	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	72,614	92,614
		United States-Israel Cooperation to Counter Unmanned Aerial Systems.		[15,000]
		VTOL Loitering Munition (ROC-X)		[5,000]
032	0603133D8Z	FOREIGN COMPARATIVE TESTING	26,802	26,802
034	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	395,721	395,721
035	0603176BR	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	6,505	6,505
036	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT ...	16,737	31,737
		IAMD/OSG AIS F-35 Event Preparation		[10,000]
		Kill Chain Performance Assessment Capability		[5,000]
037	0603180C	ADVANCED RESEARCH	22,023	50,023
		Benzoxazine High-Mach System Thermal Protection		[4,000]
		High Temperature Nickel Based Alloy research		[4,000]
		Sounding Rocket Testbed Technology Maturation Tests		[20,000]
038	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT &TRANSITION.	52,156	72,156
		Accelerate co-development of key partner programs		[20,000]
039	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,898	18,898
040	0603286E	ADVANCED AEROSPACE SYSTEMS	253,135	410,435
		GlideBreaker		[20,000]
		MoHAWC		[60,000]
		OpFires		[42,300]
		Tactical Boost Glide (TBG)		[35,000]
041	0603287E	SPACE PROGRAMS AND TECHNOLOGY	81,888	81,888
042	0603288D8Z	ANALYTIC ASSESSMENTS	24,052	24,052
043	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	53,890	68,890
		Emerging opportunities		[15,000]
046	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	141,561	176,561
		Program increase		[35,000]
047	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	42,925	106,002
		AI for small unit maneuver		[2,500]
		Hybrid space architecture		[5,577]
		Joint programs		[10,000]
		National Security Innovation Capital		[15,000]
		Program increase		[25,000]
		Small craft electric propulsion		[5,000]
048	0603375D8Z	TECHNOLOGY INNOVATION	109,535	469,535
		Accelerating quantum applications		[200,000]
		AHI		[30,000]
		Domestic Supply Chain for Microelectronics Critical Element Production.		[100,000]
		Future G Open Edge Computing Challenge		[30,000]
049	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	238,407	253,407
		Biological Defense Vaccines and Advanced Therapeutics		[15,000]
050	0603527D8Z	RETRACT LARCH	79,493	79,493
051	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	19,218	19,218
052	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	114,100	114,100
053	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	3,168	3,168
054	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	256,142	1,268,142
		Advanced textiles		[10,000]
		Biotechnology Manufacturing Institutes		[500,000]
		CPF—Future Nano and Micro-Fabrication - Advanced Materials Engineering Research Institute.		[4,000]
		CPF—Manufacturing of Advanced Composites for Hypersonics – Aided by Digital Engineering.		[4,000]
		CPF—Scalable comprehensive workforce readiness initiatives in bioindustrial manufacturing that lead to regional bioeconomic transformation and growth.		[4,000]
		HPC-enabled advanced manufacturing		[30,000]
		Increase Production Capacity for Hypersonics		[25,000]
		Munitions technology development		[50,000]
		Munitions technology development (Acquisition & Sustainment)		[200,000]
		Munitions technology development (Research & Engineering)		[100,000]
		New bioproducts		[10,000]
		Silicon carbide matrix materials for hypersonics		[50,000]
		Silicon-based lasers		[10,000]
		Tools and methods to improve biomanufacturing		[15,000]
055	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	46,166	51,166
		AI-based market research		[5,000]
056	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	13,663	13,663
057	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	58,411	63,411
		SERDP- PFAS remediation technologies		[5,000]
058	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	139,833	139,833

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059	0603727D8Z	JOINT WARFIGHTING PROGRAM	2,411	2,411
060	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	250,917	260,917
		Low SWAP INU development		[10,000]
061	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	305,050	315,050
		Composable Logistics and Information Omniscience		[10,000]
062	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	678,562	758,562
		ABII		[50,000]
		Classified Program		[15,000]
		Ocean of Things Phase 3		[15,000]
063	0603767E	SENSOR TECHNOLOGY	314,502	314,502
064	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	201	201
065	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	13,417	13,417
066	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	111,149	166,149
		Program increase		[30,000]
		Short pulse laser research		[25,000]
067	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	315,090	350,090
		Program increase		[35,000]
068	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK	22,028	74,028
		High energy laser power beaming		[7,000]
		Mission acceleration centers		[20,000]
		Program increase		[15,000]
		TRISO advanced nuclear fuel		[10,000]
069	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	180,170	195,170
		Operational Energy Capability Improvement		[15,000]
072	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	118,877	125,877
		Next Generation ISR SOF Enhancement/ Technical Support Systems.		[7,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	4,638,401	6,702,778
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
074	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	41,507	41,507
075	0603600D8Z	WALKOFF	133,795	133,795
076	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	84,638	95,638
		ESTCP—3D printed infrastructure		[5,000]
		ESTCP—PFAS Disposal		[5,000]
		ESTCP—PFAS free fire fighting turnout gear		[1,000]
077	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	190,216	190,216
078	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	667,524	667,524
079	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DE/VAL.	291,364	291,364
080	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	231,134	242,334
		BMDs Radars Modeling and Simulation		[4,200]
		HEMP Hardening		[7,000]
081	0603890C	BMD ENABLING PROGRAMS	591,847	717,847
		Digital Engineering to Support NGI Transition		[17,000]
		Elevated Fire control Sensor		[27,000]
		Kill Chain Demonstration		[51,000]
		NGI Modeling and Threat Scenarios		[21,000]
		Support Equipment for FTX-26 and NGI Testing		[10,000]
082	0603891C	SPECIAL PROGRAMS—MDA	316,977	387,977
		Classified program increase—UPL		[71,000]
083	0603892C	AEGIS BMD	600,072	600,072
084	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	589,374	648,624
		Classified program increase—UPL		[50,000]
		Network Refresh		[6,500]
		SATCOM Link Security—PAAWNS TRANSEC Module		[2,750]
085	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	50,269	50,269
086	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	49,367	49,367
087	0603906C	REGARDING TRENCH	12,146	12,146
088	0603907C	SEA BASED X-BAND RADAR (SBX)	164,668	164,668
089	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
090	0603914C	BALLISTIC MISSILE DEFENSE TEST	367,824	367,824
091	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	559,513	729,513
		Advanced Reactive Target Simulation Development		[20,000]
		Hypersonic Maneuvering Extended Range (HMER) Target System.		[150,000]
092	0603923D8Z	COALITION WARFARE	11,154	11,154
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	249,591	284,591

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		Next Generation Information (5G)		[35,000]
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,166	3,166
095	0604102C	GUAM DEFENSE DEVELOPMENT	397,936	397,936
096	0604115C	TECHNOLOGY MATURATION INITIATIVES		35,000
		Continue Diode Pumped Alkali Laser Development		[25,000]
		Program increase		[10,000]
097	0604124D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—MIP.	33,950	33,950
099	0604181C	HYPERSOUND DEFENSE	225,477	542,977
		Accelerate Glide Phase Interceptor program		[292,500]
		Disruptive Technologies		[25,000]
100	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,145,358	1,274,858
		Powered Quickstrike Mines (Sea Urchin)		[30,000]
		Program increase		[80,000]
		Service Tactical SIGINT Upgrades—INDOPACOM UPL		[9,500]
		Short Pulse Laser Directed Energy Demonstration		[10,000]
101	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	647,226	652,226
		Trusted & Assured Microelectronics		[5,000]
102	0604331D8Z	RAPID PROTOTYPING PROGRAM	179,189	204,189
		Energetics		[5,000]
		Program increase		[20,000]
103	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	24,402	37,402
		AI/ML-enabled OSINT for information effects		[4,000]
		Assured Defense Avionics		[5,000]
		Information environment		[4,000]
104	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,691	2,691
105	0604551BR	CATAPULT	7,130	27,130
		Radiation-Hardened Fully-Depleted Silicon-on-Insulator Microelec- tronics.		[20,000]
106	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	45,779	50,779
		Operational Energy Capability Improvement- Prototyping		[5,000]
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	40,699
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 SEG- MENT TEST.	69,762	69,762
113	0604878C	AEGIS BMD TEST	182,776	192,776
		Continued participation in ASD-23		[10,000]
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	33,165
		Mobile nuclear microreactors		[12,000]
		Program increase		[20,000]
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..	129,957	305,957
		HBTSS Payload Continued Development beyond Phase IIb		[166,000]
		MDSEA DEVSECOPS		[10,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT & PROTOTYPES.	10,756,509	12,007,959
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604123D8Z	CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER (CDAO)—DEM/VAL ACTIVITIES.	273,340	368,340
		CDAO		[50,000]
		Software integration		[45,000]
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 DE- VELOPMENT.	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 CAPABILI- TIES.	6,949	6,949

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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 (EEM).	8,121	8,121
142	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	16,048	16,048
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	1,014,114	1,109,114
		MANAGEMENT SUPPORT		
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	1,094,358
		Program increase		[275,000]
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) Joint Mission Environment	126,079	151,079
				[25,000]
150	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	53,278	53,278
152	0605142D8Z	SYSTEMS ENGINEERING	39,009	39,009
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
158	0605502BP	SMALL BUSINESS INNOVATIVE RESEARCH—CHEMICAL BIOLOGICAL DEF.		5,100
		Operational Rapid Multi-Pathogen Diagnostic Tool		[5,100]
165	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,820	6,820
		Small Business Tech Transfer		[3,000]
166	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	35,414	35,414
167	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	56,114	56,114
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	22,354
		Joint Programs		[10,000]
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
195A	999999999	CLASSIFIED PROGRAMS	37,841	37,841
		SUBTOTAL MANAGEMENT SUPPORT	1,830,097	2,148,197
		OPERATIONAL SYSTEMS DEVELOPMENT		
200	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	588,094	649,903
		Advanced machining		[20,000]
		Carbon/carbon industrial base enhancement		[10,000]
		CPF—Critical Non-Destructive Inspection and Training for Key U.S. National Defense Interests through College of the Canyons Advanced Technology Center.		[2,000]
		CPF—Partnerships for Manufacturing Training Innovation		[4,000]
		Integrated circuit substrates		[3,000]
		Precision optics manufacturing		[14,809]
		RF microelectronics supply chain		[8,000]

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(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	House Authorized
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
203	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	68,030	68,030
204	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)		16,600
		2.5/3D heterogeneous		[16,600]
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	47,135
		ISSP, NWC and NPS		[4,000]
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	29,870
		MQ-9 Mallett reprogramming		[5,870]
		Speed Loader Agile POD		[10,000]
263	1160403BB	AVIATION SYSTEMS	179,499	179,499
264	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	75,136	85,136
		Intelligence Systems Development		[10,000]
265	1160408BB	OPERATIONAL ENHANCEMENTS	142,900	168,810
		Artificial intelligence for Small Unit Maneuver (AISUM)		[15,000]
		CPF—Intercept, Collect, Analyze, and Disrupt (ICAD) Application.		[2,300]
		Precision Strike Munition Shipboard Safety & Certification Testing.		[8,610]
266	1160431BB	WARRIOR SYSTEMS	129,133	155,860
		Counter Unmanned Systems (CUxS) Procurement Acceleration		[5,400]
		Ground Organic Precision Strike Systems (GOPSS) Loitering Munitions.		[9,930]
		Identity and Signature Management Modernization		[9,000]
		Maritime Scalable Effects (MSE) Electronic Warfare System Acceleration.		[2,397]
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	112,645
		Dry Combat Submersible (DCS) Next Acceleration		[30,000]
272	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	7,583	8,528
		Low Visibility Vanishing Technology (LVVT)		[945]
273	1203610K	TELEPORT PROGRAM	1,270	1,270
273A	9999999999	CLASSIFIED PROGRAMS	7,854,604	7,878,304
		JWICS modernization		[1,500]
		MARS Advanced Capabilities		[22,200]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	10,114,680	10,330,241
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2023 Request	House Authorized
		OSD requested transfer to new PE		[-100,000]
276A	0604795D8Z	ACCELERATE THE PROCUREMENT AND FIELDING OF INNOVATIVE TECHNOLOGIES (APFIT).		100,000
		OSD requested transfer from erroneous PE		[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
282A	9999999999	CLASSIFIED PROGRAMS	265,028	265,028
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	564,411	564,411
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	32,077,552	36,530,837
		MISSION-BASED RAPID ACQUISITION ACCOUNT		
001	9999999999	MISSION-BASED RAPID ACQUISITION		30,000
		Mission-Based Rapid Acquisition		[30,000]
		SUBTOTAL MISSION-BASED RAPID ACQUISITION ...		30,000
		TOTAL MISSION-BASED RAPID ACQUISITION ACCOUNT.		30,000
		OPERATIONAL TEST & EVAL, DEFENSE MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	119,529	119,529
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	99,947	99,947
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	57,718	57,718
		SUBTOTAL MANAGEMENT SUPPORT	277,194	277,194
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	277,194	277,194
		TOTAL RDT&E	130,097,410	138,641,449

1 **TITLE XLIII—OPERATION AND**
2 **MAINTENANCE**
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2023 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY OPERATING FORCES		
010	MANEUVER UNITS	4,506,811	4,356,811
	Program decrease		[-150,000]
020	MODULAR SUPPORT BRIGADES	177,136	177,136
030	ECHELONS ABOVE BRIGADE	894,629	894,629
040	THEATER LEVEL ASSETS	2,570,949	2,450,949
	Program decrease		[-120,000]
050	LAND FORCES OPERATIONS SUPPORT	1,184,230	1,144,230
	Program decrease		[-40,000]
060	AVIATION ASSETS	2,220,817	2,220,817
070	FORCE READINESS OPERATIONS SUPPORT	7,366,299	7,616,738
	Advanced Bomb Suit II		[12,940]
	Arctic OCIE for Alaska bases, Fort Drum and Fort Carson		[65,050]
	Extended Cold Weather Clothing System (ECWCS) Layer 1 & 2 for Initial Entry Training Soldiers.		[8,999]
	Female/Small Stature Body Armor		[66,750]
	Operation Pathways (OP)		[100,000]
	Program decrease		[-60,000]
	Service Tactical SIGINT Upgrades—INDOPACOM UPL ..		[3,400]
	Theater Intelligence (ISR-PED)		[53,300]
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	9,276,325
	Base Operating Support for AFFF Replacement, mobile assets and Disposal		[6,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Program decrease		[-60,000]
120	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	4,666,658	5,192,598
	FSRM—AFFF Replacement Facilities		[65,000]
	OIB Projects		[100,000]
	Program increase		[360,940]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS ...	284,483	254,483
	Program decrease		[-30,000]
140	ADDITIONAL ACTIVITIES	450,348	420,348
	Program decrease		[-30,000]
160	RESET	383,360	383,360
170	US AFRICA COMMAND	385,685	543,835
	Commercial Satellite Communications (COMSATCOM)		[16,750]
	Counter UAS—AFRICOM HQ		[8,100]
	Counter Unmanned Aircraft Systems—AFRICOM UPL		[8,500]
	Force Protection Systems—AFRICOM HQ		[8,100]
	High Risk ISR—Processing, Exploitation and Dissemina- tion (PED)		[4,600]
	High Risk ISR—Security Programs - Aircraft Contract		[110,000]
	High Risk ISR—Security Programs - SATCOM Support ...		[2,100]
180	US EUROPEAN COMMAND	359,602	359,602
190	US SOUTHERN COMMAND	204,336	204,336
200	US FORCES KOREA	67,756	67,756
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	495,066	495,066
220	CYBERSPACE ACTIVITIES—CYBERSECURITY	673,701	683,701
	Certified remote access to enterprise applications		[10,000]
230	JOINT CYBER MISSION FORCES	178,033	178,033
	SUBTOTAL OPERATING FORCES	39,180,602	39,701,131
MOBILIZATION			
240	STRATEGIC MOBILITY	434,423	498,423
	INDOPACOM Theater Campaigning		[104,000]
	Program decrease		[-40,000]
250	ARMY PREPOSITIONED STOCKS	378,494	392,638
	APS 3/4		[14,144]
260	INDUSTRIAL PREPAREDNESS	4,001	4,001
	SUBTOTAL MOBILIZATION	816,918	895,062
TRAINING AND RECRUITING			
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
	SUBTOTAL TRAINING AND RECRUITING	5,952,780	5,952,780
ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES			
410	SERVICEWIDE TRANSPORTATION	662,083	622,083
	Program decrease		[-40,000]
420	CENTRAL SUPPLY ACTIVITIES	822,018	812,018
	Program decrease		[-10,000]
430	LOGISTIC SUPPORT ACTIVITIES	806,861	776,861
	Program decrease		[-30,000]
440	AMMUNITION MANAGEMENT	483,187	483,187
450	ADMINISTRATION	486,154	436,154
	Program decrease		[-50,000]
460	SERVICEWIDE COMMUNICATIONS	1,871,173	1,831,173
	Army Enterprise Service Management Program		[20,000]
	Program decrease		[-60,000]
470	MANPOWER MANAGEMENT	344,668	344,668
480	OTHER PERSONNEL SUPPORT	811,999	791,999

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Program decrease		[-20,000]
490	OTHER SERVICE SUPPORT	2,267,280	2,272,280
	Advanced planning for infrastructure to support presence on NATO's Eastern Flank		[35,000]
	Program decrease		[-30,000]
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 AC- COUNT	38,714	38,714
540	INTERNATIONAL MILITARY HEADQUARTERS	532,377	532,377
550	MISC. SUPPORT OF OTHER NATIONS	35,709	35,709
590A	CLASSIFIED PROGRAMS	2,113,196	2,138,296
	High Altitude Balloon		[10,200]
	Hyperspectral Imagery (HSI) Sensor		[14,900]
	Program decrease		[-32,000]
	Program increase		[32,000]
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	12,167,256	12,007,356
	TOTAL OPERATION & MAINTENANCE, ARMY	58,117,556	58,556,329
	OPERATION & MAINTENANCE, ARMY RES OPERATING FORCES		
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 & MOD- ERNIZATION	358,772	390,192
	Program increase		[31,420]
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
	SUBTOTAL OPERATING FORCES	3,089,090	3,120,510
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	139,414	139,414
	TOTAL OPERATION & MAINTENANCE, ARMY RES	3,228,504	3,259,924
	OPERATION & MAINTENANCE, ARNG OPERATING FORCES		
010	MANEUVER UNITS	964,237	987,237
	Northern Strike		[23,000]
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 & MOD- ERNIZATION	1,053,996	1,141,385

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Program increase		[87,389]
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
	SUBTOTAL OPERATING FORCES	7,720,437	7,830,826
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
150	SERVICEWIDE TRANSPORTATION	6,961	6,961
160	ADMINISTRATION	73,641	79,441
	State Partnership Program		[5,800]
170	SERVICEWIDE COMMUNICATIONS	100,389	100,389
180	MANPOWER MANAGEMENT	9,231	9,231
190	OTHER PERSONNEL SUPPORT	243,491	243,491
200	REAL ESTATE MANAGEMENT	3,087	3,087
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	436,800	442,600
	TOTAL OPERATION & MAINTENANCE, ARNG	8,157,237	8,273,426
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)			
010	IRAQ	358,015	358,015
020	SYRIA	183,677	183,677
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	541,692	541,692
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	541,692	541,692
OPERATION & MAINTENANCE, NAVY OPERATING FORCES			
010	MISSION AND OTHER FLIGHT OPERATIONS	7,334,452	7,393,452
	Costs associated with restoring 5 LCS		[6,000]
	PDI training requirements		[57,000]
	Program decrease		[-4,000]
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	1,859,137
	Aircraft Depot Maintenance Events (Multiple Type/Model/ Series)		[107,100]
	Costs associated with restoring 5 LCS		[300]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	70,319	70,319
080	AVIATION LOGISTICS	1,679,193	1,604,193
	Historical underexecution		[-75,000]
090	MISSION AND OTHER SHIP OPERATIONS	6,454,952	6,524,952
	Costs associated with restoring 5 LCS		[10,400]
	Restore USS Ashland		[14,400]
	Restore USS Germantown		[14,400]
	Restore USS Gunston Hall		[15,400]
	Restore USS Tortuga		[15,400]
100	SHIP OPERATIONS SUPPORT & TRAINING	1,183,237	1,183,237
110	SHIP DEPOT MAINTENANCE	10,038,261	10,321,061
	Costs associated with restoring 5 LCS		[90,000]
	Public Shipyard Tools, Test Equipment, and Machinery		[127,000]
	Restore USS Ashland		[12,500]
	Restore USS Germantown		[21,400]
	Restore USS Gunston Hall		[12,700]
	Restore USS Tortuga		[12,600]
	Restore USS Vicksburg		[6,600]
120	SHIP DEPOT OPERATIONS SUPPORT	2,422,095	2,841,595
	Restore USS Ashland		[100,000]
	Restore USS Germantown		[100,000]
	Restore USS Gunston Hall		[100,000]
	Restore USS Tortuga		[67,500]
	Restore USS Vicksburg		[28,900]

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Ship Support—USFFC/CPF Berthing & Messing Shortfall		[23,100]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,632,824	1,568,324
	Historical underexecution		[-65,000]
	Service Tactical SIGINT Upgrades—INDOPACOM UPL ..		[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	2,302,810
	Expeditionary VLS Reload System—Navy UPL		[100]
	Historical underexecution		[-65,000]
	INDOPACOM Theater Campaigning		[100,000]
	Program decrease		[-7,000]
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
	Asia Pacific Regional Initiative		[10,300]
210	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	282,742	417,342
	Fusion Center		[3,300]
	INDOPACOM Critical Manpower Positions		[2,700]
	INDOPACOM Theater Campaigning		[50,000]
	Joint Electro-Magnetic Spectrum Office (JEMSO)		[5,400]
	Mission Partner Environment (MPE) Battlefield Information Collection & Exploitation System-Extended (BICES-X)		[5,300]
	MSV—Carolyn Chouest		[12,500]
	Pacific Movement Coordination Center (PMCC)		[2,400]
	Pacific Multi-Domain Training and Experimentation Capability (PMTEC)		[19,000]
	Program increase		[12,000]
	STORMBREAKER		[22,000]
230	CYBERSPACE ACTIVITIES	477,540	477,540
240	FLEET BALLISTIC MISSILE	1,664,076	1,724,076
	Historical underexecution		[-15,000]
	MQ-9B COCO		[75,000]
250	WEAPONS MAINTENANCE	1,495,783	1,505,983
	Costs associated with restoring 5 LCS		[7,200]
	Historical underexecution		[-20,000]
	SM-6 Expansion of Combat Usable Asset Inventory—Navy UPL		[23,000]
260	OTHER WEAPON SYSTEMS SUPPORT	649,371	634,371
	Historical underexecution		[-15,000]
270	ENTERPRISE INFORMATION	1,647,834	1,647,834
280	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,549,311	3,974,311
	FSRM—AFFF Replacement Facilities		[34,000]
	FSRM—Red Hill		[100,000]
	Program increase		[291,000]
290	BASE OPERATING SUPPORT	5,503,088	5,501,088
	Base Operating Support for AFFF Replacement, mobile assets and Disposal		[18,000]
	Historical underexecution		[-20,000]
	SUBTOTAL OPERATING FORCES	56,287,184	57,737,584
	MOBILIZATION		
300	SHIP PREPOSITIONING AND SURGE	467,648	526,248
	ESD—restore 2 ships		[58,600]
310	READY RESERVE FORCE	683,932	683,932
320	SHIP ACTIVATIONS/INACTIVATIONS	364,096	356,596
	Costs associated with restoring 5 LCS		[7,500]
	Historical underexecution		[-15,000]
330	EXPEDITIONARY HEALTH SERVICES SYSTEMS	133,780	133,780
340	COAST GUARD SUPPORT	21,196	21,196
	SUBTOTAL MOBILIZATION	1,670,652	1,721,752
	TRAINING AND RECRUITING		
350	OFFICER ACQUISITION	190,578	190,578
360	RECRUIT TRAINING	14,679	14,679
370	RESERVE OFFICERS TRAINING CORPS	170,845	170,845

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
380	SPECIALIZED SKILL TRAINING	1,133,889	1,118,889
	Historical underexecution		[-15,000]
390	PROFESSIONAL DEVELOPMENT EDUCATION	334,844	339,144
	Navy O&M Training and Recruiting (Sea Cadets)		[4,300]
400	TRAINING SUPPORT	356,670	356,670
410	RECRUITING AND ADVERTISING	204,498	204,498
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
	SUBTOTAL TRAINING AND RECRUITING	2,620,966	2,610,266
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
450	ADMINISTRATION	1,349,966	1,279,966
	Historical underexecution		[-60,000]
	Program decrease		[-10,000]
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	639,265
	Historical underexecution		[-15,000]
	Red Hill Fuel Distribution Advanced Planning, Engineering, Program Support		[100,000]
530	ACQUISITION, LOGISTICS, AND OVERSIGHT	798,473	783,473
	Historical underexecution		[-15,000]
540	INVESTIGATIVE AND SECURITY SERVICES	791,059	791,059
720A	CLASSIFIED PROGRAMS	628,700	629,900
	Navy SCI Communications Modernization (Maritime Surveillance Project)		[1,200]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	5,573,149	5,574,349
	TOTAL OPERATION & MAINTENANCE, NAVY	66,151,951	67,643,951
OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES			
010	OPERATIONAL FORCES	1,740,491	1,818,491
	INDOPACOM 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	1,667,219
	Program increase		[375,000]
080	BASE OPERATING SUPPORT	2,699,487	2,680,487
	Historical underexecution		[-15,000]
	Program decrease		[-4,000]
	SUBTOTAL OPERATING FORCES	8,082,129	8,516,129
TRAINING AND RECRUITING			
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
	SUBTOTAL TRAINING AND RECRUITING	1,036,653	1,036,653
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
170	SERVICEWIDE TRANSPORTATION	78,542	78,542

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
180	ADMINISTRATION	401,030	401,030
220A	CLASSIFIED PROGRAMS	62,590	62,590
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	542,162	542,162
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	9,660,944	10,094,944
	OPERATION & MAINTENANCE, NAVY RES OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	669,533	671,993
	Costs associated with restoring HSC-85 aircraft squadron		[2,460]
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	73,784
	Program increase		[29,000]
110	BASE OPERATING SUPPORT	116,374	116,374
	SUBTOTAL OPERATING FORCES	1,211,771	1,243,231
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	16,529	16,529
	TOTAL OPERATION & MAINTENANCE, NAVY RES	1,228,300	1,259,760
	OPERATION & MAINTENANCE, MC RESERVE OPERATING FORCES		
010	OPERATING FORCES	109,045	109,045
020	DEPOT MAINTENANCE	19,361	19,361
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	45,430	48,811
	Program increase		[3,381]
040	BASE OPERATING SUPPORT	118,364	118,364
	SUBTOTAL OPERATING FORCES	292,200	295,581
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
050	ADMINISTRATION	12,033	12,033
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	12,033	12,033
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	304,233	307,614
	OPERATION & MAINTENANCE, AIR FORCE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	936,731	846,731
	Historical underexecution		[-150,000]
	Technical realignment		[60,000]
020	COMBAT ENHANCEMENT FORCES	2,657,865	2,587,865
	Program decrease		[-10,000]
	Technical realignment		[-60,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,467,518	1,477,518
	Contract Adversary Air		[10,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	4,341,794	4,700,594
	Historical underexecution		[-20,000]
	Increase for Weapon System Sustainment		[378,800]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	4,091,088	4,479,488

SEC. 4301. OPERATION AND MAINTENANCE			
(In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	FSRM—AFFF Replacement Facilities/ assets		[75,000]
	Historical underexecution		[-55,000]
	Program increase		[368,400]
060	CYBERSPACE SUSTAINMENT	130,754	140,754
	PACAF cyber operations for base resilient architecture		[10,000]
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	8,782,940	8,712,940
	Historical underexecution		[-70,000]
080	FLYING HOUR PROGRAM	5,871,718	5,882,618
	Blk 20 F-22		[10,900]
090	BASE SUPPORT	10,638,741	10,648,741
	Base Operating Support for AFFF Replacement, mobile assets, and Disposal		[10,000]
100	GLOBAL C3I AND EARLY WARNING	1,035,043	1,042,174
	Technical realignment		[7,131]
110	OTHER COMBAT OPS SPT PROGRAMS	1,436,329	1,350,129
	Engaging on Western Hemisphere Challenges and Interoperability with Partner Nations		[3,800]
	Historical underexecution		[-90,000]
120	CYBERSPACE ACTIVITIES	716,931	736,931
	Command and control of the information environment		[20,000]
140	LAUNCH FACILITIES	690	690
160	US NORTHCOM/NORAD	197,210	197,210
170	US STRATCOM	503,419	503,419
180	US CYBERCOM	436,807	580,107
	CMF Operational Support—CYBERCOM UPL		[148,300]
	Technical realignment		[-5,000]
190	US CENTCOM	331,162	331,162
200	US SOCOM	27,318	27,318
220	CENTCOM CYBERSPACE SUSTAINMENT	1,367	1,367
230	USSPACECOM	329,543	338,043
	National Space Defense Center Interim Facility		[8,500]
240	JOINT CYBER MISSION FORCE PROGRAMS	186,759	191,759
	Technical realignment		[5,000]
240A	CLASSIFIED PROGRAMS	1,705,801	1,705,801
	SUBTOTAL OPERATING FORCES	45,827,528	46,483,359
	MOBILIZATION		
250	AIRLIFT OPERATIONS	2,780,616	2,885,316
	INDOPACOM Theater Campaigning		[104,700]
260	MOBILIZATION PREPAREDNESS	721,172	671,172
	Historical underexecution		[-50,000]
	SUBTOTAL MOBILIZATION	3,501,788	3,556,488
	TRAINING AND RECRUITING		
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	866,777
	Airborne Warning and Control System (AWACS) training ..		[87,152]
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
	SUBTOTAL TRAINING AND RECRUITING	3,044,183	3,131,335
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
390	LOGISTICS OPERATIONS	1,058,129	1,058,129
400	TECHNICAL SUPPORT ACTIVITIES	139,428	139,428
410	ADMINISTRATION	1,283,066	1,195,915
	Program decrease		[-87,152]
420	SERVICEWIDE COMMUNICATIONS	33,222	33,222
430	OTHER SERVICEWIDE ACTIVITIES	1,790,985	1,810,985
	Advanced planning for infrastructure to support presence on NATO's Eastern Flank		[20,000]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
440	CIVIL AIR PATROL	30,526	30,526
460	DEF ACQUISITION WORKFORCE DEVELOPMENT AC- COUNT	42,558	42,558
480	INTERNATIONAL SUPPORT	102,065	102,065
480A	CLASSIFIED PROGRAMS	1,427,764	1,427,764
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	5,907,743	5,840,592
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	58,281,242	59,011,773
	OPERATION & MAINTENANCE, SPACE FORCE OPERATING FORCES		
010	GLOBAL C3I & EARLY WARNING	472,484	472,484
020	SPACE LAUNCH OPERATIONS	187,832	187,832
030	SPACE OPERATIONS	695,228	702,228
	Digital Mission Operations Platform for the Space Force		[7,000]
040	EDUCATION & TRAINING	153,135	153,135
060	DEPOT MAINTENANCE	285,863	285,863
070	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	235,253	260,653
	Program increase		[25,400]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT	1,358,565	1,328,565
	Program decrease		[-30,000]
090	SPACE OPERATIONS -BOS	144,937	144,937
090A	CLASSIFIED PROGRAMS	272,941	272,941
	SUBTOTAL OPERATING FORCES	3,806,238	3,808,638
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		
100	ADMINISTRATION	228,420	194,687
	Technical realignment		[-33,733]
110	LOGISTICS OPERATIONS		33,733
	Technical realignment		[33,733]
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	228,420	228,420
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	4,034,658	4,037,058
	OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,743,908	1,743,908
020	MISSION SUPPORT OPERATIONS	193,568	193,568
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	493,664	493,664
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	133,782	145,282
	Program increase		[11,500]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	341,724	341,724
060	BASE SUPPORT	522,195	522,195
070	CYBERSPACE ACTIVITIES	1,706	1,706
	SUBTOTAL OPERATING FORCES	3,430,547	3,442,047
	ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	133,997	133,997
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	3,564,544	3,576,044
	OPERATION & MAINTENANCE, ANG OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,301,784	2,301,784

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
020	MISSION SUPPORT OPERATIONS	587,793	587,793
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,193,699	1,193,699
040	FACILITIES SUSTAINMENT, RESTORATION & MOD- ERNIZATION	437,042	474,142
	Program increase		[37,100]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUP- PORT	1,284,264	1,284,264
060	BASE SUPPORT	967,169	967,169
070	CYBERSPACE SUSTAINMENT	12,661	80,161
	Information Technology and JWICS capacity		[67,500]
080	CYBERSPACE ACTIVITIES	15,886	15,886
	SUBTOTAL OPERATING FORCES	6,800,298	6,904,898
ADMINISTRATION AND SERVICE-WIDE ACTIVI- TIES			
090	ADMINISTRATION	52,075	54,375
	State Partnership Program		[2,300]
100	RECRUITING AND ADVERTISING	48,306	48,306
	SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES	100,381	102,681
	TOTAL OPERATION & MAINTENANCE, ANG	6,900,679	7,007,579
OPERATION AND MAINTENANCE, DEFENSE- WIDE			
OPERATING FORCES			
010	JOINT CHIEFS OF STAFF	445,366	325,366
	Program decrease		[-120,000]
020	JOINT CHIEFS OF STAFF—CYBER	9,887	9,887
030	JOINT CHIEFS OF STAFF—JTEEP	679,336	479,336
	Program decrease		[-200,000]
040	OFFICE OF THE SECRETARY OF DEFENSE—MISO	246,259	273,759
	United States Indo-Pacific Command-MISO		[27,500]
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOP- MENT ACTIVITIES	2,056,291	2,056,606
	Low Visibility Vanishing Technology (LVVT)		[315]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE AC- TIVITIES	39,178	39,178
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,513,025	1,534,325
	Counter Unmanned Systems (CUxS) Procurement Acceler- ation		[10,400]
	Identity and Signature Management Modernization		[10,900]
	Restore PB (U-28)		[3,000]
	U-28A		[-3,000]
080	SPECIAL OPERATIONS COMMAND MAINTENANCE	1,207,842	1,236,195
	Advanced Engine Performance and Restoration Program (Nucleated Foam)		[3,000]
	C-130J Power by the Hour (PBTH) CLS		[21,620]
	Combatant Craft Medium (CCM) Loss Refurbishment		[4,250]
	Counter Unmanned Systems (CUxS) Procurement Acceler- ation		[5,353]
	Maintenance		[-5,000]
	MQ-9 Mallett reprogramming		[-5,870]
	Program increase		[5,000]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/ OPERATIONAL HEADQUARTERS	196,271	196,271
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUP- PORT	1,299,309	1,340,409
	Advana Authoritative Data Management and Analytics		[8,000]
	ARSOF Information Advantage Acceleration		[11,500]
	Enterprise Data Stewardship Program		[18,000]
	Identity and Signature Management Modernization		[3,600]
	Operational Support		[-7,000]
	Program increase		[7,000]
110	SPECIAL OPERATIONS COMMAND THEATER FORCES ..	3,314,770	3,348,481
	Combat Aviation Advisor mission support		[18,000]
	Non-Traditional ISR		[10,000]
	Tactical Mission Network Digital Force Protection		[5,711]
	SUBTOTAL OPERATING FORCES	11,007,534	10,839,813

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
TRAINING AND RECRUITING			
120	DEFENSE ACQUISITION UNIVERSITY	176,454	176,454
130	JOINT CHIEFS OF STAFF	101,492	101,492
140	SPECIAL OPERATIONS COMMAND/PROFESSIONAL DE- VELOPMENT EDUCATION	35,279	35,279
	SUBTOTAL TRAINING AND RECRUITING	313,225	313,225
ADMINISTRATION AND SERVICE-WIDE ACTIVITIES			
150	CIVIL MILITARY PROGRAMS	139,656	273,156
	National Guard Youth Challenge		[83,500]
	STARBASE		[50,000]
170	DEFENSE CONTRACT AUDIT AGENCY	646,072	636,072
	Program decrease		[-10,000]
180	DEFENSE CONTRACT AUDIT AGENCY—CYBER	4,107	4,107
190	DEFENSE CONTRACT MANAGEMENT AGENCY	1,506,300	1,474,300
	Program decrease		[-32,000]
200	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER Early to need	29,127	24,127
			[-5,000]
210	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	983,133	983,133
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	10,245	10,245
240	DEFENSE HUMAN RESOURCES ACTIVITY	935,241	791,241
	National Language Fellowship Add		[6,000]
	Program decrease		[-150,000]
250	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	26,113	26,113
260	DEFENSE INFORMATION SYSTEMS AGENCY	2,266,729	2,266,729
270	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER .. Internet Operations Management	643,643	663,643
			[20,000]
300	DEFENSE LEGAL SERVICES AGENCY	233,687	223,687
	Program decrease		[-10,000]
310	DEFENSE LOGISTICS AGENCY	429,060	429,060
320	DEFENSE MEDIA ACTIVITY	243,631	198,631
	Program decrease		[-50,000]
	Web Enterprise Business		[5,000]
330	DEFENSE POW/MIA OFFICE	150,021	150,021
340	DEFENSE SECURITY COOPERATION AGENCY	2,445,669	2,282,669
	Baltic Security Initiative		[225,000]
	International Security Cooperation Programs		[100,000]
	Offset for Baltic Security Initiative		[-225,000]
	Program increase		[37,000]
	Transfer to Ukraine Security Assistance Initiative		[-300,000]
350	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	40,063	40,063
360	DEFENSE THREAT REDUCTION AGENCY	941,763	741,763
	Program decrease		[-200,000]
380	DEFENSE THREAT REDUCTION AGENCY—CYBER	56,052	56,052
390	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY Department of Defense Education Activity (Impact Aid Students with Disabilities)	3,276,276	3,351,276
			[22,000]
	Department of Defense Education Activity (Impact Aid)		[53,000]
400	MISSILE DEFENSE AGENCY	541,787	541,787
430	OFFICE OF THE LOCAL DEFENSE COMMUNITY CO- OPERATION	108,697	128,697
	Defense Community Infrastructure Program		[20,000]
440	OFFICE OF THE SECRETARY OF DEFENSE	2,239,072	1,328,008
	Afghanistan War Commission		[2,500]
	AHI cross-functional team		[10,000]
	Center for Excellence in Civilian Harm Mitigation		[5,000]
	Commission on Civilian Harm		[4,000]
	Commission on Professional Military Education		[5,000]
	Commission on the National Defense Strategy		[2,900]
	Congressional Commission on the Strategic Posture of the United States		[2,800]
	Dellums Scholarship program		[5,000]
	Executive Education on Emerging Technologies for Civilian and Military Leaders		[3,500]
	Information Assurance Scholarship Program		[25,000]
	National Commission on the Future of the Navy		[4,000]
	National Security Commission on Emerging Biotechnology		[5,600]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	Office of the Secretary of Defense- ASD EI+E Personnel ..		[1,000]
	Pilot Program on Financial Assistance for Victims of Domestic Violence		[5,000]
	PPBE Commission		[3,800]
	Program decrease		[-774,675]
	Readiness Environmental Protection Integration Program ..		[6,000]
	Red teams		[1,000]
	Unjustified growth		[-228,489]
450	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	55,255	55,255
500	WASHINGTON HEADQUARTERS SERVICES	369,943	347,943
	Program decrease		[-22,000]
500A	CLASSIFIED PROGRAMS	18,764,415	18,814,215
	Classified adjustment		[12,100]
	Defense Cover Program		[10,000]
	ICASS humint mission support		[9,000]
	Joint Worldwide Intelligence Communications System (JWICS) Modernization		[12,000]
	MARS Advanced Capabilities		[1,300]
	TORCH—Enterprise IT		[5,400]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	37,085,757	35,841,993
	UNDISTRIBUTED		
510	UNDISTRIBUTED		-760,000
	Civilian Personnel inflation pay		[60,000]
	Foreign currency fluctuations		[-450,000]
	Historical unobligated balances		[-370,000]
	SUBTOTAL UNDISTRIBUTED		-760,000
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	48,406,516	46,235,031
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		1,000,000
	Program increase		[700,000]
	Transfer from Defense Security Cooperation Agency		[300,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		1,000,000
	TOTAL UKRAINE SECURITY ASSISTANCE ...		1,000,000
	SEIZE THE INITIATIVE FUND		
010	SEIZE THE INITIATIVE FUND		1,000,000
	Program increase		[1,000,000]
	SUBTOTAL SEIZE THE INITIATIVE FUND		1,000,000
	TOTAL SEIZE THE INITIATIVE FUND		1,000,000
	US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	16,003	16,003
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	16,003	16,003
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	16,003	16,003
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
010	ACQUISITION WORKFORCE DEVELOPMENT		
	ACQ WORKFORCE DEV FD	53,791	53,791
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	53,791	53,791
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	53,791	53,791

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	112,800	152,800
	Program increase		[40,000]
	SUBTOTAL HUMANITARIAN ASSISTANCE	112,800	152,800
	TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID	112,800	152,800
	COOPERATIVE THREAT REDUCTION ACCOUNT		
010	COOPERATIVE THREAT REDUCTION	341,598	341,598
	SUBTOTAL COOPERATIVE THREAT REDUC- TION	341,598	341,598
	TOTAL COOPERATIVE THREAT REDUC- TION ACCOUNT	341,598	341,598
	ENVIRONMENTAL RESTORATION, ARMY DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	196,244	196,244
	SUBTOTAL DEPARTMENT OF THE ARMY	196,244	196,244
	TOTAL ENVIRONMENTAL RESTORATION, ARMY	196,244	196,244
	ENVIRONMENTAL RESTORATION, NAVY DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	359,348	1,089,348
	Program increase		[30,000]
	Red Hill		[700,000]
	SUBTOTAL DEPARTMENT OF THE NAVY	359,348	1,089,348
	TOTAL ENVIRONMENTAL RESTORATION, NAVY	359,348	1,089,348
	ENVIRONMENTAL RESTORATION, AIR FORCE DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	344,474
	Program increase		[30,000]
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	314,474	344,474
	TOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	314,474	344,474
	ENVIRONMENTAL RESTORATION, DEFENSE DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	8,924	33,924
	FUDS—Military Munitions Response Program		[25,000]
	SUBTOTAL DEFENSE-WIDE	8,924	33,924
	TOTAL ENVIRONMENTAL RESTORATION, DEFENSE	8,924	33,924
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	227,262
	SUBTOTAL DEFENSE-WIDE	227,262	227,262
	TOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	227,262	227,262
	SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS , DEFENSE OPERATIONS SUPPORT		
100	SUPPORT OF INTERNATIONAL SPORTING COMPETI- TIONS, DEFENSE	10,377	10,377

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2023 Request	House Authorized
	SUBTOTAL OPERATIONS SUPPORT	10,377	10,377
	TOTAL SUPPORT FOR INTERNATIONAL SPORTING COMPETITIONS , DEFENSE	10,377	10,377
	RED HILL RECOVERY FUND		
010	RED HILL RECOVERY FUND	1,000,000	0
	Realignment to execution accounts		[-1,000,000]
	SUBTOTAL RED HILL RECOVERY FUND	1,000,000	0
	TOTAL RED HILL RECOVERY FUND	1,000,000	0
	TOTAL OPERATION & MAINTENANCE	271,218,877	274,270,946

1 **TITLE XLIV—MILITARY**
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2023 Request	House Authorized
	Military Personnel	164,139,628	164,792,801
	Inflation bonus pay		[800,000]
	BAH Absorption Restoration (1%)		[244,000]
	Additional BAH Absorption Restoration (2%)		[250,000]
	Military Personnel, Navy—Restore Navy Force Structure Cuts (Manpower)		[190,000]
	Military Personnel, Navy—Restore Personnel for HSC-85 Aircraft (Manpower)		[19,173]
	Military personnel historical underexecution		[-700,000]
	Foreign currency fluctuations		[-150,000]
	MERHCF	9,743,704	9,743,704

4 **TITLE XLV—OTHER**
5 **AUTHORIZATIONS**

6 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
	Item	FY 2023 Request	House Authorized
	NATIONAL DEFENSE STOCKPILE TRANSACTION FUND		
	DEFENSE STOCKPILE	253,500	253,500
	TOTAL NATIONAL DEFENSE STOCKPILE TRANSACTION FUND	253,500	253,500
	WORKING CAPITAL FUND, ARMY		
	ARMY ARSENALS INITIATIVE	28,448	28,448
	ARMY SUPPLY MANAGEMENT	1,489	1,489
	TOTAL WORKING CAPITAL FUND, ARMY	29,937	29,937

SEC. 4501. OTHER AUTHORIZATIONS		
(In Thousands of Dollars)		
Item	FY 2023 Request	House Authorized
WORKING CAPITAL FUND, AIR FORCE		
TRANSPORTATION		
SUPPLIES AND MATERIALS	80,448	80,448
TOTAL WORKING CAPITAL FUND, AIR FORCE	80,448	80,448
WORKING CAPITAL FUND, DEFENSE-WIDE		
DEFENSE AUTOMATION & PRODUCTION SERVICES	2	2
WORKING CAPITAL FUND SUPPORT	8,300	2,508,300
Fuel inflation		[2,500,000]
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	8,302	2,508,302
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	1,211,208	1,961,208
Program increase		[750,000]
TOTAL WORKING CAPITAL FUND, DECA	1,211,208	1,961,208
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	84,612	84,612
CHEM DEMILITARIZATION—RDT&E	975,206	975,206
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	1,059,818	1,059,818
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
COUNTER-NARCOTICS SUPPORT	619,474	627,716
JIATF-W		[8,242]
DRUG DEMAND REDUCTION PROGRAM	130,060	134,060
Young Marines Program		[4,000]
NATIONAL GUARD COUNTER-DRUG PROGRAM	100,316	100,316
NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,878	5,878
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	855,728	867,970
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL—O&M	474,650	474,650
OFFICE OF THE INSPECTOR GENERAL—CYBER	1,321	1,321
OFFICE OF THE INSPECTOR GENERAL—RDT&E	1,864	1,864
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT	1,524	1,524
TOTAL OFFICE OF THE INSPECTOR GENERAL	479,359	479,359
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	9,906,943	10,006,943
TRICARE Dental for Selected Reserve		[100,000]
PRIVATE SECTOR CARE	18,455,209	18,455,209
CONSOLIDATED HEALTH SUPPORT	1,916,366	1,916,366
INFORMATION MANAGEMENT	2,251,151	2,251,151
MANAGEMENT ACTIVITIES	338,678	338,678
EDUCATION AND TRAINING	334,845	341,845
TriService Nursing Research Program		[7,000]
BASE OPERATIONS/COMMUNICATIONS	2,111,558	2,111,558
R&D RESEARCH	39,568	39,568
R&D EXPLORATORY DEVELOPMENT	175,477	175,477
R&D ADVANCED DEVELOPMENT	320,862	320,862
R&D DEMONSTRATION/VALIDATION	166,960	166,960
R&D ENGINEERING DEVELOPMENT	103,970	103,970
R&D MANAGEMENT AND SUPPORT	85,186	85,186
R&D CAPABILITIES ENHANCEMENT	17,971	47,971

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Item	FY 2023 Request	House Authorized
National Disaster Medical Surge Pilot and Implementation		[20,000]
Warfighting Brain Initiative		[10,000]
PROC INITIAL OUTFITTING	21,625	21,625
PROC REPLACEMENT & MODERNIZATION	234,157	234,157
PROC JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	1,467	1,467
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	72,601	72,601
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	240,224	240,224
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	137,356	137,356
TOTAL DEFENSE HEALTH PROGRAM	36,932,174	37,069,174
TOTAL OTHER AUTHORIZATIONS	40,910,474	44,309,716

1 **TITLE XLVI—MILITARY**
 2 **CONSTRUCTION**
 3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
	Alabama			
Army	Anniston Army Depot	General Purpose Warehouse	0	2,400
Army	Redstone Arsenal	Physics Lab	0	44,000
	California			
Army	Air Force Training Center Edwards	Planning and Design Munitions Igloo—East	0	650
	Colorado			
Army	Fort Carson	Fire Station Support Building	14,200	14,200
	Germany			
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplk1 (Brks/Veh Maint)	104,000	104,000
Army	East Camp Grafenwoehr	EDI: Battalion Trng Cplk2 (OPS/Veh Maint)	64,000	64,000
	Hawaii			
Army	Tripler Army Medical Center	Water System Upgrades	0	2,000
Army	Fort Shafter	Water System Upgrades	0	2,000
	Kwajalein			
Army	Kwajalein Atoll	Medical Clinic	69,000	69,000
	Louisiana			
Army	Fort Polk, Louisiana	Child Development Center	32,000	32,000
Army	Fort Polk, Louisiana	Joint Operations Center	0	61,000
	Maryland			
Army	Aberdeen Proving Ground	Test Maintenance Fabrication Facility	0	85,000
Army	Aberdeen Proving Ground	Test Maintenance Fabrication Facility Cost to Complete.	0	7,600
	Mississippi			
Army	Vicksburg	General Purpose Lab and Test Building	0	20,000
	New Jersey			
Army	Picatinny Arsenal	Igloo Storage Installation	0	12,000
Army	Picatinny Arsenal	Precision Munitions Test Tower	0	3,654
	New York			
Army	U.S. Military Academy	Engineering Center	39,800	39,800
Army	Fort Drum	Automated Record Fire Plus Range	0	2,400
	North Carolina			
Army	Fort Bragg	Multipurpose Training Range	34,000	34,000
	Pennsylvania			
Army	Letterkenny Army Depot	Shipping and Receiving Building	38,000	38,000
	Texas			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
Army	Fort Hood	Barracks	0	19,000
Army	Fort Hood	Automated Infantry Platoon Battle Course	0	1,220
Army	Fort Hood	Automated Machine Gun Range	0	1,240
Army	Fort Hood	Infantry Squad Battle Course	0	600
Army	Corpus Christi Army Depot	Powertrain Facility (Engine Assembly)	103,000	83,000
Army	Fort Bliss Washington	Fire Station	15,000	15,000
Army	Joint Base Lewis-McChord	Barracks	49,000	49,000
Army	Worldwide Unspecified	Host Nation Support	26,000	26,000
Army	Unspecified Worldwide Locations	Planning and Design	167,151	167,151
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	90,414	90,414
Army	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	502,900
Military Construction, Army Total			845,565	1,593,229
Navy	Alabama Redstone Arsenal	Building 6231	0	6,000
Navy	Australia Royal Australian Air Force Base Darwin	PDI: Aircraft Parking Apron (Inc)	72,446	72,446
Navy	California Corona	Performance Assessment Communications Laboratory.	0	15,000
Navy	California Corona	Planning and Design Data Science Analytics and Innovation.	0	2,845
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment	85,210	85,210
Navy	Naval Air Station Lemoore	F-35C Aircraft Maintenance Hangar & Airfield Pave.	201,261	43,261
Navy	Naval Base Point Loma Annex	Child Development Center	56,450	56,450
Navy	Naval Base San Diego	Pier 6 Replacement (Inc)	15,565	15,565
Navy	Marine Corps Air Ground Combat Center Twentynine Palms	Range Simulation Training & Operations Fac.	120,382	11,382
Navy	Connecticut Naval Submarine Base New London	Relocate Underwater Electromagnetic Measure.	15,514	15,514
Navy	Florida Naval Air Station Jacksonville	Engine Test Cells Modifications	86,232	86,232
Navy	Marine Corps Support Facility Blount Island	Communications Infrastructure Modernization Design.	0	5,291
Navy	Naval Air Station Whiting Field	AHTS Aircraft Flight Simulator Facility	57,789	57,789
Navy	Georgia Naval Submarine Base Kings Bay	Nuclear Regional Maintenance Facility	213,796	213,796
Navy	Naval Submarine Base Kings Bay	Trident Training Fac. Columbia Trainer Expan. ...	63,375	63,375
Navy	Guam Marine Corps Base Camp Blaz	PDI: 9th Eng Supp Battalion Equip & Main Fac ..	131,590	48,590
Navy	Marine Corps Base Camp Blaz	PDI: 9th Engineer Support Battalion Ops. Fac.	35,188	35,188
Navy	Marine Corps Base Camp Blaz	PDI: Brown Tree Snake Exclusion Barrier South	14,497	14,497
Navy	Marine Corps Base Camp Blaz	PDI: Ground Combat Element Infantry Battalion 1 & 2 Facility.	149,314	79,314
Navy	Hawaii Marine Corps Base Kaneohe Bay	Bachelor Enlisted Quarters (P-973)	0	87,930
Navy	Joint Base Pearl Harbor-Hickam	Dry Dock 3 Replacement (Inc)	621,185	621,185
Navy	Idaho Carderock	Planning and Design ARD Range Craft Berthing Facility.	0	706
Navy	Japan Kadema Air Base	PDI: Marine Corps Bachelor Enlisted Quarters	94,100	34,100

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
Navy	Kadena Air Base	PDI: Marine Corps Barracks Complex, Kadena	101,300	101,300
	Maine			
Navy	Kittery	Multi-Mission Drydock #1 Extension (Inc)	503,282	503,282
	Maryland			
Navy	Carderock	SFOMF Storage Laboratory	0	2,073
Navy	Carderock	Planning and Design Ship Systems Integration and Design Facility.	0	2,650
Navy	Indian Head	EOD Explosive Testing Range 2 Expansion at SN, Building 2107.	0	2,039
Navy	Indian Head	New Combustion Laboratory	0	6,000
Navy	Indian Head	Planning and Design Contained Burn Facility	0	5,650
Navy	Naval Surface Warfare Center Indian Head	Contained Burn Facility	0	4,750
	Nevada			
Navy	Naval Air Station Fallon	F-35C Aircraft Maintenance Hangar	97,865	37,865
	North Carolina			
Navy	Marine Corps Base Camp Lejeune	Regional Communications Station, Hadnot Point ..	47,475	47,475
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar (Inc)	106,000	91,000
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. Modern. Ph 2 (Inc)	58,000	58,000
	Pennsylvania			
Navy	Philadelphia	Machinery Control Developmental Center	0	86,610
	Virginia			
Navy	Dahlgren	Upgrade Electrical Substation 1	0	2,503
Navy	Dahlgren	Planning and Design Weapons Integration and Test Campus.	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	155,000
Navy	Portsmouth Naval Shipyard	Dry Dock Saltwater System for CVN-78 (Inc)	47,718	47,718
	Washington			
Navy	Naval Air Station Whidbey Island	E/A-18G Aircraft Flt. Read. Squad. Train. Fac ...	37,461	37,461
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	MCON Planning and Funds	397,124	397,124
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	109,994	109,994
Navy	Unspecified Worldwide Locations	Red Hill	0	23,184
Navy	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	1,198,000
	Military Construction, Navy Total		3,752,391	4,649,859
	Alabama			
AF	Maxwell Air Force Base	Commercial Vehicle Inspection Gate	0	15,000
	Alaska			
AF	Clear Air Force Station	LRDR Dormitory	68,000	68,000
AF	Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc	100,000	100,000
	California			
AF	Vandenberg Air Force Base	GBSD Consolidated Maintenance Facility	89,000	89,000
AF	Travis Air Force Base	KC-46 ADAL Simulator Facility, B179	0	7,500
	Florida			
AF	Patrick Space Force Base	Consolidated Communications Facility	0	75,680
AF	Air Force Research Lab—Eglin Air Force Base	Planning and Design Shock and Applied Impact Laboratory (SAIL).	0	530
AF	Eglin Air Force Base	F-35A ADAL Development Test	0	2,500
AF	Eglin Air Force Base	F-35A Developmental Test 2-Bay MXS Hangar ..	0	4,100
AF	Eglin Air Force Base	F-35A Developmental Test 2-Bay Test Hangar ...	0	3,700
	Hawaii			
AF	Kirtland Air Force Base, Maui Experimental Site #1	Secure Integration Support Lab With Land Acquisition.	0	89,000
	Hungary			
AF	Papa Air Base	EDI: DABS-FEV Storage	71,000	71,000
	Iceland			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
AF	Keflavik	EDI: DABS-FEV Storage	94,000	94,000
	Italy			
AF	Aviano Air Base	Combat Rescue Helicopter Simulator Facility	15,500	15,500
AF	Aviano Air Base	EDI: RADR Storage Facility	31,000	31,000
	Japan			
AF	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar, Inc	71,000	71,000
AF	Kadena Air Base	PDI: Theater A/C Corrosion Control Ctr, Inc	77,000	77,000
	Jordan			
AF	Azraq Air Base	Bulk Petroleum/Oil/Lubricants Storage	32,000	32,000
AF	Azraq Air Base	Fuel Cell and Phase Maintenance Hangars	18,000	18,000
	Louisiana			
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc	125,000	125,000
	Mariana Islands			
AF	Tinian	PDI: Airfield Development Phase 1, Inc	58,000	58,000
AF	Tinian	PDI: Fuel Tanks W/Pipeln & Hydrant Sys, Inc	92,000	92,000
AF	Tinian	PDI: Parking Apron, Inc	41,000	41,000
	Massachusetts			
AF	Hanscom Air Force Base	MIT-Linear Lab (West Lab CSL/MIF), Inc	30,200	30,200
	New Mexico			
AF	Kirtland Air Force Base	JNWC Headquarters	0	4,700
AF	Kirtland Air Force Base	Space Rapid Capabilities Office (SPRCO) Headquarters Facility.	0	4,400
	New York			
AF	Air Force Research Lab Rome	Construct HF Antennas, Newport and Stockbridge Annexes.	0	4,200
	Norway			
AF	Rygge	EDI: Base Perimeter Security Fence	8,200	8,200
	Ohio			
AF	Wright-Patterson Air Force Base	Child Development Center/School Age Center	0	29,000
	Oklahoma			
AF	Tinker Air Force Base	Facility and Land Acquisition (MROTC)	30,000	30,000
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar, Inc	49,000	49,000
AF	Tinker Air Force Base	KC-46A Fuel POL Infrastructure	13,600	13,600
AF	Altus Air Force Base	South Gate	0	4,750
	South Carolina			
AF	Shaw Air Force Base	RAPCON Facility	10,000	10,000
	South Dakota			
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc	91,000	76,000
AF	Ellsworth Air Force Base	B-21 Radio Frequency Facility	77,000	77,000
AF	Ellsworth Air Force Base	B-21 Weapons Generation Facility, Inc	50,000	50,000
	Spain			
AF	Moron Air Base	EDI: RADR Storage Facility	29,000	29,000
	Tennessee			
AF	Arnold Air Force Base	Arc Heater Test Facility Dragon Fire	38,000	38,000
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc 3 CTC	0	5,400
AF	Joint Base San Antonio	BMT Recruit Dormitory 7, Inc	90,000	45,000
AF	Joint Base San Antonio	Randolph AFB Child Development Center	0	29,000
	Utah			
AF	Hill Air Force Base	GBSD Organic Software Sustain Ctr, Inc	95,000	95,000
AF	Hill Air Force Base	GBSD Technology and Collaboration Center	84,000	84,000
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Planning & Design	11,722	11,722
AF	Unspecified Worldwide Locations	Planning & Design	12,424	12,424
AF	Unspecified Worldwide Locations	Planning & Design	111,648	111,648
AF	Unspecified Worldwide Locations	Varloes Cost to Complete	0	89,000
AF	Various Worldwide Locations	Unspecified Minor Military Construction	66,162	66,162
AF	Various Worldwide Locations	Natural Disaster Response- Cost to Complete	0	360,000
AF	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	746,000
	Wyoming			
AF	F.E. Warren Air Force Base	GBSD Integrated Command Center Wing a	95,000	95,000

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
AF	F.E. Warren Air Force Base	GBSD Land Acquisition	34,000	34,000
AF	F.E. Warren Air Force Base	GBSD Missile Handling Complex Wing a	47,000	47,000
Military Construction, Air Force Total			2,055,456	3,469,916
Alabama				
Def-Wide	Missile and Space Intelligence Center, Redstone Arsenal	Backup Power Generation	0	10,700
California				
Def-Wide	Naval Base Ventura County, Point Mugu	Ground Mounted Solar Photovoltaic System	0	13,360
Def-Wide	Marine Corps Mountain Warfare Training Center Bridgeport	Microgrid and Backup Power	0	25,560
Def-Wide	Coronado	SOF Operations Support Facility	75,712	75,712
Djibouti				
Def-Wide	Camp Lemonnier	Enhanced Energy Security and Control Systems ...	0	24,000
Florida				
Def-Wide	Naval Air Station Jacksonville	Facility Energy Operations Center Renovation	0	2,400
Def-Wide	Patrick Space Force Base	Underground Electric Distribution System	0	8,400
Def-Wide	Patrick Space Force Base	Water Distribution Loop	0	7,300
Def-Wide	Hurlburt Field	SOF Human Performance Training Center	9,100	9,100
Def-Wide	MacDill Air Force Base	SOF Operations Integration Facility	0	50,000
Def-Wide	MacDill Air Force Base	SOF Joint MISO Web-Operations Facility	0	8,730
Georgia				
Def-Wide	Fort Stewart-Hunter Army Airfield	Power Generation and Microgrid	0	25,400
Def-Wide	Naval Submarine Base Kings Bay	SCADA Modernization	0	11,200
Germany				
Def-Wide	Baumholder	Baumholder Elementary School	71,000	71,000
Def-Wide	Baumholder	SOF Battalion Annex	22,468	22,468
Def-Wide	Baumholder	SOF Communications Annex	9,885	9,885
Def-Wide	Baumholder	SOF Operations Annex	23,768	23,768
Def-Wide	Baumholder	SOF Support Annex	21,902	21,902
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc 10	299,790	99,790
Def-Wide	Weisbaden	Clay Kaserne Elementary School	60,000	60,000
Guam				
Def-Wide	Naval Base Guam	Electrical Distribution System	0	34,360
Hawaii				
Def-Wide	Joint Base Pearl Harbor-Hickham	Primary Electrical Distribution	0	25,000
Japan				
Def-Wide	Kadena	Lighting Upgrades	0	780
Def-Wide	Iwakuni	PDI: Bulk Storage Tanks Ph 1	85,000	85,000
Def-Wide	Yokosuka	Kinnick High School Inc	20,000	20,000
Def-Wide	Yokota Air Base	PDI: Bulk Storage Tanks Ph I (Inc)	44,000	44,000
Def-Wide	Yokota Air Base	PDI: Operations and Warehouse Facilities	72,154	72,154
Kansas				
Def-Wide	Fort Riley	Power Generation and Microgrid	0	25,780
Kuwait				
Def-Wide	Camp Arifjan	Power Generation and Microgrid	0	26,850
Maryland				
Def-Wide	Fort Meade	Reclaimed Water Infrastructure Expansion	0	23,310
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration Inc 6	75,500	75,500
Def-Wide	Fort Meade	NSAW Mission OPS and Records Center (Inc)	140,000	140,000
Def-Wide	Fort Meade	NSAW Recap Building 4 (Inc)	378,000	378,000
North Carolina				
Def-Wide	Fort Bragg	SOF Operations Building	18,870	18,870
Def-Wide	Fort Bragg	SOF Supply Support Activity	15,600	15,600
Texas				
Def-Wide	Fort Hood	Power Generation and Microgrid	0	31,500
Def-Wide	U.S. Army Reserve Center, Conroe	Power Generation and Microgrid	0	9,600
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Replacement (Dental)	58,600	58,600
Virginia				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
Def-Wide	Naval Support Activity Hampton Roads	Backup Power Generation	0	3,400
Def-Wide	NCE Springfield, Fort Belvoir	Chilled Water Redundancy	0	1,100
Def-Wide	Naval Support Activity Hampton Roads	Primary Distribution Substation	0	19,000
Def-Wide	Dam Neck	SOF Operations Building Addition	26,600	26,600
Def-Wide	Pentagon	Commercial Vehicle Inspection Facility	18,000	18,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	329,000	0
Def-Wide	Unspecified Worldwide Locations	ERCIP Design	224,250	224,250
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	18,644	18,644
Def-Wide	Unspecified Worldwide Locations	INDOPACOM	0	47,600
Def-Wide	Unspecified Worldwide Locations	INDOPACOM—Red Hill Fuel Distribution	0	75,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design—Defw	26,689	26,689
Def-Wide	Unspecified Worldwide Locations	Planning and Design—DHA	33,227	33,227
Def-Wide	Unspecified Worldwide Locations	Planning and Design—DLA	30,000	30,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design—DODEA	20,086	20,086
Def-Wide	Unspecified Worldwide Locations	Planning and Design—MDA	47,063	47,063
Def-Wide	Unspecified Worldwide Locations	Planning and Design—NSA	9,618	9,618
Def-Wide	Unspecified Worldwide Locations	Planning and Design—SOCOM	26,978	26,978
Def-Wide	Unspecified Worldwide Locations	Planning and Design—TJS	2,360	2,360
Def-Wide	Unspecified Worldwide Locations	Planning and Design—WHS	2,106	2,106
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—Defw	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—DHA	15,000	15,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—DODEA	8,000	8,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—NSA	6,000	6,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—SOCOM	36,726	36,726
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction—DLA	31,702	31,702
Def-Wide	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	688,000
Def-Wide	Various Worldwide Locations	EUCOM—Infrastructure to Support Presence on Nato's Eastern Flank (Planning and Design).	0	50,000
	INDOPACOM			
Def-Wide	INDOPACOM	Exercise Related Minor Construction	0	16,130
	Military Construction, Defense-Wide Total		2,416,398	3,151,858
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	210,139	210,139
	NATO Security Investment Program Total		210,139	210,139
	Delaware			
Army NG	New Castle	National Guard Readiness Center	16,000	16,000
	Florida			
Army NG	Palm Coast	National Guard Vehicle Maintenance Shop	12,000	12,000
Army NG	Camp Blanding	Automated Multipurpose Machine Gun (MPMG) Range.	0	8,500
Army NG	Camp Blanding	Scout Recce Gunnery Complex	0	16,200
	Hawaii			
Army NG	Kapolei	National Guard Readiness Center Addition	29,000	29,000
	Indiana			
Army NG	Atlanta	National Guard Readiness Center	20,000	20,000
	Iowa			
Army NG	West Des Moines	National Guard Readiness Center	15,000	15,000
	Louisiana			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)					
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement	
Army NG	Camp Beauregard	Energy Resilience Conservation Investment Program Project.	0	765	
Army NG	Louisiana National Guard New Orleans	Munitions Administrative Facility	0	1,650	
Army NG	Abbeville	National Guard Readiness Center Planning and Design.	0	1,650	
Army NG	Michigan				
Army NG	Camo Grayling	National Guard Readiness Center	16,000	16,000	
Army NG	Minnesota				
Army NG	New Ulm	National Guard Readiness Center	17,000	17,000	
Army NG	Nevada				
Army NG	Reno	National Guard Readiness Center Add/Alt	18,000	18,000	
Army NG	New York				
Army NG	Troy	National Guard Vehicle Maintenance Shop	17,000	17,000	
Army NG	North Carolina				
Army NG	Meleansville	National Guard Vehicle Maintenance Shop	15,000	15,000	
Army NG	Puerto Rico				
Army NG	Camp Santiago	Engineering/Housing Maintenance Shops (DPW) ..	14,500	14,500	
Army NG	Vermont				
Army NG	Bennington	National Guard Readiness Center	14,800	14,800	
Army NG	West Virginia				
Army NG	Buckhannon	National Guard Readiness Center Add/Alt	14,000	14,000	
Army NG	Worldwide Unspecified				
Army NG	Unspecified Worldwide Locations	Planning and Design	28,245	28,245	
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	35,933	35,933	
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	0	4,346	
Army NG	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	138,600	
Army NG	Wyoming				
Army NG	Sheridan	National Guard Vehicle Maintenance Shop	14,800	14,800	
Military Construction, Army National Guard Total			297,278	468,989	
Army Res	Florida				
Army Res	Perrine	Army Reserve Center/AMSA	46,000	46,000	
Army Res	Puerto Rico				
Army Res	Fort Buchanan	Army Reserve Center	24,000	24,000	
Army Res	Worldwide Unspecified				
Army Res	Unspecified Worldwide Locations	Planning and Design	9,829	9,829	
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	20,049	20,049	
Army Res	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	37,300	
Military Construction, Army Reserve Total			99,878	137,178	
N/MC Res	Worldwide Unspecified				
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction	27,747	18,747	
N/MC Res	Unspecified Worldwide Locations	USMCR Planning and Design	2,590	2,590	
N/MC Res	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	19,500	
Military Construction, Naval Reserve Total			30,337	40,837	
Air NG	Alabama				
Air NG	Birmingham International Airport	Security and Services Training Facility	7,500	7,500	
Air NG	Montgomery	F-35 Weapons Load Crew Training Facility	0	6,800	
Air NG	Arizona				
Air NG	Morris Air National Guard Base	Base Entry Complex		12,000	
Air NG	Tucson International Airport	Land Acquisition	10,000	10,000	
Air NG	Florida				
Air NG	Jacksonville Air National Guard Base	F-35 Construct Munitions Storage Area Administration Jacksonville IAP Design.	0	730	
Air NG	Jacksonville Air National Guard Base	F-35 Munitions Maintenance and Inspection Facility Design.	0	530	
Air NG	Jacksonville International Airport	F-35 Construct Flight Simulator Facility	22,200	22,200	
Air NG	Indiana				
Air NG	Fort Wayne International Airport	Munitions Maintenance & Storage Complex	12,800	12,800	

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
Air NG	Tennessee McGhee-Tyson Airport	KC-135 Maintenance Shops	23,800	23,800
Air NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design	28,412	28,412
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	44,171	44,171
Air NG	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	122,900
Military Construction, Air National Guard Total			148,883	291,843
AF Res	California Beale Air Force Base	940 ARW Squad OPS/AMU	33,000	33,000
AF Res	Virginia Joint Base Langley-Eustis	Reserve Intelligence Group Facility	0	10,500
AF Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design	11,773	11,773
AF Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction	11,850	11,850
AF Res	Various Worldwide Locations	Cost to Complete- Inflation Adjustment	0	46,600
Military Construction, Air Force Reserve Total			56,623	113,723
FH Con Army	Germany Baumholder	Family Housing Replacement Construction	57,000	57,000
FH Con Army	Italy Vicenza	Family Housing New Construction	95,000	95,000
FH Con Army	Worldwide Unspecified Unspecified Worldwide Locations	Family Housing P & D	17,339	17,339
Family Housing Construction, Army Total			169,339	169,339
FH Ops Army	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	22,911	22,911
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	65,740	65,740
FH Ops Army	Unspecified Worldwide Locations	Leasing	127,499	127,499
FH Ops Army	Unspecified Worldwide Locations	Maintenance	117,555	117,555
FH Ops Army	Unspecified Worldwide Locations	Management	45,718	45,718
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	559	559
FH Ops Army	Unspecified Worldwide Locations	Services	9,580	9,580
FH Ops Army	Unspecified Worldwide Locations	Utilities	46,849	46,849
Family Housing Operation And Maintenance, Army Total			436,411	436,411
FH Con Navy	Guam Joint Region Marianas	Replace Andersen Housing Ph VI	68,985	68,985
FH Con Navy	Mariana Islands Guam	Replace Andersen Housing Ph IV	86,390	86,390
FH Con Navy	Guam	Replace Andersen Housing Ph V	93,259	93,259
FH Con Navy	Worldwide Unspecified Unspecified Worldwide Locations	Design, Washington DC	7,043	7,043
FH Con Navy	Unspecified Worldwide Locations	Improvements, USMC HQ Washington DC	74,540	74,540
FH Con Navy	Unspecified Worldwide Locations	USMC DPR/ Guam Planning and Design	7,080	7,080
Family Housing Construction, Navy And Marine Corps Total			337,297	337,297
FH Ops Navy	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	16,182	16,182
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	61,605	61,605
FH Ops Navy	Unspecified Worldwide Locations	Leasing	66,333	66,333

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	105,470	105,470
FH Ops Navy	Unspecified Worldwide Locations	Management	59,312	59,312
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	411	411
FH Ops Navy	Unspecified Worldwide Locations	Services	16,494	16,494
FH Ops Navy	Unspecified Worldwide Locations	Utilities	42,417	42,417
Family Housing Operation And Maintenance, Navy And Marine Corps Total			368,224	368,224
FH Con AF	Delaware Dover AFB	Dover MHPI Restructure	25,492	25,492
FH Con AF	Florida Tyndall AFB	AETC Restructuring	150,685	150,685
FH Con AF	Illinois Scott AFB	Scott MHPI Restructure	52,003	52,003
FH Con AF	Maryland Andrews AFB	MHPI Equity Contribution CMSSF House	1,878	1,878
FH Con AF	Worldwide Unspecified Unspecified Worldwide Locations	Planning & Design	2,730	2,730
Family Housing Construction, Air Force Total			232,788	232,788
FH Ops AF	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings	27,379	27,379
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	33,517	33,517
FH Ops AF	Unspecified Worldwide Locations	Leasing	7,882	7,882
FH Ops AF	Unspecified Worldwide Locations	Maintenance	150,375	150,375
FH Ops AF	Unspecified Worldwide Locations	Management	77,042	77,042
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,240	2,240
FH Ops AF	Unspecified Worldwide Locations	Services	10,570	10,570
FH Ops AF	Unspecified Worldwide Locations	Utilities	46,217	46,217
Family Housing Operation And Maintenance, Air Force Total			355,222	355,222
FH Ops DW	Worldwide Unspecified Unspecified Worldwide Locations	Furnishings—DIA	656	656
FH Ops DW	Unspecified Worldwide Locations	Furnishings—NSA	87	87
FH Ops DW	Unspecified Worldwide Locations	Leasing—DIA	31,849	31,849
FH Ops DW	Unspecified Worldwide Locations	Leasing—NSA	13,306	13,306
FH Ops DW	Unspecified Worldwide Locations	Maintenance—NSA	34	34
FH Ops DW	Unspecified Worldwide Locations	Utilities—DIA	4,166	4,166
FH Ops DW	Unspecified Worldwide Locations	Utilities—NSA	15	15
Family Housing Operation And Maintenance, Defense-Wide Total			50,113	50,113
FHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—FHIF	6,442	6,442
DOD Family Housing Improvement Fund Total			6,442	6,442
UHIF	Worldwide Unspecified Unspecified Worldwide Locations	Administrative Expenses—UHIF	494	494
Unaccompanied Housing Improvement Fund Total			494	494

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2023 Request	House Agreement
BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	67,706	117,706
Base Realignment and Closure—Army Total			67,706	117,706
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Base Realignment & Closure	106,664	156,664
Base Realignment and Closure—Navy Total			106,664	156,664
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	107,311	107,311
Base Realignment and Closure—Air Force Total			107,311	107,311
BRAC	Worldwide Unspecified Unspecified Worldwide Locations	Int-4; DLA Activities	3,006	3,006
Base Realignment and Closure—Defense-wide Total			3,006	3,006
Total, Military Construction			12,153,965	16,468,588

1 **TITLE XLVII—DEPARTMENT OF**
 2 **ENERGY NATIONAL SECURITY**
 3 **PROGRAMS**
 4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)			
Program	FY 2023 Request	House Authorized	
Discretionary Summary By Appropriation			
Energy And Water Development, And Related Agencies			
Appropriation Summary:			
Energy Programs			
Nuclear Energy	156,600	156,600	
Atomic Energy Defense Activities			
National nuclear security administration:			
Weapons activities	16,486,298	17,210,798	
Defense nuclear nonproliferation	2,346,257	2,348,257	
Naval reactors	2,081,445	2,081,445	
Federal salaries and expenses	496,400	496,400	
Total, National Nuclear Security Administration	21,410,400	22,136,900	
Environmental and other defense activities:			
Defense environmental cleanup	6,914,532	7,229,203	
Other defense activities	978,351	978,351	
Total, Environmental & other defense activities	7,892,883	8,207,554	
Total, Atomic Energy Defense Activities	29,303,283	30,344,454	
Total, Discretionary Funding	29,459,883	30,501,054	
Nuclear Energy			
Idaho site-wide safeguards and security	156,600	156,600	
Total, Nuclear Energy	156,600	156,600	
Stockpile Management			
Stockpile Major Modernization			

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2023 Request	House Authorized
B61-12 Life Extension Program	672,019	672,019
W88 Alteration Program	162,057	162,057
W80-4 Life Extension Program	1,122,451	1,117,451
W80-4 ALT SLCM	0	20,000
Research and development for a nuclear warhead for a nuclear- capable sea-launched cruise missile		[20,000]
W87-1 Modification Program	680,127	680,127
W93 Program	240,509	240,509
Total, Stockpile Major Modernization	2,877,163	2,892,163
Stockpile services		
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
Subtotal, Stockpile Services	2,051,910	2,051,910
Total, Stockpile Management	4,929,073	4,944,073
Weapons Activities		
Production Modernization		
Primary Capability Modernization		
Plutonium Modernization		
Los Alamos Plutonium Modernization		
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 Replace- ment Project, LANL	162,012	162,012
Subtotal, Los Alamos Plutonium Modernization	1,572,419	1,572,419
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	58,300	58,300
21-D-511 Savannah River Plutonium Processing Facility, SRS	700,000	1,075,000
NNSA unfunded priority		[375,000]
Subtotal, Savannah River Plutonium Modernization	758,300	1,133,300
Enterprise Plutonium Support	88,993	88,993
Total, Plutonium Modernization	2,419,712	2,794,712
High Explosives and Energetics		
High Explosives & Energetics	101,380	101,380
HESE OPCs	0	0
23-D-516 Energetic Materials Characterization Facility, LANL	19,000	19,000
21-D-510 HE Synthesis, Formulation, and Production, PX	108,000	133,000
Project risk reduction		[25,000]
15-D-301 HE Science & Engineering Facility, PX	20,000	30,000
Project risk reduction		[10,000]
Total, High Explosives and Energetics	248,380	283,380
Total, Primary Capability Modernization	2,668,092	3,078,092
Secondary Capability Modernization		
Uranium Modernization	297,531	297,531
Depleted Uranium Modernization	170,171	170,171
Lithium Modernization	68,661	68,661
18-D-690 Lithium Processing Facility, Y-12	216,886	216,886
06-D-141 Uranium Processing Facility, Y-12	362,000	362,000
Total, Secondary Capability Modernization	1,115,249	1,115,249
Tritium and Domestic Uranium Enrichment		
Tritium Sustainment and Modernization	361,797	361,797
Domestic Uranium Enrichment	144,852	144,852
18-D-650 Tritium Finishing Facility, SRS	73,300	73,300
Total, Tritium and Domestic Uranium Enrichment	579,949	579,949
Non-Nuclear Capability Modernization	123,084	123,084
Capability Based Investments	154,220	154,220
Total, Production Modernization	4,640,594	5,050,594

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2023 Request	House Authorized
Stockpile Research, Technology, and Engineering		
Assessment Science	854,798	914,798
Enhanced Capability for Subcritical Experiments (ECSE) and Hydrodynamic and Subcritical Experiment Execution Support.		[70,000]
Program decrease		[-10,000]
Engineering and Integrated Assessments	366,455	366,455
Inertial Confinement Fusion	544,095	624,095
Advanced Simulation and Computing	742,646	842,146
Weapon Technology and Manufacturing Maturation	286,165	296,165
Academic Programs	100,499	100,499
Total, Stockpile Research, Technology, and Engineering	2,894,658	3,144,158
Infrastructure and Operations		
Operations of facilities	1,038,000	1,038,000
Safety and environmental operations	162,000	162,000
Maintenance and repair of facilities	680,000	730,000
Deferred maintenance		[50,000]
Recapitalization:		
Infrastructure and safety	561,663	561,663
Total, Recapitalization	561,663	561,663
Construction:		
23-D-519 Special Materials Facility, Y-12	49,500	49,500
23-D-518 Plutonium Modernization Operations & Waste Management Office Building, LANL	48,500	48,500
23-D-517 Electrical Power Capacity Upgrade, LANL	24,000	24,000
22-D-514 Digital Infrastructure Capability Expansion, LLNL	67,300	67,300
Total, Construction	189,300	189,300
Total, Infrastructure and operations	2,630,963	2,680,963
Secure transportation asset		
Operations and equipment	214,367	214,367
Program direction	130,070	130,070
Total, Secure transportation asset	344,437	344,437
Defense Nuclear Security		
Operations and Maintenance	878,363	878,363
Construction:		0
17-D-710 West end protected area reduction project, Y-12	3,928	3,928
Total, Defense nuclear security	882,291	882,291
Information technology and cybersecurity	445,654	445,654
Legacy contractor pensions	114,632	114,632
Use of Prior Year Balances	-396,004	-396,004
Total, Weapons Activities	16,486,298	17,210,798
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	81,155	83,155
NA-82 Counterproliferation classified program increase		[2,000]
Radiological security	244,827	244,827
Nuclear smuggling detection and deterrence	178,095	188,095
Total, Global material security	504,077	516,077
Material management and minimization		
Conversion	153,260	153,260
Nuclear material removal	41,600	41,600
Material disposition	256,025	256,025
Total, Material management & minimization	450,885	450,885
Nonproliferation and arms control	207,656	207,656
Defense nuclear nonproliferation R&D		
Proliferation Detection	287,283	287,283
Nuclear Detonation Detection	279,205	289,205
Forensics R&D	44,414	44,414
Nonproliferation Stewardship Program	109,343	109,343
Total, Defense nuclear nonproliferation R&D	720,245	730,245

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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2023 Request	House Authorized
NNSA Bioassurance Program	20,000	0
Nonproliferation Construction:		
18-D-150 Surplus Plutonium Disposition Project, SRS	71,764	71,764
Total, Nonproliferation construction	71,764	71,764
Total, Defense Nuclear Nonproliferation Programs	1,974,627	1,976,627
Legacy contractor pensions	55,708	55,708
Nuclear counterterrorism and incident response program	438,970	438,970
Use of prior-year balances	-123,048	-123,048
Total, Defense Nuclear Nonproliferation	2,346,257	2,348,257
Naval Reactors		
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
Construction:		
23-D-533 BL Component Test Complex	57,420	57,420
14-D-901 Spent Fuel Handling Recapitalization Project, NRF	397,845	397,845
Total, Construction	455,265	455,265
Program direction	58,525	58,525
Total, Naval Reactors	2,081,445	2,081,445
Federal Salaries And Expenses		
Program direction	513,200	513,200
Use of Prior Year Balances	-16,800	-16,800
Total, Office Of The Administrator	496,400	496,400
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,067	4,067
Richland:		
River corridor and other cleanup operations	135,000	221,000
Central plateau remediation	650,240	672,240
Richland community and regulatory support	10,013	10,013
Construction:		
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
Total, Construction	22,350	22,350
Total, Hanford site	817,603	925,603
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	462,700	462,700
Rad liquid tank waste stabilization and disposition	801,100	801,100
Construction:		
23-D-403, Hanford 200 West Area Tank Farms Risk Management Project	4,408	45,000
01-D-16D High-Level Waste Facility	316,200	358,939
01-D-16E Pretreatment Facility	20,000	20,000
Total, Construction	340,608	423,939
Total, Office of River Protection	1,604,408	1,687,739
Idaho National Laboratory:		
Idaho cleanup and waste disposition	350,658	350,658
Idaho community and regulatory support	2,705	2,705
Construction:		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility	8,000	8,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2023 Request	House Authorized
22-D-404 Additional ICDF Landfill Disposal Cell and Evaporation Ponds Project	8,000	8,000
23-D-402—Calceine Construction	10,000	10,000
Total, Construction	26,000	26,000
Total, Idaho National Laboratory	379,363	379,363
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,842	1,842
LLNL Excess Facilities D&D	12,004	12,004
Nuclear facility D & D		
Separations Process Research Unit	15,300	15,300
Nevada Site	62,652	62,652
Sandia National Laboratories	4,003	4,003
Los Alamos National Laboratory	286,316	286,316
Los Alamos Excess Facilities D&D	40,519	40,519
Total, NNSA sites and Nevada off-sites	422,636	422,636
Oak Ridge Reservation:		
OR Nuclear facility D & D	334,221	334,221
Total, OR Nuclear facility D & D	334,221	334,221
U233 Disposition Program	47,628	47,628
OR cleanup and disposition	62,000	62,000
Construction:		
17-D-401 On-site waste disposal facility	35,000	35,000
Total, Construction	35,000	35,000
Total, OR cleanup and waste disposition	144,628	144,628
OR community & regulatory support	5,300	5,300
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	487,149	487,149
Savannah River Sites:		
Savannah River risk management operations	416,317	460,317
Construction:		
18-D-402 Emergency Operations Center Replacement, SR	25,568	25,568
19-D-701 SR Security Systems Replacement	5,000	5,000
Total, risk management operations	30,568	30,568
Savannah River Legacy Pensions	132,294	132,294
Savannah River National Laboratory O&M	41,000	41,000
SR community and regulatory support	12,137	12,137
Radioactive liquid tank waste stabilization and disposition	851,660	931,000
Construction:		
20-D-401 Saltstone Disposal Unit #10, 11, 12	37,668	37,668
18-D-402 Saltstone disposal unit #8/9	49,832	49,832
Total, Construction	87,500	87,500
Total, Savannah River site	1,571,476	1,694,816
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	371,943	371,943
Construction:		
15-D-411 Safety significant confinement ventilation system, WIPP	59,073	59,073
15-D-412 Exhaust Shaft, WIPP	25,000	25,000
Total, Construction	84,073	84,073
Total, Waste Isolation Pilot Plant	456,016	456,016
Program Direction	317,002	317,002
Program Support	103,239	103,239
Safeguards and Security	309,573	309,573
Technology Development and Deployment	25,000	25,000
Federal Contribution to the Uranium Enrichment D&D Fund	417,000	417,000
Total, Defense Environmental Cleanup	6,914,532	7,229,203
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	138,854	138,854
Program direction	76,685	76,685
Total, Environment, Health, Safety and Security	215,539	215,539

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2023 Request	House Authorized
Independent enterprise assessments		
Independent enterprise assessments	27,486	27,486
Program direction	57,941	57,941
Total, Independent enterprise assessments	85,427	85,427
Specialized security activities	306,067	306,067
Office of Legacy Management		
Legacy management	174,163	174,163
Program direction	21,983	21,983
Total, Office of Legacy Management	196,146	196,146
Defense related administrative support	170,695	170,695
Office of hearings and appeals	4,477	4,477
Subtotal, Other defense activities	978,351	978,351
Total, Other Defense Activities	978,351	978,351

1 **DIVISION E—NON-DEPARTMENT**
 2 **OF DEFENSE MATTERS**
 3 **TITLE LI—VETERANS AFFAIRS**
 4 **MATTERS**

5 **SEC. 5101. MAXIMUM RATE OF INTEREST ON DEBTS IN-**
 6 **CURRED BEFORE MILITARY SERVICE APPLI-**
 7 **CABLE TO MILITARY DEPENDENTS.**

8 Section 207 of the Servicemembers Civil Relief Act
 9 (50 U.S.C. 3937) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by striking “or the
 12 servicemember and the servicemember’s spouse
 13 jointly” and inserting “a dependent of the serv-
 14 icemember, or such a dependent and the serv-
 15 icemember jointly”; and

1 (B) in paragraph (3), by inserting “or a
2 dependent of the servicemember” after “due
3 from a servicemember”; and

4 (2) in subsection (b)(1)—

5 (A) in the paragraph heading, by inserting
6 “AND DEPENDENCY” after “MILITARY SERV-
7 ICE”;

8 (B) in subparagraph (A)—

9 (i) by striking “of the servicemem-
10 ber”;

11 (ii) by striking clause (i) and inserting
12 the following:

13 “(i) military orders indicating the cur-
14 rent, future, or past military duty status of
15 the servicemember; or”; and

16 (iii) in clause (ii), by inserting “or a
17 certificate from the Defense Manpower
18 Data Center” before the period at the end;

19 (C) by redesignating subparagraph (B) as
20 subparagraph (C); and

21 (D) by inserting the following after sub-
22 paragraph (A):

23 “(B) DEPENDENTS.—In addition to pro-
24 viding proof of military service under subpara-
25 graph (A), dependents of servicemembers shall

1 provide documentation that indicates the de-
2 pendency status of the dependent at the time
3 the debt or obligation was incurred and con-
4 tinuing until the servicemember entered mili-
5 tary service. Such documentation may include a
6 marriage certificate, birth certificate, or any
7 other appropriate indicator of dependency sta-
8 tus.”; and

9 (3) in subsection (c), by inserting “, dependent,
10 or both, as the case may be,” after “ability of the
11 servicemember”.

12 **SEC. 5102. REPORT ON HANDLING OF CERTAIN RECORDS**
13 **OF THE DEPARTMENT OF VETERANS AF-**
14 **FAIRS.**

15 (a) REPORT.—Not later than one year after the date
16 of the enactment of this Act, the Inspector General of the
17 Department of Veterans Affairs, in coordination with the
18 Secretary of Defense, shall submit to Congress a report
19 on how the procedures outlined in M21-1 III.ii.2.F.1. of
20 the Adjudication Procedures Manual of the Department
21 of Veterans Affairs are followed in assisting veterans ob-
22 tain or reconstruct service records and medical informa-
23 tion damaged or destroyed in the July 1973 fire at the
24 National Processing Records Center.

1 (b) ELEMENTS.—The report under subsection (a)
2 shall include the following elements:

3 (1) The determination of the Inspector General
4 whether employees of the Department of Veterans
5 Affairs receive sufficient training on such proce-
6 dures.

7 (2) The determination of the Inspector General
8 whether veterans are informed of actions necessary
9 to adhere to such procedures.

10 (3) The percentage of cases regarding such
11 service records and medical information in which
12 employees of the Department of Veterans Affairs
13 follow such procedures.

14 (4) The average time it takes to resolve an
15 issue using such procedures.

16 (5) Recommendations to improve the implemen-
17 tation of such procedures.

18 **TITLE LII—HOMELAND**

19 **SECURITY MATTERS**

20 **SEC. 5201. CHEMICAL SECURITY ANALYSIS CENTER.**

21 (a) IN GENERAL.—Title III of the Homeland Secu-
22 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
23 adding at the end the following new section:

1 **“SEC. 323. CHEMICAL SECURITY ANALYSIS CENTER.**

2 “(a) IN GENERAL.—The Secretary, acting through
3 the Under Secretary for Science and Technology, shall
4 designate the laboratory described in subsection (b) as an
5 additional laboratory pursuant to the authority under sec-
6 tion 308(c)(2). Such laboratory shall be used to conduct
7 studies and analyses for assessing the threat and hazards
8 associated with an accidental or intentional large-scale
9 chemical event or chemical terrorism event.

10 “(b) LABORATORY DESCRIBED.—The laboratory de-
11 scribed in this subsection is the laboratory known, as of
12 the date of the enactment of this section, as the Chemical
13 Security Analysis Center.

14 “(c) LABORATORY ACTIVITIES.—The Chemical Secu-
15 rity Analysis Center shall—

16 “(1) identify and develop countermeasures to
17 chemical threats, including the development of com-
18 prehensive, research-based definable goals for such
19 countermeasures;

20 “(2) provide an enduring science-based chemical
21 threat and hazard analysis capability;

22 “(3) provide expertise in risk and consequence
23 modeling, chemical sensing and detection, analytical
24 chemistry, chemical toxicology, synthetic chemistry
25 and reaction characterization, and nontraditional
26 chemical agents and emerging chemical threats;

1 “(4) staff and operate a technical assistance
2 program that provides operational support and sub-
3 ject matter expertise, design and execute laboratory
4 and field tests, and provide a comprehensive knowl-
5 edge repository of chemical threat information that
6 is continuously updated with data from scientific, in-
7 telligence, operational, and private sector sources;
8 and

9 “(5) carry out such other activities as the Sec-
10 retary determines appropriate.

11 “(d) **RULE OF CONSTRUCTION.**—Nothing in this sec-
12 tion may be construed as affecting in any manner the au-
13 thorities or responsibilities of the Countering Weapons of
14 Mass Destruction Office of the Department.”.

15 (b) **CLERICAL AMENDMENT.**—The table of contents
16 in section 1(b) of the Homeland Security Act of 2002
17 amended by inserting after the item relating to section
18 322 the following new item:

 “Sec. 323. Chemical Security Analysis Center.”.

19 **SEC. 5202. NATIONAL CYBERSECURITY PREPAREDNESS**
20 **CONSORTIUM.**

21 The National Cybersecurity Preparedness Consor-
22 tium Act of 2021 (Public Law 117–122; 6 U.S.C. 652
23 note) is amended—

24 (1) in subsections (a) and (b), by striking “The
25 Secretary may work with one or more consortia”

1 each place it appears and inserting “The Secretary
2 shall work with not fewer than three consortia”;

3 (2) in subsection (c)—

4 (A) in the matter preceding paragraph (1),
5 by striking “In selecting a consortium” and in-
6 serting “In selecting the consortia”; and

7 (B) in paragraph (2), by striking “Geo-
8 graphic diversity of the members of any such
9 consortium” and inserting “Regional diversity
10 of such consortia, and geographic diversity of
11 the members of such consortia,”; and

12 (3) in subsection (d), by striking “If the Sec-
13 retary works with a consortium” and inserting “In
14 working with the consortia”.

15 **SEC. 5203. REPORT ON CYBERSECURITY ROLES AND RE-**
16 **SPONSIBILITIES OF THE DEPARTMENT OF**
17 **HOMELAND SECURITY.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act, the Secretary of Home-
20 land Security, in coordination with the Director of the Cy-
21 bersecurity and Infrastructure Security Agency of the De-
22 partment of Homeland Security, shall submit to the Com-
23 mittee on Homeland Security of the House of Representa-
24 tives and the Committee on Homeland Security and Gov-
25 ernmental Affairs of the Senate a report on the roles and

1 responsibilities of the Department and its components re-
2 lating to cyber incident response.

3 (b) CONTENTS.—The report required under sub-
4 section (a) shall include the following:

5 (1) A review of how the cyber incident response
6 plans under section 2210(c) of the Homeland Secu-
7 rity Act of 2002 (6 U.S.C. 660(c)) are utilized in
8 the Federal Government’s response to a cyber inci-
9 dent.

10 (2) An explanation of the roles and responsibil-
11 ities of the Department of Homeland Security and
12 its components with responsibility for, or in support
13 of, the Federal Government’s response to a cyber in-
14 cident, including primary responsibility for working
15 with impacted private sector entities.

16 (3) An explanation of which and how authori-
17 ties of the Department and its components are uti-
18 lized in the Federal Government’s response to a
19 cyber incident.

20 (4) Recommendations to provide further clarity
21 for roles and responsibilities of the Department and
22 its components relating to cyber incident response.

1 **SEC. 5204. EXEMPTION OF CERTAIN HOMELAND SECURITY**
2 **FEEES FOR CERTAIN IMMEDIATE RELATIVES**
3 **OF AN INDIVIDUAL WHO RECEIVED THE PUR-**
4 **PLE HEART.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of Home-
7 land Security shall include on a certain application or peti-
8 tion an opportunity for certain immediate relatives of an
9 individual who was awarded the Purple Heart to identify
10 themselves as such an immediate relative.

11 (b) FEE EXEMPTION.—The Secretary shall exempt
12 certain immediate relatives of an individual who was
13 awarded the Purple Heart, who identifies as such an im-
14 mediate relative on a certain application or petition, from
15 a fee with respect to a certain application or petition and
16 any associated fee for biometrics.

17 (c) PENDING APPLICATIONS AND PETITIONS.—The
18 Secretary of Homeland Security may waive fees for a cer-
19 tain application or petition and any associated fee for bio-
20 metrics for certain immediate relatives of an individual
21 who was awarded the Purple Heart, if such application
22 or petition is submitted not more than 90 days after the
23 date of the enactment of this Act.

24 (d) DEFINITIONS.—In this section:

25 (1) CERTAIN APPLICATION OR PETITION.—The
26 term “certain application or petition” means—

1 (A) an application using Form–400, Appli-
2 cation for Naturalization (or any successor
3 form); or

4 (B) a petition using Form I-360, Petition
5 for Amerasian, Widow(er), or Special Immi-
6 grant (or any successor form).

7 (2) CERTAIN IMMEDIATE RELATIVES OF AN IN-
8 DIVIDUAL WHO WAS AWARDED THE PURPLE
9 HEART.—The term “certain immediate relatives of
10 an individual who was awarded the Purple Heart”
11 means an immediate relative of a living or deceased
12 member of the Armed Forces who was awarded the
13 Purple Heart and who is not a person ineligible for
14 military honors pursuant to section 985(a) of title
15 10, United States Code.

16 (3) IMMEDIATE RELATIVE.—The term “imme-
17 diate relative” has the meaning given such term in
18 section 201(b) of the Immigration and Nationality
19 Act (8 U.S.C. 1151(b)).

20 **SEC. 5205. CLARIFICATIONS REGARDING SCOPE OF EM-**
21 **PLOYMENT AND REEMPLOYMENT RIGHTS OF**
22 **MEMBERS OF THE UNIFORMED SERVICES.**

23 (a) CLARIFICATION REGARDING DEFINITION OF
24 RIGHTS AND BENEFITS.—Section 4303(2) of title 38,
25 United States Code, is amended—

1 (1) by inserting “(A)” before “The term”; and

2 (2) by adding at the end the following new sub-
3 paragraph:

4 “(B) Any procedural protections or provisions
5 set forth in this chapter shall also be considered a
6 right or benefit subject to the protection of this
7 chapter.”.

8 (b) CLARIFICATION REGARDING RELATION TO
9 OTHER LAW AND PLANS FOR AGREEMENTS.—Section
10 4302 of such title is amended by adding at the end the
11 following:

12 “(c)(1) Pursuant to this section and the procedural
13 rights afforded by subchapter III of this chapter, any
14 agreement to arbitrate a claim under this chapter is unen-
15 forceable, unless all parties consent to arbitration after a
16 complaint on the specific claim has been filed in court or
17 with the Merit Systems Protection Board and all parties
18 knowingly and voluntarily consent to have that particular
19 claim subjected to arbitration.

20 “(2) For purposes of this subsection, consent shall
21 not be considered voluntary when a person is required to
22 agree to arbitrate an action, complaint, or claim alleging
23 a violation of this chapter as a condition of future or con-
24 tinued employment, advancement in employment, or re-
25 ceipt of any right or benefit of employment.”.

1 **TITLE LIII—TRANSPORTATION**
2 **AND INFRASTRUCTURE MAT-**
3 **TERS**

4 **SEC. 5301. CALCULATION OF ACTIVE SERVICE.**

5 (a) IN GENERAL.—Subchapter I of chapter 25 of title
6 14, United States Code, is amended by adding at the end
7 the following:

8 **“§ 2515. Calculation of active service**

9 “Any service described, including service described
10 prior to the date of enactment of the Don Young Coast
11 Guard Authorization Act of 2022, in writing, including by
12 electronic communication, by a representative of the Coast
13 Guard Personnel Service Center as service that counts to-
14 ward total active service for regular retirement under sec-
15 tion 2152 or section 2306 shall be considered by the Presi-
16 dent as active service for purposes of applying section
17 2152 or section 2306 with respect to the determination
18 of the retirement qualification for any officer or enlisted
19 member to whom a description was provided.”.

20 (b) CLERICAL AMENDMENT.—The analysis for chap-
21 ter 25 of title 14, United States Code, is amended by in-
22 serting after the item relating to section 2515 the fol-
23 lowing:

“2515. Calculation of active service.”.

1 (c) RULE OF CONSTRUCTION.—The amendment
2 made by subsection (a) shall apply to officers and enlisted
3 members that—

4 (1) have retired from the Coast Guard before
5 the date of enactment of this Act;

6 (2) voluntarily separated from service before
7 the date of enactment of this Act; or

8 (3) are serving in the Coast Guard on or after
9 the date of enactment of this Act.

10 **SEC. 5302. ACQUISITION OF ICEBREAKER.**

11 (a) IN GENERAL.—The Commandant of the Coast
12 Guard may acquire or procure an available icebreaker.

13 (b) EXEMPTIONS FROM REQUIREMENTS.—Sections
14 1131, 1132, 1133, and 1171 of title 14, United States
15 Code, shall not apply to an acquisition or procurement
16 under subsection (a).

17 (c) AVAILABLE ICEBREAKER DEFINED.—In this sec-
18 tion, the term “available icebreaker” means a vessel
19 that—

20 (1) is capable of—

21 (A) supplementing United States Coast
22 Guard polar icebreaking capabilities;

23 (B) projecting United States sovereignty;

1 (C) carrying out the primary duty of the
2 Coast Guard described in section 103(7) of title
3 14, United States Code; and

4 (D) collecting hydrographic, environmental,
5 and climate data; and

6 (2) is documented with a coastwise endorsement
7 under chapter 121 of title 46, United States Code.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—Of the
9 amounts authorized under section 4902 of title 14, United
10 States Code, as amended by this Act, for fiscal year 2023
11 up to \$150,000,000 is authorized for the acquisition or
12 procurement of an available icebreaker.

13 **SEC. 5303. DEPARTMENT OF DEFENSE CIVILIAN PILOTS.**

14 (a) ELIGIBILITY FOR CERTAIN RATINGS.—Not later
15 than 18 months after the date of the enactment of this
16 Act, the Administrator of the Federal Aviation Adminis-
17 tration shall revise section 61.73 of title 14, Code of Fed-
18 eral Regulations, to ensure that a Department of Defense
19 civilian pilot is eligible for a rating based on qualifications
20 earned as a Department of Defense pilot, pilot instructor,
21 or pilot examiner in the same manner that a military pilot
22 is eligible for such a rating based on qualifications earned
23 as a military pilot, pilot instructor, or pilot examiner.

24 (b) DEFINITIONS.—In this section:

1 (1) DEPARTMENT OF DEFENSE CIVILIAN
2 PILOT.—

3 (A) IN GENERAL.—The term “Department
4 of Defense civilian pilot” means an individual,
5 other than a military pilot, who is employed as
6 a pilot by the Department of Defense.

7 (B) EXCLUSION.—The term “Department
8 of Defense civilian pilot” does not include a
9 contractor of the Department of Defense.

10 (2) MILITARY PILOT.—The term “military
11 pilot” means a military pilot, as such term is used
12 in section 61.73 of title 14, Code of Federal Regula-
13 tions (as in effect on the day before the date of the
14 enactment of this Act).

15 **SEC. 5304. PILOT PROGRAM FOR SPACEFLIGHT RECOVERY**

16 **OPERATIONS AT SEA.**

17 (a) SENSE OF CONGRESS.—It is the sense of Con-
18 gress that—

19 (1) the United States has the most advanced
20 commercial space industry in the world;

21 (2) the United States domestic space sector cre-
22 ates jobs, demonstrates American global techno-
23 logical leadership, and is critical to the national de-
24 fense; and

1 (3) the reliable, safe, and secure at-sea recovery
2 of spaceflight components is necessary to sustain
3 and further develop the commercial space enterprise,
4 which is of vital importance to the national and eco-
5 nomic security of the United States.

6 (b) ESTABLISHMENT.—

7 (1) IN GENERAL.—Not later than 30 days after
8 the date of enactment of this Act, the Secretary
9 shall establish and conduct a pilot program to over-
10 see the operation and monitoring of remotely-con-
11 trolled or unmanned spaceflight recovery vessels or
12 platforms by eligible entities to—

13 (A) better understand the complexities of
14 such operation and monitoring and potential
15 risks to navigation safety and maritime work-
16 ers;

17 (B) gather observational and performance
18 data from monitoring the use of remotely-con-
19 trolled or unmanned spaceflight recovery vessels
20 and platforms; and

21 (C) assess and evaluate regulatory alter-
22 natives to guide the development of routine op-
23 eration and monitoring of remotely-controlled or
24 unmanned spaceflight recovery vessels and plat-
25 forms.

1 (2) REQUIREMENTS.—In conducting the pilot
2 program established under this section, the Sec-
3 retary shall—

4 (A) ensure that authority provided under
5 this section is necessary to ensure the life and
6 safety of licensed and unlicensed maritime
7 workers and other non-vessel operating per-
8 sonnel involved during operations regulated
9 under this section; and

10 (B) consider experience and knowledge
11 gained pursuant to implementation of the pilot
12 program authorized under section 8343 of the
13 Elijah E. Cummings Coast Guard Authoriza-
14 tion Act of 2020 (46 U.S.C. 70034 note).

15 (c) AUTHORIZED ACTIVITIES.—

16 (1) IN GENERAL.—In conducting the pilot pro-
17 gram under this section, the Secretary may allow an
18 eligible entity to—

19 (A) carry out remote over-the-horizon mon-
20 itoring operations related to the active recovery
21 of spaceflight components at sea on a remotely-
22 controlled or unmanned spaceflight recovery
23 vessel or platform;

24 (B) develop procedures for the operation
25 and monitoring of remotely-controlled or un-

1 manned spaceflight recovery vessels or plat-
2 forms;

3 (C) carry out unmanned spaceflight recov-
4 ery vessel transits and testing operations with-
5 out a physical tow line; and

6 (D) carry out any other activities the Sec-
7 retary determines to be in the interest of fur-
8 thering the development of operations to re-
9 cover spaceflight components at sea, including
10 the use of remotely-controlled or unmanned ves-
11 sels specifically designed, built, and used for do-
12 mestic spaceflight recovery operations.

13 (2) PROHIBITION.—In conducting the pilot pro-
14 gram under this section, the Secretary may not
15 allow an eligible entity to operate a remotely-con-
16 trolled or unmanned spaceflight recovery vessel with-
17 out a physical tow line within 12 nautical miles of
18 a port.

19 (d) INTERIM AUTHORITY.—In recognition of poten-
20 tial risks to navigation safety and unique circumstances
21 requiring the use of remotely operated or unmanned
22 spaceflight recovery vessels or platforms for recovery of
23 spaceflight components at sea, and in carrying out the
24 pilot program under this section, the Secretary is author-
25 ized to—

1 (1) allow such recovery operations to proceed
2 consistent with the authorities of the Secretary
3 under navigation and manning laws and regulations;
4 and

5 (2) modify applicable regulations and guidance
6 as the Secretary considers appropriate to—

7 (A) allow the recovery of spaceflight com-
8 ponents at sea to occur while ensuring naviga-
9 tion safety in recovery areas; and

10 (B) ensure the reliable, safe, and secure
11 operation of remotely controlled or unmanned
12 spaceflight recovery vessels and platforms.

13 (e) DURATION.—The pilot program established under
14 this section shall terminate on the day that is 5 years after
15 the date on which the pilot program is established.

16 (f) PROHIBITION ON RULEMAKING.—

17 (1) IN GENERAL.—During the covered period,
18 and except as provided in paragraph (2), the Sec-
19 retary may not propose, issue, or implement a rule
20 regarding the integration of automated and autono-
21 mous commercial vessels and vessel technologies, in-
22 cluding artificial intelligence, into the United States
23 maritime transportation system.

1 (2) NON-APPLICATION.—The prohibition au-
2 thorized under paragraph (1) shall not apply to a
3 rule that is—

4 (A) related to activities carried out under
5 this section; and

6 (B) initiated due to a matter of national
7 security, an emergency, or to prevent the immi-
8 nent loss of life and property at sea.

9 (3) COVERED PERIOD DEFINED.—In this sub-
10 section, the term “covered period” means the period
11 beginning on the date of enactment of this Act and
12 ending on the later of—

13 (A) the date on which the International
14 Maritime Organization adopts a regulatory re-
15 gime including international standards to gov-
16 ern the use and operation of automated and au-
17 tonomous commercial vessels and vessel tech-
18 nologies for commercial waterborne transpor-
19 tation; or

20 (B) the date on which the pilot program
21 terminates under subsection (e).

22 (g) BRIEFINGS.—Upon the request of the Committee
23 on Transportation and Infrastructure of the House of
24 Representatives or the Committee on Commerce, Science,
25 and Transportation of the Senate, the Commandant of the

1 Coast Guard shall brief either such committee on the pilot
2 program established under this section.

3 (h) REPORT.—Not later than 180 days after the ter-
4 mination of the pilot program under subsection (e), the
5 Secretary shall submit to the Committee on Transpor-
6 tation and Infrastructure of the House of Representatives
7 and the Committee on Commerce, Science, and Transpor-
8 tation of the Senate a final report describing the execution
9 of such pilot program and recommendations for maintain-
10 ing navigation safety and the safety of maritime workers
11 in spaceflight recovery areas.

12 (i) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed to authorize the employment in the
14 coastwise trade of a vessel or platform that does not meet
15 the requirements of sections 12112, 55102, 55103, or
16 55111 of title 46, United States Code.

17 (j) DEFINITIONS.—In this section:

18 (1) ELIGIBLE ENTITY.—The term “eligible enti-
19 ty” means any company engaged in the recovery of
20 spaceflight components at sea.

21 (2) SECRETARY.—The term “Secretary” means
22 the Secretary of the department in which the Coast
23 Guard is operating.

1 **SEC. 5305. PORT INFRASTRUCTURE DEVELOPMENT**
2 **GRANTS.**

3 (a) **IN GENERAL.**—From amounts appropriated for
4 port infrastructure development grants under section
5 54301(a) of title 46, United States Code, after the date
6 of enactment of this Act for each of fiscal years 2023
7 through 2027, the Secretary of Transportation shall treat
8 a project described in subsection (b) as an eligible project
9 under section 54301(a)(3) of such title for purposes of
10 making grants under section 54301(a) of such title.

11 (b) **PROJECT DESCRIBED.**—A project described in
12 this subsection is a project to provide shore power at a
13 port that services passenger vessels described in section
14 3507(k) of title 46, United States Code.

15 **TITLE LIV—FINANCIAL**
16 **SERVICES MATTERS**

17 **SEC. 5401. MODIFICATION TO FINANCIAL INSTITUTION**
18 **DEFINITION AND ESTABLISHMENT OF ANTI-**
19 **MONEY LAUNDERING STRATEGY AND TASK**
20 **FORCE.**

21 (a) **IN GENERAL.**—Section 5312(a)(2) of title 31,
22 United States Code, as amended by the William M. (Mac)
23 Thornberry National Defense Authorization Act for Fiscal
24 Year 2021, is amended—

1 (1) by redesignating subparagraphs (Z) and
2 (AA) as subparagraphs (GG) and (HH), respec-
3 tively; and

4 (2) by inserting after subparagraph (Y) the fol-
5 lowing:

6 “(Z) a person engaged in the business of
7 providing investment advice for compensation;

8 “(AA) a person engaged in the trade in
9 works of art, antiques, or collectibles, including
10 a dealer, advisor, consultant, custodian, gallery,
11 auction house, museum, or any other person
12 who engages as a business in the solicitation or
13 the sale of works of art, antiques, or collect-
14 ibles;

15 “(BB) an attorney, law firm, or notary in-
16 volved in financial activity or related adminis-
17 trative activity on behalf of another person;

18 “(CC) a trust or company service provider,
19 including—

20 “(i) a person involved in forming a
21 corporation, limited liability company,
22 trust, foundation, partnership, or other
23 similar entity or arrangement;

24 “(ii) a person involved in acting as, or
25 arranging for another person to act as, a

1 registered agent, trustee, or nominee to be
2 a shareholder, officer, director, secretary,
3 partner, signatory, or other similar posi-
4 tion in relation to a person or arrange-
5 ment;

6 “(iii) a person involved in providing a
7 registered office, address, or other similar
8 service for a person or arrangement; or

9 “(iv) any other person providing trust
10 or company services, as defined by the Sec-
11 retary of the Treasury;

12 “(DD) a certified public accountant or
13 public accounting firm;

14 “(EE) a person engaged in the business of
15 public relations, marketing, communications, or
16 other similar services in such a manner as to
17 provide another person anonymity or
18 deniability; and

19 “(FF) a person engaged in the business of
20 providing third-party payment services, includ-
21 ing payment processing, check consolidation,
22 cash vault services, or other similar services
23 designated by the Secretary of the Treasury;”.

24 (b) RULEMAKING.—

1 (1) IN GENERAL.—Not later than December 31,
2 2023, the Secretary of the Treasury shall issue one
3 or more rules to require all financial institutions (as
4 defined in section 5312(a)(2) of title 31, United
5 States Code) that have not already done so to—

6 (A) report suspicious transactions under
7 section 5318(g) of title 31, United States Code;

8 (B) establish anti-money laundering pro-
9 grams under section 5318(h) of title 31, United
10 States Code;

11 (C) establish due diligence policies, proce-
12 dures, and controls under section 5318(i) of
13 title 31, United States Code; and

14 (D) identify and verify their account hold-
15 ers under section 5318(l) of title 31, United
16 States Code.

17 (2) TRUST OR COMPANY SERVICE PROVIDER.—

18 In promulgating a rule under paragraph (1) to im-
19 plement subparagraph (CC) of section 5312(a)(2) of
20 title 31, United States Code, as added by subsection
21 (a), the Secretary of Treasury shall exclude from the
22 category of covered persons—

23 (A) any government agency; and

24 (B) any attorney or law firm that uses a
25 paid trust or company service provider, includ-

1 ing any paid entity formation agent, operating
2 within the United States.

3 (c) EFFECTIVE DATE.—

4 (1) DELAYED EFFECTIVE DATE.—Subpara-
5 graphs (Z) through (FF) of section 5312(a)(2) of
6 title 31, United States Code, as added by subsection
7 (a), shall take effect on December 31, 2023.

8 (2) LIMITATION ON EXEMPTIONS.—With re-
9 spect to a person described under subparagraphs (Z)
10 through (FF) of section 5312(a)(2) of title 31,
11 United States Code, as added by subsection (a), the
12 Secretary of the Treasury may not exempt such per-
13 son from any requirement under subchapter II of
14 chapter 53 of title 31, United States Code, including
15 any delay in such application.

16 (3) APPLICATION OF CERTAIN PROVISIONS.—
17 Any financial institution (as defined in section
18 5312(a)(2) of title 31, United States Code) that is
19 not already required to comply with subsections (g),
20 (h), (i), and (l) of section 5318 of title 31, United
21 States Code, shall do so on and after June 30, 2024,
22 whether or not a rule has been issued under sub-
23 section (b)(1)(A).

24 (d) TREASURY TASK FORCE AND STRATEGY.—

1 (1) IN GENERAL.—The Secretary of the Treas-
2 ury, acting through the Director of the Financial
3 Crimes Enforcement Network, shall establish a task
4 force to—

5 (A) develop an ambitious, comprehensive,
6 and multi-year United States Government strat-
7 egy to impose anti-money laundering safeguards
8 on all necessary gatekeeper professions;

9 (B) designate and authorize a Federal or
10 State agency to enforce anti-money laundering
11 requirements for each type of financial institu-
12 tion defined in section 5312(a)(2) of title 31,
13 United States Code; and

14 (C) advance the regulatory rulemaking re-
15 quired under section 2(b) of this Act.

16 (2) GATEKEEPERS STRATEGY.—

17 (A) IN GENERAL.—Section 262 of the
18 Countering America’s Adversaries Through
19 Sanctions Act (Public Law 115–44), is amend-
20 ed by inserting after paragraph (10) the fol-
21 lowing:

22 “(11) GATEKEEPERS STRATEGY.—A description
23 of efforts to impose anti-money laundering safe-
24 guards on all necessary gatekeeper professions, in-
25 cluding art dealers, investment advisors, real estate

1 professionals, lawyers, accountants, trust or com-
2 pany service providers, public relations professionals,
3 dealers of luxury vehicles, money service businesses,
4 and other similar professions.”.

5 (B) UPDATE CLARIFICATION.—If, before
6 the date of the enactment of this Act, all up-
7 dates to the national strategy required by sec-
8 tion 261(b) of the Countering America’s Adver-
9 saries Through Sanctions Act (Public Law
10 115–44) have been completed, the President
11 shall provide an additional update of such na-
12 tional strategy to the Congress containing the
13 contents required under the amendment made
14 by paragraph (1).

15 **SEC. 5402. REVIEW OF CYBER-RELATED MATTERS AT THE**
16 **DEPARTMENT OF THE TREASURY.**

17 (a) IN GENERAL.—No later than 270 days after the
18 date of enactment of this Act, the Secretary of the Treas-
19 ury shall complete a comprehensive review of the Depart-
20 ment of the Treasury’s efforts dedicated to enhancing cy-
21 bersecurity capability, readiness, and resilience of the fi-
22 nancial services sector, specifically as it relates to—

23 (1) Treasury’s role as the sector risk manage-
24 ment agency for the financial services sector, as de-
25 fined by section 9002 of the William M. (Mac)

1 Thornberry National Defense Authorization Act for
2 Fiscal Year 2021; and

3 (2) integration of operational resilience and cy-
4 bersecurity for the financial services sector across
5 the Department of the Treasury.

6 (b) ELEMENTS.—The review required under sub-
7 section (a) shall include the following elements and consid-
8 erations:

9 (1) A comprehensive review of the components
10 and offices within the Departmental Offices of the
11 Department of the Treasury involved in efforts spec-
12 ified in subsection (a).

13 (2) A review of activities by the Department of
14 the Treasury involved in efforts specified in sub-
15 section (a).

16 (3) An assessment of the how each activity
17 identified in this subsection connects to the National
18 Security Strategy and other related documents of
19 the Executive Branch.

20 (4) An assessment of the Department of the
21 Treasury's ability to discharge fully its duties speci-
22 fied in subsection (a) and identify any areas where
23 it may need additional resources, legislation or au-
24 thority.

1 (5) An evaluation of the partnerships with other
2 executive branch departments and agencies to sup-
3 port efforts specified in subsection (a).

4 (6) An evaluation of support to and from the
5 Financial and Banking Information Infrastructure
6 Committee, and its member agencies to enhance ef-
7 forts specified in subsection (a).

8 (7) A five-year plan for the Department of the
9 Treasury that defines an objectives and goals related
10 to the efforts specified in subsection (a).

11 (c) SUBMISSION TO CONGRESS.—No later than 30
12 days after the completion of the review specified under
13 subsection (a), the Secretary of the Treasury shall trans-
14 mit the review to Committee on Financial Services of the
15 House of Representatives and the Committee on Banking,
16 Housing, and Urban Affairs of the Senate.

17 (d) ANNUAL UPDATE.—No later than February 1st
18 of each year after the submission of the review until 2028,
19 the Secretary shall provide an update on progress made
20 in the preceding year in relation to the plan directed in
21 subsection (b)(7) to the Committee on Financial Services
22 of the House of Representatives and the Committee on
23 Banking, Housing, and Urban Affairs of the Senate.

1 **TITLE LV—NATURAL**
2 **RESOURCES MATTERS**

3 **SEC. 5501. YSLETA DEL SUR PUEBLO AND ALABAMA-**
4 **COUSHATTA TRIBES OF TEXAS EQUAL AND**
5 **FAIR OPPORTUNITY AMENDMENT.**

6 The Ysleta del Sur Pueblo and Alabama and
7 Coushatta Indian Tribes of Texas Restoration Act (Public
8 Law 100–89; 101 Stat. 666) is amended by adding at the
9 end the following:

10 **“SEC. 301. RULE OF CONSTRUCTION.**

11 “Nothing in this Act shall be construed to preclude
12 or limit the applicability of the Indian Gaming Regulatory
13 Act (25 U.S.C. 2701 et seq.).”.

14 **SEC. 5502. INCLUSION OF COMMONWEALTH OF THE**
15 **NORTHERN MARIANA ISLANDS AND AMER-**
16 **ICAN SAMOA.**

17 The Wagner-Peyser Act is amended—

18 (1) in section 2(5) (29 U.S.C. 49a(5)), by in-
19 serting “the Commonwealth of the Northern Mar-
20 iana Islands, American Samoa,” after “Guam,”;

21 (2) in section 5(b)(1) (29 U.S.C. 49d(b)(1)), by
22 inserting “the Commonwealth of the Northern Mar-
23 iana Islands, and American Samoa,” after “Guam,”;

24 (3) in section 6(a) (29 U.S.C. 49e(a))—

1 (A) by inserting “, the Commonwealth of
2 the Northern Mariana Islands, and American
3 Samoa” after “except for Guam”;

4 (B) by striking “allot to Guam” and in-
5 serting the following: “allot to—
6 “(1) Guam”;

7 (C) by striking the period at the end and
8 inserting “; and”; and

9 (D) by adding at the end the following:

10 “(2) the Commonwealth of the Northern Mar-
11 iana Islands and American Samoa an amount which,
12 in relation to the total amount available for the fis-
13 cal year, is equal to the allotment percentage that
14 Guam received of amounts available under this Act
15 in fiscal year 1983.”; and

16 (4) in section 6(b)(1) (29 U.S.C. 49e(b)(1)), in
17 the matter following subparagraph (B), by inserting
18 “, the Commonwealth of the Northern Mariana Is-
19 lands, American Samoa,” after “does not include
20 Guam”.

21 **SEC. 5503. AMENDMENTS TO SIKES ACT.**

22 (a) USE OF NATURAL FEATURES.—Section
23 101(a)(3)(A) of the Sikes Act (16 U.S.C. 670a(a)(3)(A))
24 is amended—

1 (1) by redesignating clauses (ii) and (iii) as
2 clauses (iii) and (iv), respectively; and

3 (2) by inserting after clause (i) the following:

4 “(ii) the use of natural and nature-
5 based features to maintain or improve mili-
6 tary installation resilience;”.

7 (b) EXPANDING AND MAKING PERMANENT THE PRO-
8 GRAM FOR INVASIVE SPECIES MANAGEMENT FOR MILI-
9 TARY INSTALLATIONS.—Section 101(g) of the Sikes Act
10 (16 U.S.C. 670a(g)) is amended—

11 (1) by striking the header and inserting “PRO-
12 GRAM FOR INVASIVE SPECIES MANAGEMENT FOR
13 MILITARY INSTALLATIONS”; and

14 (2) in paragraph (1)—

15 (A) by striking “During fiscal years 2009
16 through 2014, the” and inserting “The”; and

17 (B) by striking “in Guam”.

18 **SEC. 5504. BRENNAN REEF.**

19 (a) DESIGNATION.—The reef described in subsection
20 (b) shall be known and designated as “Brennan Reef”,
21 in honor of the late Rear Admiral Richard T. Brennan
22 of the National Oceanic and Atmospheric Administration.

23 (b) REEF DESCRIBED.—The reef referred to in sub-
24 section (a) is—

1 (1) between San Miguel and Santa Rosa Is-
2 lands on the north side of the San Miguel Passage
3 in the Channel Island National Marine Sanctuary;
4 and

5 (2) centered at 34 degrees 03.12 minutes
6 North, 120 degrees 15.95 minutes West.

7 (c) REFERENCES.—Any reference in any law, regula-
8 tion, document, record, map, or other paper of the United
9 States to the reef described in subsection (b) is deemed
10 to be a reference to Brennan Reef.

11 **TITLE LVI—INSPECTOR GEN-**
12 **ERAL INDEPENDENCE AND**
13 **EMPOWERMENT MATTERS**
14 **Subtitle A—Inspector General**
15 **Independence**

16 **SEC. 5601. SHORT TITLE.**

17 This subtitle may be cited as the “Securing Inspector
18 General Independence Act of 2022”.

19 **SEC. 5602. REMOVAL OR TRANSFER OF INSPECTORS GEN-**
20 **ERAL; PLACEMENT ON NON-DUTY STATUS.**

21 (a) IN GENERAL.—The Inspector General Act of
22 1978 (5 U.S.C. App.) is amended—

23 (1) in section 3(b)—

24 (A) by inserting “(1)(A)” after “(b)”;

25 (B) in paragraph (1), as so designated—

1 (i) in subparagraph (A), as so des-
2 ignated, in the second sentence—

3 (I) by striking “reasons” and in-
4 serting the following: “substantive ra-
5 tionale, including detailed and case-
6 specific reasons,”; and

7 (II) by inserting “(including to
8 the appropriate congressional commit-
9 tees)” after “Houses of Congress”;
10 and

11 (ii) by adding at the end the fol-
12 lowing:

13 “(B) If there is an open or completed inquiry into
14 an Inspector General that relates to the removal or trans-
15 fer of the Inspector General under subparagraph (A), the
16 written communication required under that subparagraph
17 shall—

18 “(i) identify each entity that is conducting, or
19 that conducted, the inquiry; and

20 “(ii) in the case of a completed inquiry, contain
21 the findings made during the inquiry.”; and

22 (C) by adding at the end the following:

23 “(2)(A) Subject to the other provisions of this para-
24 graph, only the President may place an Inspector General
25 on non-duty status.

1 “(B) If the President places an Inspector General on
2 non-duty status, the President shall communicate in writ-
3 ing the substantive rationale, including detailed and case-
4 specific reasons, for the change in status to both Houses
5 of Congress (including to the appropriate congressional
6 committees) not later than 15 days before the date on
7 which the change in status takes effect, except that the
8 President may submit that communication not later than
9 the date on which the change in status takes effect if—

10 “(i) the President has made a determination
11 that the continued presence of the Inspector General
12 in the workplace poses a threat described in any of
13 clauses (i) through (iv) of section 6329b(b)(2)(A) of
14 title 5, United States Code; and

15 “(ii) in the communication, the President in-
16 cludes a report on the determination described in
17 clause (i), which shall include—

18 “(I) a specification of which clause of sec-
19 tion 6329b(b)(2)(A) of title 5, United States
20 Code, the President has determined applies
21 under clause (i) of this subparagraph;

22 “(II) the substantive rationale, including
23 detailed and case-specific reasons, for the deter-
24 mination made under clause (i);

1 “(III) an identification of each entity that
2 is conducting, or that conducted, any inquiry
3 upon which the determination under clause (i)
4 was made; and

5 “(IV) in the case of an inquiry described
6 in subclause (III) that is completed, the find-
7 ings made during that inquiry.

8 “(C) The President may not place an Inspector Gen-
9 eral on non-duty status during the 30-day period pre-
10 ceding the date on which the Inspector General is removed
11 or transferred under paragraph (1)(A) unless the Presi-
12 dent—

13 “(i) has made a determination that the contin-
14 ued presence of the Inspector General in the work-
15 place poses a threat described in any of clauses (i)
16 through (iv) of section 6329b(b)(2)(A) of title 5,
17 United States Code; and

18 “(ii) not later than the date on which the
19 change in status takes effect, submits to both
20 Houses of Congress (including to the appropriate
21 congressional committees) a written communication
22 that contains the information required under sub-
23 paragraph (B), including the report required under
24 clause (ii) of that subparagraph.

25 “(D) For the purposes of this paragraph—

1 “(i) the term ‘Inspector General’—

2 “(I) means an Inspector General who was
3 appointed by the President, without regard to
4 whether the Senate provided advice and consent
5 with respect to that appointment; and

6 “(II) includes the Inspector General of an
7 establishment, the Inspector General of the In-
8 telligence Community, the Inspector General of
9 the Central Intelligence Agency, the Special In-
10 spector General for Afghanistan Reconstruc-
11 tion, the Special Inspector General for the
12 Troubled Asset Relief Program, and the Special
13 Inspector General for Pandemic Recovery; and

14 “(ii) a reference to the removal or transfer of
15 an Inspector General under paragraph (1), or to the
16 written communication described in that paragraph,
17 shall be considered to be—

18 “(I) in the case of the Inspector General of
19 the Intelligence Community, a reference to sec-
20 tion 103H(c)(4) of the National Security Act of
21 1947 (50 U.S.C. 3033(c)(4));

22 “(II) in the case of the Inspector General
23 of the Central Intelligence Agency, a reference
24 to section 17(b)(6) of the Central Intelligence
25 Agency Act of 1949 (50 U.S.C. 3517(b)(6));

1 “(III) in the case of the Special Inspector
2 General for Afghanistan Reconstruction, a ref-
3 erence to section 1229(c)(6) of the National
4 Defense Authorization Act for Fiscal Year 2008
5 (Public Law 110–181; 122 Stat. 378);

6 “(IV) in the case of the Special Inspector
7 General for the Troubled Asset Relief Program,
8 a reference to section 121(b)(4) of the Emer-
9 gency Economic Stabilization Act of 2008 (12
10 U.S.C. 5231(b)(4)); and

11 “(V) in the case of the Special Inspector
12 General for Pandemic Recovery, a reference to
13 section 4018(b)(3) of the CARES Act (15
14 U.S.C. 9053(b)(3)).”; and

15 (2) in section 8G(e)—

16 (A) in paragraph (1), by inserting “or
17 placement on non-duty status” after “a re-
18 moval”;

19 (B) in paragraph (2)—

20 (i) by inserting “(A)” after “(2)”;

21 (ii) in subparagraph (A), as so des-
22 ignated, in the first sentence—

23 (I) by striking “reasons” and in-
24 serting the following: “substantive ra-

1 tionale, including detailed and case-
2 specific reasons,”; and

3 (II) by inserting “(including to
4 the appropriate congressional commit-
5 tees)” after “Houses of Congress”;
6 and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(B) If there is an open or completed inquiry into
10 an Inspector General that relates to the removal or trans-
11 fer of the Inspector General under subparagraph (A), the
12 written communication required under that subparagraph
13 shall—

14 “(i) identify each entity that is conducting, or
15 that conducted, the inquiry; and

16 “(ii) in the case of a completed inquiry, contain
17 the findings made during the inquiry.”; and

18 (C) by adding at the end the following:

19 “(3)(A) Subject to the other provisions of this para-
20 graph, only the head of the applicable designated Federal
21 entity (referred to in this paragraph as the ‘covered offi-
22 cial’) may place an Inspector General on non-duty status.

23 “(B) If a covered official places an Inspector General
24 on non-duty status, the covered official shall communicate
25 in writing the substantive rationale, including detailed and

1 case-specific reasons, for the change in status to both
2 Houses of Congress (including to the appropriate congress-
3 sional committees) not later than 15 days before the date
4 on which the change in status takes effect, except that
5 the covered official may submit that communication not
6 later than the date on which the change in status takes
7 effect if—

8 “(i) the covered official has made a determina-
9 tion that the continued presence of the Inspector
10 General in the workplace poses a threat described in
11 any of clauses (i) through (iv) of section
12 6329b(b)(2)(A) of title 5, United States Code; and

13 “(ii) in the communication, the covered official
14 includes a report on the determination described in
15 clause (i), which shall include—

16 “(I) a specification of which clause of sec-
17 tion 6329b(b)(2)(A) of title 5, United States
18 Code, the covered official has determined ap-
19 plies under clause (i) of this subparagraph;

20 “(II) the substantive rationale, including
21 detailed and case-specific reasons, for the deter-
22 mination made under clause (i);

23 “(III) an identification of each entity that
24 is conducting, or that conducted, any inquiry

1 upon which the determination under clause (i)
2 was made; and

3 “(IV) in the case of an inquiry described
4 in subclause (III) that is completed, the find-
5 ings made during that inquiry.

6 “(C) A covered official may not place an Inspector
7 General on non-duty status during the 30-day period pre-
8 ceding the date on which the Inspector General is removed
9 or transferred under paragraph (2)(A) unless the covered
10 official—

11 “(i) has made a determination that the contin-
12 ued presence of the Inspector General in the work-
13 place poses a threat described in any of clauses (i)
14 through (iv) of section 6329b(b)(2)(A) of title 5,
15 United States Code; and

16 “(ii) not later than the date on which the
17 change in status takes effect, submits to both
18 Houses of Congress (including to the appropriate
19 congressional committees) a written communication
20 that contains the information required under sub-
21 paragraph (B), including the report required under
22 clause (ii) of that subparagraph.

23 “(D) Nothing in this paragraph may be construed to
24 limit or otherwise modify—

1 “(i) any statutory protection that is afforded to
2 an Inspector General; or

3 “(ii) any other action that a covered official
4 may take under law with respect to an Inspector
5 General.”.

6 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
7 Section 12(3) of the Inspector General Act of 1978 (5
8 U.S.C. App.) is amended by inserting “except as otherwise
9 expressly provided,” before “the term”.

10 **SEC. 5603. VACANCY IN POSITION OF INSPECTOR GENERAL.**

11 (a) **IN GENERAL.**—Section 3 of the Inspector General
12 Act of 1978 (5 U.S.C. App.) is amended by adding at the
13 end the following:

14 “(h)(1) In this subsection—

15 “(A) the term ‘first assistant to the position of
16 Inspector General’ means, with respect to an Office
17 of Inspector General—

18 “(i) an individual who, as of the day before
19 the date on which the Inspector General dies,
20 resigns, or otherwise becomes unable to perform
21 the functions and duties of that position—

22 “(I) is serving in a position in that
23 Office; and

24 “(II) has been designated in writing
25 by the Inspector General, through an order

1 of succession or otherwise, as the first as-
2 sistant to the position of Inspector Gen-
3 eral; or

4 “(ii) if the Inspector General has not made
5 a designation described in clause (i)(II)—

6 “(I) the Principal Deputy Inspector
7 General of that Office, as of the day before
8 the date on which the Inspector General
9 dies, resigns, or otherwise becomes unable
10 to perform the functions and duties of that
11 position; or

12 “(II) if there is no Principal Deputy
13 Inspector General of that Office, the Dep-
14 uty Inspector General of that Office, as of
15 the day before the date on which the In-
16 spector General dies, resigns, or otherwise
17 becomes unable to perform the functions
18 and duties of that position; and

19 “(B) the term ‘Inspector General’—

20 “(i) means an Inspector General who is ap-
21 pointed by the President, by and with the ad-
22 vice and consent of the Senate; and

23 “(ii) includes the Inspector General of an
24 establishment, the Inspector General of the In-
25 telligence Community, the Inspector General of

1 the Central Intelligence Agency, the Special In-
2 spector General for the Troubled Asset Relief
3 Program, and the Special Inspector General for
4 Pandemic Recovery.

5 “(2) If an Inspector General dies, resigns, or is other-
6 wise unable to perform the functions and duties of the po-
7 sition—

8 “(A) section 3345(a) of title 5, United States
9 Code, and section 103(e) of the National Security
10 Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

11 “(B) subject to paragraph (4), the first assist-
12 ant to the position of Inspector General shall per-
13 form the functions and duties of the Inspector Gen-
14 eral temporarily in an acting capacity subject to the
15 time limitations of section 3346 of title 5, United
16 States Code; and

17 “(C) notwithstanding subparagraph (B), and
18 subject to paragraphs (4) and (5), the President
19 (and only the President) may direct an officer or
20 employee of any Office of an Inspector General to
21 perform the functions and duties of the Inspector
22 General temporarily in an acting capacity subject to
23 the time limitations of section 3346 of title 5,
24 United States Code, only if—

1 “(i) during the 365-day period preceding
2 the date of death, resignation, or beginning of
3 inability to serve of the Inspector General, the
4 officer or employee served in a position in an
5 Office of an Inspector General for not less than
6 90 days, except that—

7 “(I) the requirement under this clause
8 shall not apply if the officer is an Inspec-
9 tor General; and

10 “(II) for the purposes of this subpara-
11 graph, performing the functions and duties
12 of an Inspector General temporarily in an
13 acting capacity does not qualify as service
14 in a position in an Office of an Inspector
15 General;

16 “(ii) the rate of pay for the position of the
17 officer or employee described in clause (i) is
18 equal to or greater than the minimum rate of
19 pay payable for a position at GS-15 of the
20 General Schedule;

21 “(iii) the officer or employee has dem-
22 onstrated ability in accounting, auditing, finan-
23 cial analysis, law, management analysis, public
24 administration, or investigations; and

1 “(iv) not later than 30 days before the
2 date on which the direction takes effect, the
3 President communicates in writing to both
4 Houses of Congress (including to the appro-
5 priate congressional committees) the sub-
6 stantive rationale, including the detailed and
7 case-specific reasons, for such direction, includ-
8 ing the reason for the direction that someone
9 other than the individual who is performing the
10 functions and duties of the Inspector General
11 temporarily in an acting capacity (as of the
12 date on which the President issues that direc-
13 tion) perform those functions and duties tempo-
14 rarily in an acting capacity.

15 “(3) Notwithstanding section 3345(a) of title 5,
16 United States Code, section 103(e) of the National Secu-
17 rity Act of 1947 (50 U.S.C. 3025(e)), and subparagraphs
18 (B) and (C) of paragraph (2), and subject to paragraph
19 (4), during any period in which an Inspector General is
20 on non-duty status—

21 “(A) the first assistant to the position of In-
22 spector General shall perform the functions and du-
23 ties of the position temporarily in an acting capacity
24 subject to the time limitations of section 3346 of
25 title 5, United States Code; and

1 “(B) if the first assistant described in subpara-
2 graph (A) dies, resigns, or becomes otherwise unable
3 to perform those functions and duties, the President
4 (and only the President) may direct an officer or
5 employee in that Office of Inspector General to per-
6 form those functions and duties temporarily in an
7 acting capacity, subject to the time limitations of
8 section 3346 of title 5, United States Code, if—

9 “(i) that direction satisfies the require-
10 ments under clauses (ii), (iii), and (iv) of para-
11 graph (2)(C); and

12 “(ii) that officer or employee served in a
13 position in that Office of Inspector General for
14 not fewer than 90 of the 365 days preceding
15 the date on which the President makes that di-
16 rection.

17 “(4) An individual may perform the functions and
18 duties of an Inspector General temporarily and in an act-
19 ing capacity under subparagraph (B) or (C) of paragraph
20 (2), or under paragraph (3), with respect to only 1 Inspec-
21 tor General position at any given time.

22 “(5) If the President makes a direction under para-
23 graph (2)(C), during the 30-day period preceding the date
24 on which the direction of the President takes effect, the

1 functions and duties of the position of the applicable In-
2 spector General shall be performed by—

3 “(A) the first assistant to the position of In-
4 spector General; or

5 “(B) the individual performing those functions
6 and duties temporarily in an acting capacity, as of
7 the date on which the President issues that direc-
8 tion, if that individual is an individual other than
9 the first assistant to the position of Inspector Gen-
10 eral.”.

11 (b) RULE OF CONSTRUCTION.—Nothing in the
12 amendment made by subsection (a) may be construed to
13 limit the applicability of sections 3345 through 3349d of
14 title 5, United States Code (commonly known as the “Fed-
15 eral Vacancies Reform Act of 1998”), other than with re-
16 spect to section 3345(a) of that title.

17 (c) EFFECTIVE DATE.—

18 (1) DEFINITION.—In this subsection, the term
19 “Inspector General” has the meaning given the term
20 in subsection (h)(1)(B) of section 3 of the Inspector
21 General Act of 1978 (5 U.S.C. App.), as added by
22 subsection (a) of this section.

23 (2) APPLICABILITY.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), this section, and the amend-

1 ments made by this section, shall take effect on
2 the date of enactment of this Act.

3 (B) **EXISTING VACANCIES.**—If, as of the
4 date of enactment of this Act, an individual is
5 performing the functions and duties of an In-
6 specter General temporarily in an acting capac-
7 ity, this section, and the amendments made by
8 this section, shall take effect with respect to
9 that Inspector General position on the date that
10 is 30 days after the date of enactment of this
11 Act.

12 **SEC. 5604. OFFICE OF INSPECTOR GENERAL WHISTLE-**
13 **BLOWER COMPLAINTS.**

14 (a) **WHISTLEBLOWER PROTECTION COORDINATOR.**—
15 Section 3(d)(1)(C) of the Inspector General Act of 1978
16 (5 U.S.C. App.) is amended—

17 (1) in clause (i), in the matter preceding sub-
18 clause (I), by inserting “, including employees of
19 that Office of Inspector General” after “employees”;
20 and

21 (2) in clause (iii), by inserting “(including the
22 Integrity Committee of that Council)” after “and
23 Efficiency”.

24 (b) **COUNCIL OF THE INSPECTORS GENERAL ON IN-**
25 **TEGRITY AND EFFICIENCY.**—Section 11(c)(5)(B) of the

1 Inspector General Act of 1978 (5 U.S.C. App.) is amended
2 by striking “, allegations of reprisal,” and inserting the
3 following: “and allegations of reprisal (including the timely
4 and appropriate handling and consideration of protected
5 disclosures and allegations of reprisal that are internal to
6 an Office of Inspector General)”.

7 **Subtitle B—Presidential Expla-**
8 **nation of Failure to Nominate**
9 **an Inspector General**

10 **SEC. 5611. PRESIDENTIAL EXPLANATION OF FAILURE TO**
11 **NOMINATE AN INSPECTOR GENERAL.**

12 (a) IN GENERAL.—Subchapter III of chapter 33 of
13 title 5, United States Code, is amended by inserting after
14 section 3349d the following:

15 **“§ 3349e. Presidential explanation of failure to nomi-**
16 **nate an inspector general**

17 “If the President fails to make a formal nomination
18 for a vacant inspector general position that requires a for-
19 mal nomination by the President to be filled within the
20 period beginning on the later of the date on which the
21 vacancy occurred or on which a nomination is rejected,
22 withdrawn, or returned, and ending on the day that is 210
23 days after that date, the President shall communicate,
24 within 30 days after the end of such period and not later
25 than June 1 of each year thereafter, to the appropriate

1 congressional committees, as defined in section 12 of the
2 Inspector General Act of 1978 (5 U.S.C. App.)—

3 “(1) the reasons why the President has not yet
4 made a formal nomination; and

5 “(2) a target date for making a formal nomina-
6 tion.”.

7 (b) TECHNICAL AND CONFORMING AMENDMENT.—
8 The table of sections for subchapter III of chapter 33 of
9 title 5, United States Code, is amended by inserting after
10 the item relating to section 3349d the following:

“3349e. Presidential explanation of failure to nominate an Inspector General.”.

11 (c) EFFECTIVE DATE.—The amendment made by
12 subsection (a) shall take effect—

13 (1) on the date of enactment of this Act with
14 respect to any vacancy first occurring on or after
15 that date; and

16 (2) on the day that is 210 days after the date
17 of enactment of this Act with respect to any vacancy
18 that occurred before the date of enactment of this
19 Act.

1 **Subtitle C—Integrity Committee of**
2 **the Council of Inspectors Gen-**
3 **eral on Integrity and Efficiency**
4 **Transparency**

5 **SEC. 5621. SHORT TITLE.**

6 This subtitle may be cited as the “Integrity Com-
7 mittee Transparency Act of 2022”.

8 **SEC. 5622. ADDITIONAL INFORMATION TO BE INCLUDED IN**
9 **REQUESTS AND REPORTS TO CONGRESS.**

10 Section 11(d) of the Inspector General Act of 1978
11 (5 U.S.C. App.) is amended—

12 (1) in paragraph (5)(B)(ii), by striking the pe-
13 riod at the end and inserting “, the length of time
14 the Integrity Committee has been evaluating the al-
15 legation of wrongdoing, and a description of any pre-
16 vious written notice provided under this clause with
17 respect to the allegation of wrongdoing, including
18 the description provided for why additional time was
19 needed.”; and

20 (2) in paragraph (8)(A)(ii), by inserting “or
21 corrective action” after “disciplinary action”.

1 **SEC. 5623. AVAILABILITY OF INFORMATION TO CONGRESS**
2 **ON CERTAIN ALLEGATIONS OF WRONGDOING**
3 **CLOSED WITHOUT REFERRAL.**

4 Section 11(d)(5)(B) of the Inspector General Act of
5 1978 (5 U.S.C. App.) is amended by adding at the end
6 the following:

7 “(iii) AVAILABILITY OF INFORMATION
8 TO CONGRESS ON CERTAIN ALLEGATIONS
9 OF WRONGDOING CLOSED WITHOUT RE-
10 FERRAL.—

11 “(I) IN GENERAL.—With respect
12 to an allegation of wrongdoing made
13 by a member of Congress that is
14 closed by the Integrity Committee
15 without referral to the Chairperson of
16 the Integrity Committee to initiate an
17 investigation, the Chairperson of the
18 Integrity Committee shall, not later
19 than 60 days after closing the allega-
20 tion of wrongdoing, provide a written
21 description of the nature of the allega-
22 tion of wrongdoing and how the Integ-
23 rity Committee evaluated the allega-
24 tion of wrongdoing to—

25 “(aa) the Chair and Rank-
26 ing Minority Member of the

1 Committee on Homeland Security
2 and Governmental Affairs of the
3 Senate; and

4 “(bb) the Chair and Rank-
5 ing Minority Member of the
6 Committee on Oversight and Re-
7 form of the House of Representa-
8 tives.

9 “(II) REQUIREMENT TO FOR-
10 WARD.—The Chairperson of the In-
11 tegrity Committee shall forward any
12 written description or update provided
13 under this clause to the members of
14 the Integrity Committee and to the
15 Chairperson of the Council.”.

16 **SEC. 5624. SEMIANNUAL REPORT.**

17 Section 11(d)(9) of the Inspector General Act of
18 1978 (5 U.S.C. App.) is amended to read as follows:

19 “(9) SEMIANNUAL REPORT.—On or before May
20 31, 2022, and every 6 months thereafter, the Coun-
21 cil shall submit to Congress and the President a re-
22 port on the activities of the Integrity Committee
23 during the immediately preceding 6-month periods
24 ending March 31 and September 30, which shall in-
25 clude the following with respect to allegations of

1 wrongdoing that are made against Inspectors Gen-
2 eral and staff members of the various Offices of In-
3 spector General described in paragraph (4)(C):

4 “(A) An overview and analysis of the alle-
5 gations of wrongdoing disposed of by the Integ-
6 rity Committee, including—

7 “(i) analysis of the positions held by
8 individuals against whom allegations were
9 made, including the duties affiliated with
10 such positions;

11 “(ii) analysis of the categories or
12 types of the allegations of wrongdoing; and

13 “(iii) a summary of disposition of all
14 the allegations.

15 “(B) The number of allegations received by
16 the Integrity Committee.

17 “(C) The number of allegations referred to
18 the Department of Justice or the Office of Spe-
19 cial Counsel, including the number of allega-
20 tions referred for criminal investigation.

21 “(D) The number of allegations referred to
22 the Chairperson of the Integrity Committee for
23 investigation, a general description of the status
24 of such investigations, and a summary of the
25 findings of investigations completed.

1 “(E) An overview and analysis of allega-
2 tions of wrongdoing received by the Integrity
3 Committee during any previous reporting pe-
4 riod, but remained pending during some part of
5 the six months covered by the report, includ-
6 ing—

7 “(i) analysis of the positions held by
8 individuals against whom allegations were
9 made, including the duties affiliated with
10 such positions;

11 “(ii) analysis of the categories or
12 types of the allegations of wrongdoing; and

13 “(iii) a summary of disposition of all
14 the allegations.

15 “(F) The number and category or type of
16 pending investigations.

17 “(G) For each allegation received—

18 “(i) the date on which the investiga-
19 tion was opened;

20 “(ii) the date on which the allegation
21 was disposed of, as applicable; and

22 “(iii) the case number associated with
23 the allegation.

24 “(H) The nature and number of allega-
25 tions to the Integrity Committee closed without

1 referral, including the justification for why each
2 allegation was closed without referral.

3 “(I) A brief description of any difficulty
4 encountered by the Integrity Committee when
5 receiving, evaluating, investigating, or referring
6 for investigation an allegation received by the
7 Integrity Committee, including a brief descrip-
8 tion of—

9 “(i) any attempt to prevent or hinder
10 an investigation; or

11 “(ii) concerns about the integrity or
12 operations at an Office of Inspector Gen-
13 eral.

14 “(J) Other matters that the Council con-
15 siders appropriate.”.

16 **SEC. 5625. ADDITIONAL REPORTS.**

17 Section 5 of the Inspector General Act of 1978 (5
18 U.S.C. App.) is amended—

19 (1) by redesignating subsections (e) and (f) as
20 subsections (g) and (h), respectively; and

21 (2) by inserting after subsection (d) the fol-
22 lowing:

23 “(e) **ADDITIONAL REPORTS.—**

24 “(1) **REPORT TO INSPECTOR GENERAL.—**The
25 Chairperson of the Integrity Committee of the Coun-

1 cil of the Inspectors General on Integrity and Effi-
2 ciency shall, immediately whenever the Chairperson
3 of the Integrity Committee becomes aware of par-
4 ticularly serious or flagrant problems, abuses, or de-
5 ficiencies relating to the administration of programs
6 and operations of an Office of Inspector General for
7 which the Integrity Committee may receive, review,
8 and refer for investigation allegations of wrongdoing
9 under section 11(d), submit a report to the Inspec-
10 tor General who leads the Office at which the seri-
11 ous or flagrant problems, abuses, or deficiencies
12 were alleged.

13 “(2) REPORT TO PRESIDENT, CONGRESS, AND
14 THE ESTABLISHMENT.—Not later than 7 days after
15 the date on which an Inspector General receives a
16 report submitted under paragraph (1), the Inspector
17 General shall submit to the President, the appro-
18 priate congressional committees, and the head of the
19 establishment—

20 “(A) the report received under paragraph
21 (1); and

22 “(B) a report by the Inspector General
23 containing any comments the Inspector General
24 determines appropriate.”.

1 **SEC. 5626. REQUIREMENT TO REPORT FINAL DISPOSITION**
2 **TO CONGRESS.**

3 Section 11(d)(8)(B) of the Inspector General Act of
4 1978 (5 U.S.C. App.) is amended by inserting “and the
5 appropriate congressional committees” after “Integrity
6 Committee”.

7 **SEC. 5627. INVESTIGATIONS OF OFFICES OF INSPECTORS**
8 **GENERAL OF ESTABLISHMENTS BY THE IN-**
9 **TEGRITY COMMITTEE.**

10 Section 11(d)(7)(B)(i)(V) of the Inspector General
11 Act of 1978 (5 U.S.C. App.) is amended by inserting “,
12 and that an investigation of an Office of Inspector General
13 of an establishment is conducted by another Office of In-
14 spector General of an establishment” after “size”.

15 **Subtitle D—Notice of Ongoing In-**
16 **vestigations When There Is a**
17 **Change in Status of Inspector**
18 **General**

19 **SEC. 5631. NOTICE OF ONGOING INVESTIGATIONS WHEN**
20 **THERE IS A CHANGE IN STATUS OF INSPEC-**
21 **TOR GENERAL.**

22 Section 5 of the Inspector General Act of 1978 (5
23 U.S.C. App.) is amended by inserting after subsection (e),
24 as added by section 5625 of this title, the following:

25 “(f) Not later than 15 days after an Inspector Gen-
26 eral is removed, placed on paid or unpaid non-duty status,

1 or transferred to another position or location within an
2 establishment, the officer or employee performing the
3 functions and duties of the Inspector General temporarily
4 in an acting capacity shall submit to the Committee on
5 Homeland Security and Governmental Affairs of the Sen-
6 ate and the Committee on Oversight and Reform of the
7 House of Representatives information regarding work
8 being conducted by the Office as of the date on which the
9 Inspector General was removed, placed on paid or unpaid
10 non-duty status, or transferred, which shall include—

11 “(1) for each investigation—

12 “(A) the type of alleged offense;

13 “(B) the fiscal quarter in which the Office
14 initiated the investigation;

15 “(C) the relevant Federal agency, includ-
16 ing the relevant component of that Federal
17 agency for any Federal agency listed in section
18 901(b) of title 31, United States Code, under
19 investigation or affiliated with the individual or
20 entity under investigation; and

21 “(D) whether the investigation is adminis-
22 trative, civil, criminal, or a combination thereof,
23 if known; and

24 “(2) for any work not described in paragraph
25 (1)—

1 “(A) a description of the subject matter
2 and scope;

3 “(B) the relevant agency, including the rel-
4 evant component of that Federal agency, under
5 review;

6 “(C) the date on which the Office initiated
7 the work; and

8 “(D) the expected time frame for comple-
9 tion.”.

10 **Subtitle E—Council of the Inspec-**
11 **tors General on Integrity and**
12 **Efficiency Report on Expendi-**
13 **tures**

14 **SEC. 5641. CIGIE REPORT ON EXPENDITURES.**

15 Section 11(e)(3) of the Inspector General Act of 1978
16 (5 U.S.C. App.) is amended by adding at the end the fol-
17 lowing:

18 “(D) REPORT ON EXPENDITURES.—Not
19 later than November 30 of each year, the
20 Chairperson shall submit to the appropriate
21 committees or subcommittees of Congress, in-
22 cluding the Committee on Appropriations of the
23 Senate and the Committee on Appropriations of
24 the House of Representatives, a report on the
25 expenditures of the Council for the preceding

1 fiscal year, including from direct appropriations
2 to the Council, interagency funding pursuant to
3 subparagraph (A), a revolving fund pursuant to
4 subparagraph (B), or any other source.”.

5 **Subtitle F—Notice of Refusal to**
6 **Provide Inspectors General Access**

7 **SEC. 5651. NOTICE OF REFUSAL TO PROVIDE INFORMATION**
8 **OR ASSISTANCE TO INSPECTORS GENERAL.**

9 Section 6(c) of the Inspector General Act of 1978 (5
10 U.S.C. App.) is amended by adding at the end the fol-
11 lowing:

12 “(3) If the information or assistance that is the sub-
13 ject of a report under paragraph (2) is not provided to
14 the Inspector General by the date that is 30 days after
15 the report is made, the Inspector General shall submit a
16 notice that the information or assistance requested has not
17 been provided by the head of the establishment involved
18 or the head of the Federal agency involved, as applicable,
19 to the appropriate congressional committees.”.

1 **Subtitle G—Training Resources for**
2 **Inspectors General and Other**
3 **Matters**

4 **SEC. 5671. TRAINING RESOURCES FOR INSPECTORS GEN-**
5 **ERAL.**

6 Section 11(c)(1) of the Inspector General Act of 1978
7 (5 U.S.C. App.) is amended—

8 (1) by redesignating subparagraphs (E)
9 through (I) as subparagraphs (F) through (J), re-
10 spectively; and

11 (2) by inserting after subparagraph (D) the fol-
12 lowing:

13 “(E) support the professional development
14 of Inspectors General, including by providing
15 training opportunities on the duties, responsibil-
16 ities, and authorities under this Act and on top-
17 ics relevant to Inspectors General and the work
18 of Inspectors General, as identified by Inspec-
19 tors General and the Council.”.

20 **SEC. 5672. DEFINITION OF APPROPRIATE CONGRESSIONAL**
21 **COMMITTEES.**

22 The Inspector General Act of 1978 (5 U.S.C. App.)
23 is amended—

24 (1) in section 5—

1 (A) in subsection (b), in the matter pre-
2 ceding paragraph (1), by striking “committees
3 or subcommittees of the Congress” and insert-
4 ing “congressional committees”; and

5 (B) in subsection (d), by striking “commit-
6 tees or subcommittees of Congress” and insert-
7 ing “congressional committees”;

8 (2) in section 6(h)(4)—

9 (A) in subparagraph (B), by striking
10 “Government”; and

11 (B) by amending subparagraph (C) to read
12 as follows:

13 “(C) Any other relevant congressional com-
14 mittee or subcommittee of jurisdiction.”;

15 (3) in section 8—

16 (A) in subsection (b)—

17 (i) in paragraph (3), by striking “the
18 Committees on Armed Services and Gov-
19 ernmental Affairs of the Senate and the
20 Committee on Armed Services and the
21 Committee on Government Reform and
22 Oversight of the House of Representatives
23 and to other appropriate committees or
24 subcommittees of the Congress” and in-
25 serting “the appropriate congressional

1 committees, including the Committee on
2 Armed Services of the Senate and the
3 Committee on Armed Services of the
4 House of Representatives”; and

5 (ii) in paragraph (4), by striking “and
6 to other appropriate committees or sub-
7 committees”; and

8 (B) in subsection (f)—

9 (i) in paragraph (1), by striking “the
10 Committees on Armed Services and on
11 Homeland Security and Governmental Af-
12 fairs of the Senate and the Committees on
13 Armed Services and on Oversight and Gov-
14 ernment Reform of the House of Rep-
15 resentatives and to other appropriate com-
16 mittees or subcommittees of Congress” and
17 inserting “the appropriate congressional
18 committees, including the Committee on
19 Armed Services of the Senate and the
20 Committee on Armed Services of the
21 House of Representatives”; and

22 (ii) in paragraph (2), by striking
23 “committees or subcommittees of the Con-
24 gress” and inserting “congressional com-
25 mittees”;

1 (4) in section 8D—

2 (A) in subsection (a)(3), by striking “Com-
3 mittees on Governmental Affairs and Finance
4 of the Senate and the Committees on Govern-
5 ment Operations and Ways and Means of the
6 House of Representatives, and to other appro-
7 priate committees or subcommittees of the Con-
8 gress” and inserting “appropriate congressional
9 committees, including the Committee on Fi-
10 nance of the Senate and the Committee on
11 Ways and Means of the House of Representa-
12 tives”; and

13 (B) in subsection (g)—

14 (i) in paragraph (1)—

15 (I) by striking “committees or
16 subcommittees of the Congress” and
17 inserting “congressional committees”;
18 and

19 (II) by striking “Committees on
20 Governmental Affairs and Finance of
21 the Senate and the Committees on
22 Government Reform and Oversight
23 and Ways and Means of the House of
24 Representatives” and inserting “Com-
25 mittee on Finance of the Senate and

1 the Committee on Ways and Means of
2 the House of Representatives”; and

3 (ii) in paragraph (2), by striking
4 “committees or subcommittees of Con-
5 gress” and inserting “congressional com-
6 mittees”;

7 (5) in section 8E—

8 (A) in subsection (a)(3), by striking “Com-
9 mittees on Governmental Affairs and Judiciary
10 of the Senate and the Committees on Govern-
11 ment Operations and Judiciary of the House of
12 Representatives, and to other appropriate com-
13 mittees or subcommittees of the Congress” and
14 inserting “appropriate congressional commit-
15 tees, including the Committee on the Judiciary
16 of the Senate and the Committee on the Judici-
17 ary of the House of Representatives”; and

18 (B) in subsection (c)—

19 (i) by striking “committees or sub-
20 committees of the Congress” and inserting
21 “congressional committees”; and

22 (ii) by striking “Committees on the
23 Judiciary and Governmental Affairs of the
24 Senate and the Committees on the Judici-
25 ary and Government Operations of the

1 House of Representatives” and inserting
2 “Committee on the Judiciary of the Senate
3 and the Committee on the Judiciary of the
4 House of Representatives”;

5 (6) in section 8G—

6 (A) in subsection (d)(2)(E), in the matter
7 preceding clause (i), by inserting “the appro-
8 priate congressional committees, including”
9 after “are”; and

10 (B) in subsection (f)(3)—

11 (i) in subparagraph (A)(iii), by strik-
12 ing “Committee on Governmental Affairs
13 of the Senate and the Committee on Gov-
14 ernment Reform and Oversight of the
15 House of Representatives, and to other ap-
16 propriate committees or subcommittees of
17 the Congress” and inserting “the appro-
18 priate congressional committees”; and

19 (ii) by striking subparagraph (C);

20 (7) in section 8I—

21 (A) in subsection (a)(3), in the matter pre-
22 ceding subparagraph (A), by striking “commit-
23 tees and subcommittees of Congress” and in-
24 serting “congressional committees”; and

1 (B) in subsection (d), by striking “committees and subcommittees of Congress” each place
2 it appears and inserting “congressional committees”;
3
4

5 (8) in section 8N(b), by striking “committees of
6 Congress” and inserting “congressional committees”;
7

8 (9) in section 11—

9 (A) in subsection (b)(3)(B)(viii)—

10 (i) by striking subclauses (III) and
11 (IV);

12 (ii) in subclause (I), by adding “and”
13 at the end; and

14 (iii) by amending subclause (II) to
15 read as follows:

16 “(II) the appropriate congressional
17 committees.”; and

18 (B) in subsection (d)(8)(A)(iii), by striking
19 “to the” and all that follows through “jurisdiction” and inserting “to the appropriate congressional
20 committees”; and

22 (10) in section 12—

23 (A) in paragraph (4), by striking “and” at
24 the end;

1 (B) in paragraph (5), by striking the pe-
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(6) the term ‘appropriate congressional com-
5 mittees’ means—

6 “(A) the Committee on Homeland Security
7 and Governmental Affairs of the Senate;

8 “(B) the Committee on Oversight and Re-
9 form of the House of Representatives; and

10 “(C) any other relevant congressional com-
11 mittee or subcommittee of jurisdiction.”.

12 **SEC. 5673. SEMIANNUAL REPORTS.**

13 The Inspector General Act of 1978 (5 U.S.C. App.)
14 is amended—

15 (1) in section 4(a)(2)—

16 (A) by inserting “, including” after “to
17 make recommendations”; and

18 (B) by inserting a comma after “section
19 5(a)”;

20 (2) in section 5—

21 (A) in subsection (a)—

22 (i) by striking paragraphs (1) through
23 (12) and inserting the following:

24 “(1) a description of significant problems,
25 abuses, and deficiencies relating to the administra-

1 tion of programs and operations of the establishment
2 and associated reports and recommendations for cor-
3 rective action made by the Office;

4 “(2) an identification of each recommendation
5 made before the reporting period, for which correc-
6 tive action has not been completed, including the po-
7 tential costs savings associated with the rec-
8 ommendation;

9 “(3) a summary of significant investigations
10 closed during the reporting period;

11 “(4) an identification of the total number of
12 convictions during the reporting period resulting
13 from investigations;

14 “(5) information regarding each audit, inspec-
15 tion, or evaluation report issued during the reporting
16 period, including—

17 “(A) a listing of each audit, inspection, or
18 evaluation;

19 “(B) if applicable, the total dollar value of
20 questioned costs (including a separate category
21 for the dollar value of unsupported costs) and
22 the dollar value of recommendations that funds
23 be put to better use, including whether a man-
24 agement decision had been made by the end of
25 the reporting period;

1 “(6) information regarding any management
2 decision made during the reporting period with re-
3 spect to any audit, inspection, or evaluation issued
4 during a previous reporting period;”;

5 (ii) by redesignating paragraphs (13)
6 through (22) as paragraphs (7) through
7 (16), respectively;

8 (iii) by amending paragraph (13), as
9 so redesignated, to read as follows:

10 “(13) a report on each investigation conducted
11 by the Office where allegations of misconduct were
12 substantiated involving a senior Government em-
13 ployee or senior official (as defined by the Office) if
14 the establishment does not have senior Government
15 employees, which shall include—

16 “(A) the name of the senior Government
17 employee, if already made public by the Office;
18 and

19 “(B) a detailed description of—

20 “(i) the facts and circumstances of
21 the investigation; and

22 “(ii) the status and disposition of the
23 matter, including—

1 “(I) if the matter was referred to
2 the Department of Justice, the date of
3 the referral; and

4 “(II) if the Department of Jus-
5 tice declined the referral, the date of
6 the declination;”; and

7 (iv) by amending paragraph (15), as
8 so redesignated, to read as follows:

9 “(15) information related to interference by the
10 establishment, including—

11 “(A) a detailed description of any attempt
12 by the establishment to interfere with the inde-
13 pendence of the Office, including—

14 “(i) with budget constraints designed
15 to limit the capabilities of the Office; and

16 “(ii) incidents where the establish-
17 ment has resisted or objected to oversight
18 activities of the Office or restricted or sig-
19 nificantly delayed access to information,
20 including the justification of the establish-
21 ment for such action; and

22 “(B) a summary of each report made to
23 the head of the establishment under section
24 6(c)(2) during the reporting period;”; and

25 (B) in subsection (b)—

1 (i) by striking paragraphs (2) and (3)
2 and inserting the following:

3 “(2) where final action on audit, inspection,
4 and evaluation reports had not been taken before the
5 commencement of the reporting period, statistical ta-
6 bles showing—

7 “(A) with respect to management deci-
8 sions—

9 “(i) for each report, whether a man-
10 agement decision was made during the re-
11 porting period;

12 “(ii) if a management decision was
13 made during the reporting period, the dol-
14 lar value of disallowed costs and funds to
15 be put to better use as agreed to in the
16 management decision; and

17 “(iii) total number of reports where a
18 management decision was made during the
19 reporting period and the total cor-
20 responding dollar value of disallowed costs
21 and funds to be put to better use as agreed
22 to in the management decision; and

23 “(B) with respect to final actions—

24 “(i) whether, if a management deci-
25 sion was made before the end of the re-

1 reporting period, final action was taken dur-
2 ing the reporting period;

3 “(ii) if final action was taken, the dol-
4 lar value of—

5 “(I) disallowed costs that were
6 recovered by management through
7 collection, offset, property in lieu of
8 cash, or otherwise;

9 “(II) disallowed costs that were
10 written off by management;

11 “(III) disallowed costs and funds
12 to be put to better use not yet recov-
13 ered or written off by management;

14 “(IV) recommendations that were
15 completed; and

16 “(V) recommendations that man-
17 agement has subsequently concluded
18 should not or could not be imple-
19 mented or completed; and

20 “(iii) total number of reports where
21 final action was not taken and total num-
22 ber of reports where final action was
23 taken, including the total corresponding
24 dollar value of disallowed costs and funds

1 to be put to better use as agreed to in the
2 management decisions;”;

3 (ii) by redesignating paragraph (4) as
4 paragraph (3);

5 (iii) in paragraph (3), as so redesign-
6 nated, by striking “subsection (a)(20)(A)”
7 and inserting “subsection (a)(14)(A)”; and

8 (iv) by striking paragraph (5) and in-
9 serting the following:

10 “(4) a statement explaining why final action
11 has not been taken with respect to each audit, in-
12 spection, and evaluation report in which a manage-
13 ment decision has been made but final action has
14 not yet been taken, except that such statement—

15 “(A) may exclude reports if—

16 “(i) a management decision was made
17 within the preceding year; or

18 “(ii) the report is under formal ad-
19 ministrative or judicial appeal or manage-
20 ment of the establishment has agreed to
21 pursue a legislative solution; and

22 “(B) shall identify the number of reports
23 in each category so excluded.”;

1 (C) by redesignating subsection (h), as so
2 redesignated by section ____ 305 of this title, as
3 subsection (i); and

4 (D) by inserting after subsection (g), as so
5 redesignated by section ____ 305 of this title,
6 the following:

7 “(h) If an Office has published any portion of the
8 report or information required under subsection (a) to the
9 website of the Office or on oversight.gov, the Office may
10 elect to provide links to the relevant webpage or website
11 in the report of the Office under subsection (a) in lieu
12 of including the information in that report.”.

13 **SEC. 5674. SUBMISSION OF REPORTS THAT SPECIFICALLY**
14 **IDENTIFY NON-GOVERNMENTAL ORGANIZA-**
15 **TIONS OR BUSINESS ENTITIES.**

16 (a) IN GENERAL.—Section 5(g) of the Inspector Gen-
17 eral Act of 1978 (5 U.S.C. App.), as so redesignated by
18 section ____ 305 of this title, is amended by adding at the
19 end the following:

20 “(6)(A) Except as provided in subparagraph (B), if
21 an audit, evaluation, inspection, or other non-investigative
22 report prepared by an Inspector General specifically iden-
23 tifies a specific non-governmental organization or business
24 entity, whether or not the non-governmental organization

1 or business entity is the subject of that audit, evaluation,
2 inspection, or non-investigative report—

3 “(i) the Inspector General shall notify the non-
4 governmental organization or business entity;

5 “(ii) the non-governmental organization or busi-
6 ness entity shall have—

7 “(I) 30 days to review the audit, evalua-
8 tion, inspection, or non-investigative report be-
9 ginning on the date of publication of the audit,
10 evaluation, inspection, or non-investigative re-
11 port; and

12 “(II) the opportunity to submit a written
13 response for the purpose of clarifying or pro-
14 viding additional context as it directly relates to
15 each instance wherein an audit, evaluation, in-
16 spection, or non-investigative report specifically
17 identifies that non-governmental organization or
18 business entity; and

19 “(iii) if a written response is submitted under
20 clause (ii)(II) within the 30-day period described in
21 clause (ii)(I)—

22 “(I) the written response shall be attached
23 to the audit, evaluation, inspection, or non-in-
24 vestigative report; and

1 “(II) in every instance where the report
2 may appear on the public-facing website of the
3 Inspector General, the website shall be updated
4 in order to access a version of the audit, evalua-
5 tion, inspection, or non-investigative report that
6 includes the written response.

7 “(B) Subparagraph (A) shall not apply with respect
8 to a non-governmental organization or business entity that
9 refused to provide information or assistance sought by an
10 Inspector General during the creation of the audit, evalua-
11 tion, inspection, or non-investigative report.

12 “(C) An Inspector General shall review any written
13 response received under subparagraph (A) for the purpose
14 of preventing the improper disclosure of classified infor-
15 mation or other non-public information, consistent with
16 applicable laws, rules, and regulations, and, if necessary,
17 redact such information.”.

18 (b) **RETROACTIVE APPLICABILITY.**—During the 30-
19 day period beginning on the date of enactment of this
20 Act—

21 (1) the amendment made by subsection (a)
22 shall apply upon the request of a non-governmental
23 organization or business entity named in an audit,
24 evaluation, inspection, or other non-investigative re-
25 port prepared on or after January 1, 2019; and

1 (2) any written response submitted under
2 clause (iii) of section 5(g)(6)(A) of the Inspector
3 General Act of 1978 (5 U.S.C. App.), as added by
4 subsection (a), with respect to such an audit, evalua-
5 tion, inspection, or other non-investigative report
6 shall attach to the original report in the manner de-
7 scribed in that clause.

8 **SEC. 5675. REVIEW RELATING TO VETTING, PROCESSING,**
9 **AND RESETTLEMENT OF EVACUEES FROM**
10 **AFGHANISTAN AND THE AFGHANISTAN SPE-**
11 **CIAL IMMIGRANT VISA PROGRAM.**

12 (a) IN GENERAL.—In accordance with the Inspector
13 General Act of 1978 (5 U.S.C. App.), the Inspector Gen-
14 eral of the Department of Homeland Security, jointly with
15 the Inspector General of the Department of State, and in
16 coordination with the Inspector General of the Depart-
17 ment of Defense and any appropriate inspector general,
18 shall conduct a thorough review of efforts to support and
19 process evacuees from Afghanistan and the Afghanistan
20 special immigrant visa program.

21 (b) ELEMENTS.—The review required by subsection
22 (a) shall include an assessment of the systems, staffing,
23 policies, and programs used—

24 (1) to the screen and vet such evacuees, includ-
25 ing—

1 (A) an assessment of whether personnel
2 conducting such screening and vetting were ap-
3 propriately authorized and provided with train-
4 ing, including training in the detection of fraud-
5 ulent personal identification documents;

6 (B) an analysis of the degree to which
7 such screening and vetting deviated from
8 United States law, regulations, policy, and best
9 practices relating to the screening and vetting
10 of refugees and applicants for United States
11 visas that have been in use at any time since
12 January 1, 2016;

13 (C) an identification of any risk to the na-
14 tional security of the United States posed by
15 any such deviations;

16 (D) an analysis of the processes used for
17 evacuees traveling without personal identifica-
18 tion records, including the creation or provision
19 of any new identification records to such evac-
20 uees; and

21 (E) an analysis of the degree to which
22 such screening and vetting process was capable
23 of detecting—

24 (i) instances of human trafficking and
25 domestic abuse;

1 (ii) evacuees who are unaccompanied
2 minors; and

3 (iii) evacuees with a spouse that is a
4 minor;

5 (2) to admit and process such evacuees at
6 United States ports of entry;

7 (3) to temporarily house such evacuees prior to
8 resettlement;

9 (4) to account for the total number of individ-
10 uals evacuated from Afghanistan in 2021 with sup-
11 port of the United States Government,
12 disaggregated by—

13 (A) country of origin;

14 (B) citizenship, only if different from coun-
15 try of origin;

16 (C) age;

17 (D) gender;

18 (E) eligibility for special immigrant visas
19 under the Afghan Allies Protection Act of 2009
20 (8 U.S.C. 1101 note; Public Law 111–8) or
21 section 1059 of the National Defense Author-
22 ization Act for Fiscal Year 2006 (8 U.S.C.
23 1101 note; Public Law 109–163) at the time of
24 evacuation;

1 (F) eligibility for employment-based non-
2 immigrant visas at the time of evacuation; and

3 (G) familial relationship to evacuees who
4 are eligible for visas described in subparagraphs
5 (E) and (F); and

6 (5) to provide eligible individuals with special
7 immigrant visas under the Afghan Allies Protection
8 Act of 2009 (8 U.S.C. 1101 note; Public Law 111–
9 8) and section 1059 of the National Defense Author-
10 ization Act for Fiscal Year 2006 (8 U.S.C. 1101
11 note; Public Law 109–163) since the date of the en-
12 actment of the Afghan Allies Protection Act of 2009
13 (8 U.S.C. 1101 note; Public Law 111–8), includ-
14 ing—

15 (A) a detailed step-by-step description of
16 the application process for such special immi-
17 grant visas, including the number of days allot-
18 ted by the United States Government for the
19 completion of each step;

20 (B) the number of such special immigrant
21 visa applications received, approved, and denied,
22 disaggregated by fiscal year;

23 (C) the number of such special immigrant
24 visas issued, as compared to the number avail-
25 able under law, disaggregated by fiscal year;

1 (D) an assessment of the average length of
2 time taken to process an application for such a
3 special immigrant visa, beginning on the date of
4 submission of the application and ending on the
5 date of final disposition, disaggregated by fiscal
6 year;

7 (E) an accounting of the number of appli-
8 cations for such special immigrant visas that
9 remained pending at the end of each fiscal year;

10 (F) an accounting of the number of inter-
11 views of applicants for such special immigrant
12 visas conducted during each fiscal year;

13 (G) the number of noncitizens who were
14 admitted to the United States pursuant to such
15 a special immigrant visa during each fiscal
16 year;

17 (H) an assessment of the extent to which
18 each participating department or agency of the
19 United States Government, including the De-
20 partment of State and the Department of
21 Homeland Security, adjusted processing prac-
22 tices and procedures for such special immigrant
23 visas so as to vet applicants and expand proc-
24 essing capacity since the February 29, 2020,

1 Doha Agreement between the United States
2 and the Taliban;

3 (I) a list of specific steps, if any, taken be-
4 tween February 29, 2020, and August 31,
5 2021—

6 (i) to streamline the processing of ap-
7 plications for such special immigrant visas;
8 and

9 (ii) to address longstanding bureau-
10 cratic hurdles while improving security
11 protocols;

12 (J) a description of the degree to which
13 the Secretary of State implemented rec-
14 ommendations made by the Department of
15 State Office of Inspector General in its June
16 2020 reports on Review of the Afghan Special
17 Immigrant Visa Program (AUD-MERO-20-35)
18 and Management Assistance Report: Quarterly
19 Reporting on Afghan Special Immigrant Visa
20 Program Needs Improvement (AUD-MERO-20-
21 34);

22 (K) an assessment of the extent to which
23 challenges in verifying applicants' employment
24 with the Department of Defense contributed to
25 delays in the processing of such special immi-

1 grant visas, and an accounting of the specific
2 steps taken since February 29, 2020, to ad-
3 dress issues surrounding employment
4 verification; and

5 (L) recommendations to strengthen and
6 streamline such special immigrant visa process
7 going forward.

8 (c) INTERIM REPORTING.—

9 (1) IN GENERAL.—Not later than 180 days
10 after the date of the enactment of this Act, the In-
11 spector General of the Department of Homeland Se-
12 curity and the Inspector General of the Department
13 of State shall submit to the appropriate congress-
14 sional committees not fewer than one interim report
15 on the review conducted under this section.

16 (2) DEFINITIONS.—In this subsection:

17 (A) APPROPRIATE CONGRESSIONAL COM-
18 MITTEES.—The term “appropriate congress-
19 sional committees” has the meaning given the
20 term in section 12 of the Inspector General Act
21 of 1978 (5 U.S.C. App.), as amended by this
22 subtitle.

23 (B) SCREEN; SCREENING.—The terms
24 “screen” and “screening”, with respect to an

1 evacuee, mean the process by which a Federal
2 official determines—

3 (i) the identity of the evacuee;

4 (ii) whether the evacuee has a valid
5 identification documentation; and

6 (iii) whether any database of the
7 United States Government contains derog-
8 atory information about the evacuee.

9 (C) VET; VETTING.—The term “vet” and
10 “vetting”, with respect to an evacuee, means
11 the process by which a Federal official inter-
12 views the evacuee to determine whether the
13 evacuee is who they purport to be, including
14 whether the evacuee poses a national security
15 risk.

16 (d) DISCHARGE OF RESPONSIBILITIES.—The Inspec-
17 tor General of the Department of Homeland Security and
18 the Inspector General of the Department of State shall
19 discharge the responsibilities under this section in a man-
20 ner consistent with the authorities and requirements of the
21 Inspector General Act of 1978 (5 U.S.C. App.) and the
22 authorities and requirements applicable to the Inspector
23 General of the Department of Homeland Security and the
24 Inspector General of the Department of State under that
25 Act.

1 (e) COORDINATION.—Upon request of an Inspector
2 General for information or assistance under subsection
3 (a), the head of any Federal agency involved shall, insofar
4 as is practicable and not in contravention of any existing
5 statutory restriction or regulation of the Federal agency
6 from which the information is requested, furnish to such
7 Inspector General, or to an authorized designee, such in-
8 formation or assistance.

9 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to limit the ability of the Inspector
11 General of the Department of Homeland Security or the
12 Inspector General of the Department of State to enter into
13 agreements to conduct joint audits, inspections, or inves-
14 tigations in the exercise of the oversight responsibilities
15 of the Inspector General of the Department of Homeland
16 Security and the Inspector General of the Department of
17 State, in accordance with the Inspector General Act of
18 1978 (5 U.S.C. App.), with respect to oversight of the
19 evacuation from Afghanistan, the selection, vetting, and
20 processing of applicants for special immigrant visas and
21 asylum, and any resettlement in the United States of such
22 evacuees.

1 **TITLE LVII—FEDERAL**
2 **EMPLOYEE MATTERS**

3 **SEC. 5701. APPEALS TO MERIT SYSTEMS PROTECTION**
4 **BOARD RELATING TO FBI REPRISAL ALLEGA-**
5 **TIONS; SALARY OF SPECIAL COUNSEL.**

6 (a) APPEALS TO MSPB.—Section 2303 of title 5,
7 United States Code, is amended by adding at the end the
8 following:

9 “(d)(1) An employee of the Federal Bureau of Inves-
10 tigation who makes an allegation of a reprisal under regu-
11 lations promulgated under this section may appeal a final
12 determination or corrective action order by the Bureau
13 under those regulations to the Merit Systems Protection
14 Board pursuant to section 1221.

15 “(2) If no final determination or corrective action
16 order has been made or issued for an allegation described
17 in paragraph (1) before the expiration of the 180-day pe-
18 riod beginning on the date on which the allegation is re-
19 ceived by the Federal Bureau of Investigation, the em-
20 ployee described in that paragraph may seek corrective ac-
21 tion directly from the Merit Systems Protection Board
22 pursuant to section 1221.”.

23 (b) SPECIAL COUNSEL SALARY.—

24 (1) IN GENERAL.—Subchapter II of chapter 53
25 of title 5, United States Code, is amended—

1 (A) in section 5314, by adding at the end
2 the following new item :“Special Counsel of the
3 Office of Special Counsel.”; and

4 (B) in section 5315, by striking “Special
5 Counsel of the Merit Systems Protection
6 Board.”

7 (2) APPLICATION.—The rate of pay applied
8 under the amendments made by paragraph (1) shall
9 begin to apply on the first day of the first pay pe-
10 riod beginning after date of enactment of this Act.

11 **SEC. 5702. MINIMUM WAGE FOR FEDERAL CONTRACTORS.**

12 Executive Order 14026 and its implementing regula-
13 tions in part 23 of title 29, Code of Federal Regulations,
14 are hereby enacted into law, except that nothing in this
15 section shall be construed to prohibit any Federal depart-
16 ment or agency from requiring any Federal contract en-
17 tered into on or after the date of enactment of this section
18 to include a clause requiring that workers employed in the
19 performance of such contract or any covered subcontract
20 (as defined in such regulations) be paid at a minimum
21 wage that exceeds the minimum wage in effect pursuant
22 to such executive order and regulations.

1 **SEC. 5703. FEDERAL WILDLAND FIREFIGHTER RECRUIT-**
2 **MENT AND RETENTION.**

3 (a) RECRUITMENT AND RETENTION BONUS.—In
4 order to promote the recruitment and retention of Federal
5 wildland firefighters, the Director of the Office of Per-
6 sonnel Management, in coordination with the Secretary of
7 Agriculture and the Secretary of the Interior, shall estab-
8 lish a program under which a recruitment or retention
9 bonus of not less than \$1,000 may be paid to a Federal
10 wildland firefighter in an amount as determined appro-
11 priate by the Director of the Office of Personnel Manage-
12 ment and the Secretary of Agriculture and the Secretary
13 of the Interior. The minimum amount of such bonus in
14 the previous sentence shall be increased each year by the
15 Consumer Price Index in the manner prescribed under
16 subsection (b)(2). Any bonus under this subsection—

17 (1) shall be paid to any primary or secondary
18 Federal wildland firefighter upon the date that such
19 firefighter successfully completes a work capacity
20 test; and

21 (2) may not be paid to any such firefighter
22 more than once per calendar year.

23 (b) FEDERAL WILDLAND FIREFIGHTER.—In this
24 section, the term “Federal wildland firefighter” means
25 any temporary, seasonal, or permanent position at the De-
26 partment of Agriculture or the Department of the Interior

1 that maintains group, emergency incident management, or
2 fire qualifications, as established annually by the Stand-
3 ards for Wildland Fire Position Qualifications published
4 by the National Wildfire Coordinating Group, and pri-
5 marily engages in or supports wildland fire management
6 activities, including forestry and rangeland technicians
7 and positions concerning aviation, engineering heavy
8 equipment operations, or fire and fuels management.

9 **TITLE LVIII—OTHER MATTERS**

10 **SEC. 5801. AFGHAN ALLIES PROTECTION.**

11 Clause (ii) of section 602(b)(2)(A) of the Afghan Al-
12 lies Protection Act of 2009 (Public Law 111–8; 8 U.S.C.
13 1101 note) is amended in the matter preceding subclause
14 (I), by striking “year—” and inserting the following:
15 “year, or in the case of an alien who was wounded or seri-
16 ously injured in connection with employment described in
17 this subparagraph, for the period until such wound or in-
18 jury occurred, if the wound or injury prevented the alien
19 from continuing employment—”.

20 **SEC. 5802. ADVANCING MUTUAL INTERESTS AND GROWING** 21 **OUR SUCCESS.**

22 (a) NONIMMIGRANT TRADERS AND INVESTORS.—For
23 purposes of clauses (i) and (ii) of section 101(a)(15)(E)
24 of the Immigration and Nationality Act (8 U.S.C.
25 1101(a)(15)(E)), Portugal shall be considered to be a for-

1 eign state described in such section if the Government of
2 Portugal provides similar nonimmigrant status to nation-
3 als of the United States.

4 (b) MODIFICATION OF ELIGIBILITY CRITERIA FOR E
5 VISAS.—

6 Section 101(a)(15)(E) of the Immigration and
7 Nationality Act (8 U.S.C. 1101(a)(15)(E)) is
8 amended—

9 (1) by inserting “(or, in the case of an alien
10 who acquired the relevant nationality through a fi-
11 nancial investment and who has not previously been
12 granted status under this subparagraph, the foreign
13 state of which the alien is a national and in which
14 the alien has been domiciled for a continuous period
15 of not less than 3 years at any point before applying
16 for a nonimmigrant visa under this subparagraph)”
17 before “, and the spouse”; and

18 (2) by striking “him” and inserting “such
19 alien”; and

20 (3) by striking “he” each place such term ap-
21 pears and inserting “the alien”.

22 **SEC. 5803. EXPANSION OF STUDY OF PFAS CONTAMINA-**
23 **TION.**

24 (a) CDC STUDY ON HEALTH IMPLICATIONS OF PER-
25 AND POLYFLUOROALKYL SUBSTANCES CONTAMINATION

1 IN DRINKING WATER.—The Secretary of Health and
2 Human Services, acting through the Director of the Cen-
3 ters for Disease Control and Prevention and the Director
4 of the Agency for Toxic Substances and Disease Registry,
5 and, as appropriate, the Director of the National Institute
6 of Environmental Health Sciences, and in consultation
7 with the Secretary of Defense, shall—

8 (1) expand (by including more military installa-
9 tions, communities, or other sites) the study author-
10 ized by section 316 of the National Defense Author-
11 ization Act for Fiscal Year 2018 (Public Law 115–
12 91) on the human health implications of per- and
13 polyfluoroalkyl substances (in this section referred to
14 as “PFAS”) contamination in drinking water,
15 ground water, and any other sources of water and
16 relevant exposure pathways, including the cumu-
17 lative human health implications of multiple types of
18 PFAS contamination at levels above and below
19 health advisory levels to assess health effects at ad-
20 ditional military installations;

21 (2) not later than 1 year after the date of the
22 enactment of this Act, and annually thereafter until
23 submission of the report under paragraph (3)(B),
24 submit to the appropriate congressional committees

1 a report on the progress of such expanded study;
2 and

3 (3) not later than 5 years after the date of en-
4 actment of this Act (or 7 years after such date of
5 enactment after providing notice to the appropriate
6 congressional committees of the need for the
7 delay)—

8 (A) complete the expanded study and make
9 any appropriate recommendations; and

10 (B) submit a report to the appropriate
11 congressional committees on the results of such
12 expanded study.

13 (b) EXPOSURE ASSESSMENT.—

14 (1) IN GENERAL.—The Secretary of Health and
15 Human Services, acting through the Director of the
16 Centers for Disease Control and Prevention and the
17 Director of the Agency for Toxic Substances and
18 Disease Registry, and, as appropriate, the Director
19 of the National Institute of Environmental Health
20 Sciences, and in consultation with the Secretary of
21 Defense, shall conduct an exposure assessment of
22 not less than 10 current or former domestic military
23 installations which were not included in the study
24 authorized by section 316(a) of the National De-
25 fense Authorization Act for Fiscal Year 2018 (Pub-

1 lic Law 115–91) and which are known to have
2 PFAS contamination in drinking water, ground
3 water, and any other sources of water and relevant
4 exposure pathways.

5 (2) CONTENTS.—The exposure assessment re-
6 quired under this subsection shall—

7 (A) include—

8 (i) for each military installation cov-
9 ered under the exposure assessment, a sta-
10 tistical sample to be determined by the
11 Secretary of Health and Human Services
12 in consultation with the relevant State
13 health departments; and

14 (ii) biomonitoring for assessing the
15 contamination described in paragraph (1);
16 and

17 (B) produce findings, which shall be—

18 (i) used to help design the study de-
19 scribed in subsection (a)(1); and

20 (ii) not later than 1 year after the
21 conclusion of such exposure assessment,
22 released to the appropriate congressional
23 committees.

24 (3) TIMING.—The exposure assessment re-
25 quired under this subsection shall—

1 (A) begin not later than 180 days after the
2 date of enactment of this Act; and

3 (B) conclude not later than 2 years after
4 such date of enactment.

5 (c) COORDINATION WITH OTHER AGENCIES.—The
6 Director of the Agency for Toxic Substances and Disease
7 Registry may, as necessary, use staff and other resources
8 from other Federal agencies in carrying out the study
9 under subsection (a) and the assessment under subsection
10 (b).

11 (d) NO EFFECT ON REGULATORY PROCESS.—The
12 study under subsection (a) and assessment under sub-
13 section (b) shall not interfere with any regulatory proc-
14 esses of the Environmental Protection Agency, including
15 determinations of maximum contaminant levels.

16 (e) DEFINITION.—In this section, the term “appro-
17 priate congressional committees” means—

18 (1) the congressional defense committees;

19 (2) the Committee on Health, Education, Labor,
20 and Pensions, the Committee on Environment and
21 Public Works, and the Committee on Veterans’ Af-
22 fairs of the Senate; and

23 (3) the Committee on Energy and Commerce
24 and the Committee on Veterans’ Affairs of the
25 House of Representatives.

1 (f) FUNDING.—

2 (1) SOURCE OF FUNDS.—The study under sub-
3 section (a) and assessment under subsection (b) may
4 be paid for using funds authorized to be appro-
5 priated to the Department of Defense under the
6 heading “Operation and Maintenance, Defense-
7 Wide”.

8 (2) TRANSFER AUTHORITY.—Without regard to
9 section 2215 of title 10, United States Code, the
10 Secretary of Defense may transfer not more than
11 \$20,000,000 a year during each of fiscal years 2023
12 and 2024 to the Secretary of Health and Human
13 Services to pay for the study under subsection (a)
14 and assessment under subsection (b).

15 (3) EXPENDITURE AUTHORITY.—Amounts
16 transferred to the Secretary of Health and Human
17 Services shall be used to carry out the study under
18 subsection (a) and assessment under subsection (b)
19 through contracts, cooperative agreements, or
20 grants. In addition, such funds may be transferred
21 by the Secretary of Health and Human Services to
22 other accounts of the Department of Health and
23 Human Services for the purposes of carrying out
24 this section.

1 (4) RELATIONSHIP TO OTHER TRANSFER AU-
2 THORITIES.—The transfer authority provided under
3 this subsection is in addition to any other transfer
4 authority available to the Department of Defense or
5 the Department of Health and Human Services.

6 **SEC. 5804. NATIONAL RESEARCH AND DEVELOPMENT**
7 **STRATEGY FOR DISTRIBUTED LEDGER TECH-**
8 **NOLOGY.**

9 (a) DEFINITIONS.—In this section:

10 (1) DIRECTOR.—Except as otherwise expressly
11 provided, the term “Director” means the Director of
12 the Office of Science and Technology Policy.

13 (2) DISTRIBUTED LEDGER.—The term “distrib-
14 uted ledger” means a ledger that—

15 (A) is shared across a set of distributed
16 nodes, which are devices or processes, that par-
17 ticipate in a network and store a complete or
18 partial replica of the ledger;

19 (B) is synchronized between the nodes;

20 (C) has data appended to it by following
21 the ledger’s specified consensus mechanism;

22 (D) may be accessible to anyone (public)
23 or restricted to a subset of participants (pri-
24 vate); and

1 (E) may require participants to have au-
2 thorization to perform certain actions
3 (permissioned) or require no authorization
4 (permissionless).

5 (3) DISTRIBUTED LEDGER TECHNOLOGY.—The
6 term “distributed ledger technology” means tech-
7 nology that enables the operation and use of distrib-
8 uted ledgers.

9 (4) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given the term in section 101 of the Higher
12 Education Act of 1965 (20 U.S.C. 1001).

13 (5) RELEVANT CONGRESSIONAL COMMIT-
14 TEES.—The term “relevant congressional commit-
15 tees” means—

16 (A) the Committee on Commerce, Science,
17 and Transportation of the Senate; and

18 (B) the Committee on Science, Space, and
19 Technology of the House of Representatives.

20 (6) SMART CONTRACT.—The term “smart con-
21 tract” means a computer program stored in a dis-
22 tributed ledger system that is executed when certain
23 predefined conditions are satisfied and wherein the
24 outcome of any execution of the program may be re-
25 corded on the distributed ledger.

1 (b) NATIONAL DISTRIBUTED LEDGER TECHNOLOGY
2 R&D STRATEGY.—

3 (1) IN GENERAL.—The Director, or a designee
4 of the Director, shall, in coordination with the Na-
5 tional Science and Technology Council, and the
6 heads of such other relevant Federal agencies and
7 entities as the Director considers appropriate, which
8 may include the National Academies, and in con-
9 sultation with such nongovernmental entities as the
10 Director considers appropriate, develop a national
11 strategy for the research and development of distrib-
12 uted ledger technologies and their applications, in-
13 cluding applications of public and permissionless dis-
14 tributed ledgers. In developing the national strategy,
15 the Director shall consider the following:

16 (A) Current efforts and coordination by
17 Federal agencies to invest in the research and
18 development of distributed ledger technologies
19 and their applications, including through pro-
20 grams like the Small Business Innovation Re-
21 search program, the Small Business Technology
22 Transfer program, and the National Science
23 Foundation's Innovation Corps programs.

24 (B)(i) The potential benefits and risks of
25 applications of distributed ledger technologies

1 across different industry sectors, including their
2 potential to—

3 (I) lower transactions costs and facili-
4 tate new types of commercial transactions;

5 (II) protect privacy and increase indi-
6 viduals' data sovereignty;

7 (III) reduce friction to the interoper-
8 ability of digital systems;

9 (IV) increase the accessibility,
10 auditability, security, efficiency, and trans-
11 parency of digital services;

12 (V) increase market competition in
13 the provision of digital services;

14 (VI) enable dynamic contracting and
15 contract execution through smart con-
16 tracts;

17 (VII) enable participants to collabo-
18 rate in trustless and disintermediated envi-
19 ronments;

20 (VIII) enable the operations and gov-
21 ernance of distributed organizations;

22 (IX) create new ownership models for
23 digital items; and

1 (X) increase participation of popu-
2 lations historically underrepresented in the
3 technology, business, and financial sectors.

4 (ii) In consideration of the potential risks
5 of applications of distributed ledger technologies
6 under clause (i), the Director shall take into ac-
7 count, where applicable—

8 (I) additional risks that may emerge
9 from distributed ledger technologies, as
10 identified in reports submitted to the
11 President pursuant to Executive Order
12 14067, that may be addressed by research
13 and development;

14 (II) software vulnerabilities in distrib-
15 uted ledger technologies and smart con-
16 tracts;

17 (III) limited consumer literacy on en-
18 gaging with applications of distributed
19 ledger technologies in a secure way;

20 (IV) the use of distributed ledger
21 technologies in illicit finance and their use
22 in combating illicit finance;

23 (V) manipulative, deceptive, and
24 fraudulent practices that harm consumers

1 engaging with applications of distributed
2 ledger technologies;

3 (VI) the implications of different con-
4 sensus mechanisms for digital ledgers and
5 governance and accountability mechanisms
6 for applications of distributed ledger tech-
7 nologies, which may include decentralized
8 networks;

9 (VII) foreign activities in the develop-
10 ment and deployment of distributed ledger
11 technologies and their associated tools and
12 infrastructure; and

13 (VIII) environmental, sustainability,
14 and economic impacts of the computational
15 resources required for distributed ledger
16 technologies.

17 (C) Potential uses for distributed ledger
18 technologies that could improve the operations
19 and delivery of services by Federal agencies,
20 taking into account the potential of digital ledg-
21 er technologies to—

22 (i) improve the efficiency and effec-
23 tiveness of privacy-preserving data sharing
24 among Federal agencies and with State,
25 local, territorial, and Tribal governments;

- 1 (ii) promote government transparency
2 by improving data sharing with the public;
3 (iii) introduce or mitigate risks that
4 may threaten individuals' rights or broad
5 access to Federal services;
6 (iv) automate and modernize proc-
7 esses for assessing and ensuring regulatory
8 compliance; and
9 (v) facilitate broad access to financial
10 services for underserved and underbanked
11 populations.

12 (D) Ways to support public and private
13 sector dialogue on areas of research that could
14 enhance the efficiency, scalability, interoper-
15 ability, security, and privacy of applications
16 using distributed ledger technologies.

17 (E) The need for increased coordination of
18 the public and private sectors on the develop-
19 ment of voluntary standards in order to pro-
20 mote research and development, including
21 standards regarding security, smart contracts,
22 cryptographic protocols, virtual routing and for-
23 warding, interoperability, zero-knowledge
24 proofs, and privacy, for distributed ledger tech-
25 nologies and their applications.

1 (F) Applications of distributed ledger tech-
2 nologies that could positively benefit society but
3 that receive relatively little private sector invest-
4 ment.

5 (G) The United States position in global
6 leadership and competitiveness across research,
7 development, and deployment of distributed
8 ledger technologies.

9 (2) CONSULTATION.—

10 (A) IN GENERAL.—In carrying out the Di-
11 rector's duties under this subsection, the Direc-
12 tor shall consult with the following:

13 (i) Private industry.

14 (ii) Institutions of higher education,
15 including minority-serving institutions.

16 (iii) Nonprofit organizations, includ-
17 ing foundations dedicated to supporting
18 distributed ledger technologies and their
19 applications.

20 (iv) State governments.

21 (v) Such other persons as the Director
22 considers appropriate.

23 (B) REPRESENTATION.—The Director
24 shall ensure consultations with the following:

1 (i) Rural and urban stakeholders from
2 across the Nation.

3 (ii) Small, medium, and large busi-
4 nesses.

5 (iii) Subject matter experts rep-
6 resenting multiple industrial sectors.

7 (iv) A demographically diverse set of
8 stakeholders.

9 (3) COORDINATION.—In carrying out this sub-
10 section, the Director shall, for purposes of avoiding
11 duplication of activities, consult, cooperate, and co-
12 ordinate with the programs and policies of other rel-
13 evant Federal agencies, including the interagency
14 process outlined in section 3 of Executive Order
15 14067 (87 Fed. Reg. 14143; relating ensuring re-
16 sponsible development of digital assets).

17 (4) NATIONAL STRATEGY.—Not later than 1
18 year after the date of enactment of this Act, the Di-
19 rector shall submit to the relevant congressional
20 committees and the President a national strategy
21 that includes the following:

22 (A) Priorities for the research and develop-
23 ment of distributed ledger technologies and
24 their applications.

1 (B) Plans to support public and private
2 sector investment and partnerships in research
3 and technology development for societally bene-
4 ficial applications of distributed ledger tech-
5 nologies.

6 (C) Plans to mitigate the risks of distrib-
7 uted ledger technologies and their applications.

8 (D) An identification of additional re-
9 sources, administrative action, or legislative ac-
10 tion recommended to assist with the implemen-
11 tation of such strategy.

12 (5) RESEARCH AND DEVELOPMENT FUND-
13 ING.—The Director shall, as the Director considers
14 necessary, consult with the Director of the Office of
15 Management and Budget and with the heads of such
16 other elements of the Executive Office of the Presi-
17 dent as the Director considers appropriate, to ensure
18 that the recommendations and priorities with respect
19 to research and development funding, as expressed
20 in the national strategy developed under this sub-
21 section, are incorporated in the development of an-
22 nual budget requests for Federal research agencies.

23 (e) DISTRIBUTED LEDGER TECHNOLOGY RE-
24 SEARCH.—

1 (1) IN GENERAL.—The Director of the National
2 Science Foundation shall make awards, on a com-
3 petitive basis, to institutions of higher education, in-
4 cluding minority-serving institutions, or nonprofit
5 organizations (or consortia of such institutions or or-
6 ganizations) to support research, including inter-
7 disciplinary research, on distributed ledger tech-
8 nologies, their applications, and other issues that im-
9 pact or are caused by distributed ledger tech-
10 nologies, which may include research on—

11 (A) the implications on trust, trans-
12 parency, privacy, accessibility, accountability,
13 and energy consumption of different consensus
14 mechanisms and hardware choices, and ap-
15 proaches for addressing these implications;

16 (B) approaches for improving the security,
17 privacy, resiliency, interoperability, perform-
18 ance, and scalability of distributed ledger tech-
19 nologies and their applications, which may in-
20 clude decentralized networks;

21 (C) approaches for identifying and ad-
22 dressing vulnerabilities and improving the per-
23 formance and expressive power of smart con-
24 tracts;

1 (D) the implications of quantum com-
2 puting on applications of distributed ledger
3 technologies, including long-term protection of
4 sensitive information (such as medical or digital
5 property), and techniques to address them;

6 (E) game theory, mechanism design, and
7 economics underpinning and facilitating the op-
8 erations and governance of decentralized net-
9 works enabled by distributed ledger tech-
10 nologies;

11 (F) the social behaviors of participants in
12 decentralized networks enabled by distributed
13 ledger technologies;

14 (G) human-centric design approaches to
15 make distributed ledger technologies and their
16 applications more usable and accessible;

17 (H) use cases for distributed ledger tech-
18 nologies across various industry sectors and
19 government, including applications pertaining
20 to—

21 (i) digital identity, including trusted
22 identity and identity management;

23 (ii) digital property rights;

24 (iii) delivery of public services;

25 (iv) supply chain transparency;

- 1 (v) medical information management;
2 (vi) inclusive financial services;
3 (vii) community governance;
4 (viii) charitable giving;
5 (ix) public goods funding;
6 (x) digital credentials;
7 (xi) regulatory compliance;
8 (xii) infrastructure resilience, includ-
9 ing against natural disasters; and
10 (xiii) peer-to-peer transactions; and
11 (I) the social, behavioral, and economic im-
12 plications associated with the growth of applica-
13 tions of distributed ledger technologies, includ-
14 ing decentralization in business, financial, and
15 economic systems.

16 (2) ACCELERATING INNOVATION.—The Director
17 of the National Science Foundation shall consider
18 continuing to support startups that are in need of
19 funding, would develop in and contribute to the
20 economy of the United States, leverage distributed
21 ledger technologies, have the potential to positively
22 benefit society, and have the potential for commer-
23 cial viability, through programs like the Small Busi-
24 ness Innovation Research program, the Small Busi-
25 ness Technology Transfer program, and, as appro-

1 appropriate, other programs that promote broad and di-
2 verse participation.

3 (3) CONSIDERATION OF NATIONAL DISTRIB-
4 UTED LEDGER TECHNOLOGY RESEARCH AND DEVEL-
5 OPMENT STRATEGY.—In making awards under para-
6 graph (1), the Director of the National Science
7 Foundation shall take into account the national
8 strategy, as described in subsection (b)(4).

9 (4) FUNDAMENTAL RESEARCH.—The Director
10 of the National Science Foundation shall consider
11 continuing to make awards supporting fundamental
12 research in areas related to distributed ledger tech-
13 nologies and their applications, such as applied cryp-
14 tography and distributed systems.

15 (d) DISTRIBUTED LEDGER TECHNOLOGY APPLIED
16 RESEARCH PROJECT.—

17 (1) APPLIED RESEARCH PROJECT.—Subject to
18 the availability of appropriations, the Director of the
19 National Institute of Standards and Technology,
20 may carry out an applied research project to study
21 and demonstrate the potential benefits and unique
22 capabilities of distributed ledger technologies.

23 (2) ACTIVITIES.—In carrying out the applied
24 research project, the Director of the National Insti-
25 tute of Standards and Technology shall—

1 (A) identify potential applications of dis-
2 tributed ledger technologies, including those
3 that could benefit activities at the Department
4 of Commerce or at other Federal agencies, con-
5 sidering applications that could—

6 (i) improve the privacy and interoper-
7 ability of digital identity and access man-
8 agement solutions;

9 (ii) increase the integrity and trans-
10 parency of supply chains through the se-
11 cure and limited sharing of relevant sup-
12 plier information;

13 (iii) facilitate increased interoper-
14 ability across healthcare information sys-
15 tems and consumer control over the move-
16 ment of their medical data;

17 (iv) facilitate broader participation in
18 distributed ledger technologies of popu-
19 lations historically underrepresented in
20 technology, business, and financial sectors;
21 or

22 (v) be of benefit to the public or pri-
23 vate sectors, as determined by the Director
24 in consultation with relevant stakeholders;

1 (B) solicit and provide the opportunity for
2 public comment relevant to potential projects;

3 (C) consider, in the selection of a project,
4 whether the project addresses a pressing need
5 not already addressed by another organization
6 or Federal agency;

7 (D) establish plans to mitigate potential
8 risks, including those outlined in subsection
9 (b)(1)(B)(ii), if applicable, of potential projects;

10 (E) produce an example solution leveraging
11 distributed ledger technologies for 1 of the ap-
12 plications identified in subparagraph (A);

13 (F) hold a competitive process to select
14 private sector partners, if they are engaged, to
15 support the implementation of the example so-
16 lution;

17 (G) consider hosting the project at the Na-
18 tional Cybersecurity Center of Excellence; and

19 (H) ensure that cybersecurity best prac-
20 tices consistent with the Cybersecurity Frame-
21 work of the National Institute of Standards and
22 Technology are demonstrated in the project.

23 (3) BRIEFINGS TO CONGRESS.—Not later than
24 1 year after the date of enactment of this Act, the
25 Director of the National Institute of Standards and

1 Technology shall offer a briefing to the relevant con-
2 gressional committees on the progress and current
3 findings from the project under this subsection.

4 (4) PUBLIC REPORT.—Not later than 12
5 months after the completion of the project under
6 this subsection, the Director of the National Insti-
7 tute of Standards and Technology shall make public
8 a report on the results and findings from the
9 project.

10 **SEC. 5805. COMMERCIAL AIR WAIVER FOR NEXT OF KIN RE-**
11 **GARDING TRANSPORTATION OF REMAINS OF**
12 **CASUALTIES.**

13 Section 580A of the National Defense Authorization
14 Act for Fiscal Year 2020 (Public Law 116–92) is amended
15 by adding at the end the following:

16 “(c) TRANSPORTATION OF DECEASED MILITARY
17 MEMBER.—In the event of a death that requires the Sec-
18 retary concerned to provide a death benefit under sub-
19 chapter II of chapter 75 of title 10, United States Code,
20 such Secretary shall provide the next of kin or other ap-
21 propriate person a commercial air travel use waiver for
22 the transportation of deceased remains of military member
23 who dies outside of the United States.”.

Amend the title so as to read: “A bill 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.”.

