

DECEMBER 7, 2021

**RULES COMMITTEE PRINT 117-21**

**TEXT OF HOUSE AMENDMENT TO S. 1605**

**[Showing the text of the National Defense Authorization Act  
for Fiscal Year 2022]**

1 **SECTION 1. SHORT TITLE.**

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

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

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

8           (1) Division A—Department of Defense 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—Department of State Author-  
17 ization

18          (6) Division F—Other Non-Department of De-  
19 fense 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.
- Sec. 4. Budgetary effects of this Act.
- Sec. 5. Explanatory statement.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

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- Sec. 101. Authorization of appropriations.

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- Sec. 111. Modification of deployment by the Army of interim cruise missile defense capability.
- Sec. 112. Multiyear procurement authority for AH-64E Apache helicopters.
- Sec. 113. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.
- Sec. 114. Continuation of Soldier Enhancement Program.
- Sec. 115. Limitation on availability of funds pending report on the Integrated Visual Augmentation System.
- Sec. 116. Strategy and authority for the procurement of components for the next generation squad weapon.

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

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

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- Sec. 143. Limitation on availability of funds for air-based and space-based ground moving target indicator capabilities.
- Sec. 144. Limitation on availability of funds for procurement of aircraft systems for the armed overwatch program.
- Sec. 145. Analysis of certain radar investment options.
- Sec. 146. Review and briefing on fielded major weapon systems.
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- Sec. 201. Authorization of appropriations.

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- Sec. 211. Codification of National Defense Science and Technology Strategy.
- Sec. 212. Codification of direct hire authority at personnel demonstration laboratories for advanced degree holders.
- Sec. 213. Duties and regional activities of the Defense Innovation Unit.
- Sec. 214. Codification of requirement for Defense Established Program to Stimulate Competitive Research.
- Sec. 215. Codification of authorities relating to Department of Defense science and technology reinvention laboratories.
- Sec. 216. Improvements relating to steering committee on emerging technology and national security threats.
- Sec. 217. Improvements relating to national network for microelectronics research and development.
- Sec. 218. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.
- Sec. 219. Technical correction to pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.
- Sec. 220. Defense research and engineering activities at minority institutions.
- Sec. 221. Test program for engineering plant of DDG(X) destroyer vessels.
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- Sec. 227. Modification of the joint common foundation program.
- Sec. 228. Executive education on emerging technologies for senior civilian and military leaders.
- Sec. 229. Activities to accelerate development and deployment of dual-use quantum technologies.
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- Sec. 236. Limitation on availability of funds for certain C-130 aircraft.
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- Sec. 244. Assessment of the development and test enterprise of the Air Force Research Laboratory.
- Sec. 245. Study on efficient use of Department of Defense test and evaluation organizations, facilities, and laboratories.
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- Sec. 316. Exemption from prohibition on use of open-air burn pits in contingency operations outside the United States.
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- Sec. 319. Energy, water, and waste net-zero requirement for major military installations.
- Sec. 320. Demonstration program on domestic production of rare earth elements from coal byproducts.
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- Sec. 376. Accident Investigation Review Board.
- Sec. 377. Implementation of Comptroller General recommendations on preventing tactical vehicle training accidents.
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Sec. 2822. Expansion of Secretary of the Navy authority to lease and license United States Navy museum facilities to generate revenue to support museum administration and operations.

##### Subtitle D—Military Facilities Master Plan Requirements

Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.

Sec. 2832. Additional changes to requirements regarding master plans for major military installations.

Sec. 2833. Prompt completion of military installation resilience component of master plans for at-risk major military installations.

- Sec. 2834. Master plans and investment strategies for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.

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

- Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.
- Sec. 2842. Revisions to Unified Facilities Criteria regarding use of variable refrigerant flow systems.
- Sec. 2843. Amendment of Unified Facilities Criteria to promote energy efficient military installations.
- Sec. 2844. Additional Department of Defense activities to improve energy resiliency of military installations.

Subtitle F—Land Conveyances

- Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.
- Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.
- Sec. 2853. Land conveyance, Saint Joseph, Missouri.
- Sec. 2854. Land conveyance, Department of Defense excess property, St. Louis, Missouri.
- Sec. 2855. Land conveyance, Marine Corps Air Station, Cherry Point, North Carolina.
- Sec. 2856. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to City of Virginia Beach, Virginia.
- Sec. 2857. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to School Board of City of Virginia Beach, Virginia.

Subtitle G—Authorized Pilot Programs

- Sec. 2861. Pilot program on increased use of sustainable building materials in military construction.
- Sec. 2862. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.

Subtitle H—Asia-Pacific and Indo-Pacific Issues

- Sec. 2871. Improved oversight of certain infrastructure services provided by Naval Facilities Engineering Systems Command Pacific.
- Sec. 2872. Annual congressional briefing on renewal of Department of Defense easements and leases of land in Hawai'i.
- Sec. 2873. Hawai'i Military Land Use Master Plan.

Subtitle I—One-Time Reports and Other Matters

- Sec. 2881. Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.
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- Sec. 3101. National Nuclear Security Administration.
- Sec. 3102. Defense environmental cleanup.
- Sec. 3103. Other defense activities.
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## Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Plutonium pit production capacity.
- Sec. 3112. Improvements to cost estimates informing analyses of alternatives.
- Sec. 3113. University-based defense nuclear policy collaboration program.
- Sec. 3114. Defense environmental cleanup programs.
- Sec. 3115. Modification of requirements for certain construction projects.
- Sec. 3116. Updates to infrastructure modernization initiative.
- Sec. 3117. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
- Sec. 3118. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
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- Sec. 3121. Portfolio management framework for National Nuclear Security Administration.

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

## TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

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

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Sec. 3512. Committees on maritime matters.

Sec. 3513. Port Infrastructure Development Program.

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Sec. 3515. Prohibition on participation of long term charters in Tanker Security Fleet.

Sec. 3516. Coastwise endorsement.

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Sec. 3518. Authorization to purchase duplicate medals.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.

TITLE XLV—OTHER AUTHORIZATIONS

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TITLE XLVI—MILITARY CONSTRUCTION

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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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DIVISION E—DEPARTMENT OF STATE AUTHORIZATION ACT OF 2021

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

#### TITLE LI—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

- Sec. 5101. Sense of Congress on importance of Department of State's work.
- Sec. 5102. Assistant Secretary for International Narcotics and Law Enforcement Affairs.
- Sec. 5103. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.
- Sec. 5104. Office of International Disability Rights.
- Sec. 5105. Special appointment authority.
- Sec. 5106. Repeal of authority for Special Representative and Policy Coordinator for Burma.
- Sec. 5107. Anti-piracy information sharing.
- Sec. 5108. Importance of foreign affairs training to national security.
- Sec. 5109. Classification and assignment of Foreign Service officers.
- Sec. 5110. Reporting on implementation of GAO recommendations.
- Sec. 5111. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.
- Sec. 5112. Art in embassies.
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#### TITLE LII—EMBASSY CONSTRUCTION

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- Sec. 5202. Standard design in capital construction.
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#### TITLE LIII—PERSONNEL ISSUES

- Sec. 5301. Defense Base Act insurance waivers.
- Sec. 5302. Study on Foreign Service allowances.
- Sec. 5303. Science and technology fellowships.
- Sec. 5304. Travel for separated families.
- Sec. 5305. Home leave travel for separated families.
- Sec. 5306. Sense of Congress regarding certain fellowship programs.
- Sec. 5307. Technical correction.
- Sec. 5308. Foreign Service awards.
- Sec. 5309. Workforce actions.
- Sec. 5310. Sense of Congress regarding veterans employment at the Department of State.

- Sec. 5311. Employee assignment restrictions and preclusions.
- Sec. 5312. Recall and reemployment of career members.
- Sec. 5313. Strategic staffing plan for the Department of State.
- Sec. 5314. Consulting services.
- Sec. 5315. Incentives for critical posts.
- Sec. 5316. Extension of authority for certain accountability review boards.
- Sec. 5317. Foreign Service suspension without pay.
- Sec. 5318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
- Sec. 5319. Waiver authority for individual occupational requirements of certain positions.
- Sec. 5320. Appointment of employees to the Global Engagement Center.
- Sec. 5321. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.
- Sec. 5322. Report relating to Foreign Service Officer training and development.
- Sec. 5323. Cooperation with Office of the Inspector General.
- Sec. 5324. Information on educational opportunities for children with special education needs consistent with the Individuals with Disabilities Education Act.
- Sec. 5325. Implementation of gap memorandum in selection board process.

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

- Sec. 5401. Definitions.
- Sec. 5402. Exit interviews for workforce.
- Sec. 5403. Recruitment and retention.
- Sec. 5404. Leadership engagement and accountability.
- Sec. 5405. Professional development opportunities and tools.
- Sec. 5406. Examination and oral assessment for the Foreign Service.
- Sec. 5407. Payne fellowship authorization.
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#### TITLE LV—INFORMATION SECURITY

- Sec. 5501. Definitions.
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- Sec. 5503. Preserving records of electronic communications.
- Sec. 5504. Foreign Relations of the United States (FRUS) series and declassification.

#### TITLE LVI—PUBLIC DIPLOMACY

- Sec. 5601. Short title.
- Sec. 5602. Avoiding duplication of programs and efforts.
- Sec. 5603. Improving research and evaluation of public diplomacy.
- Sec. 5604. Permanent reauthorization of the United States Advisory Commission on Public Diplomacy.
- Sec. 5605. Streamlining of support functions.
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- Sec. 5607. Definitions.

#### TITLE LVII—OTHER MATTERS

- Sec. 5701. Limitation on assistance to countries in default.
- Sec. 5702. Sean and David Goldman Child Abduction Prevention and Return Act of 2014 amendment.
- Sec. 5703. Chief of mission concurrence.



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

DIVISION F—OTHER NON-DEPARTMENT OF DEFENSE MATTERS

TITLE LXI—FINANCIAL SERVICES MATTERS

Sec. 6101. FinCEN Exchange.

Sec. 6102. Adverse information in cases of trafficking.

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

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

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

Sec. 6106. Illicit finance improvements.

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

TITLE LXII—FOREIGN SERVICE FAMILIES ACT OF 2021

Sec. 6201. Short title.

Sec. 6202. Telecommuting opportunities.

Sec. 6203. Employment and education programs for eligible family members of members of the Foreign Service.

Sec. 6204. Briefing on Foreign Service family reserve corps.

Sec. 6205. Treatment of family members seeking positions customarily filled by Foreign Service officers or foreign national employees.

Sec. 6206. In-State tuition rates for members of qualifying Federal service.

Sec. 6207. Termination of residential or motor vehicle leases and telephone service contracts for certain members of the Foreign Service.

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

Sec. 6301. Short title.

Sec. 6302. Clarifying amendments to definitions.

Sec. 6303. Barry Goldwater Scholarship and Excellence in Education Awards.

Sec. 6304. Stipends.

Sec. 6305. Scholarship and research internship conditions.

Sec. 6306. Sustainable investments of funds.

Sec. 6307. Administrative provisions.

TITLE LXIV—DEPARTMENT OF HOMELAND SECURITY MEASURES

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

Sec. 6401. Employee engagement steering committee and action plan.

Sec. 6402. Annual employee award program.

Sec. 6403. Chief Human Capital Officer responsibilities.

Sec. 6404. Independent investigation and implementation plan.

Sec. 6405. Authorization of the acquisition professional career program.

Sec. 6406. National urban security technology laboratory.

Sec. 6407. Department of Homeland Security Blue Campaign enhancement.

Sec. 6408. Medical countermeasures program.

Sec. 6409. Critical domain research and development.

Sec. 6410. CBP Donations Acceptance Program Reauthorization.

Subtitle B—Transportation Security

- Sec. 6411. Survey of the Transportation Security Administration workforce regarding COVID-19 response.
- Sec. 6412. Transportation Security Preparedness Plan.
- Sec. 6413. Authorization of Transportation Security Administration personnel details.
- Sec. 6414. Transportation Security Administration preparedness.
- Sec. 6415. Plan to reduce the spread of coronavirus at passenger screening checkpoints.
- Sec. 6416. Comptroller General review of Department of Homeland Security trusted traveler programs.
- Sec. 6417. Enrollment redress with respect to Department of Homeland Security trusted traveler programs.
- Sec. 6418. Threat information sharing.
- Sec. 6419. Local law enforcement security training.
- Sec. 6420. Allowable uses of funds for public transportation security assistance grants.
- Sec. 6421. Periods of performance for public transportation security assistance grants.
- Sec. 6422. GAO review of public transportation security assistance grant program.
- Sec. 6423. Sensitive security information; aviation security.

TITLE LXV—OTHER MATTERS RELATING TO FOREIGN AFFAIRS

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

TITLE LXVI—OTHER MATTERS

- Sec. 6601. Eligibility of certain individuals who served with special guerrilla units or irregular forces in Laos for interment in national cemeteries.
- Sec. 6602. Expansion of scope of Department of Veterans Affairs open burn pit registry to include open burn pits in Egypt and Syria.
- Sec. 6603. Anomalous health incidents interagency coordinator.
- Sec. 6604. Chief Human Capital Officers Council annual report.
- Sec. 6605. National Global War on Terrorism Memorial.
- Sec. 6606. Establishment of Subcommittee on the Economic and Security Implications of Quantum Information Science.

- Sec. 6607. Study and report on the redistribution of COVID–19 vaccine doses that would otherwise expire to foreign countries and economies.
- Sec. 6608. Catawba Indian Nation lands.
- Sec. 6609. Property disposition for affordable housing.
- Sec. 6610. Blocking deadly fentanyl imports.

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

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

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

6 The budgetary effects of this Act, for the purpose of  
7 complying with the Statutory Pay-As-You-Go Act of 2010,  
8 shall be determined by reference to the latest statement  
9 titled “Budgetary Effects of PAYGO Legislation” for this  
10 Act, jointly submitted for printing in the Congressional  
11 Record by the Chairmen of the House and Senate Budget  
12 Committees, provided that such statement has been sub-  
13 mitted prior to the vote on passage in the House acting  
14 first on the conference report or amendment between the  
15 Houses.

**16 SEC. 5. EXPLANATORY STATEMENT.**

17 The explanatory statement regarding this Act, print-  
18 ed in the House section of the Congressional Record on  
19 or about December 8, 2021, by the Chairman of the Com-  
20 mittee on Armed Services of the House of Representatives  
21 and the Chairman of the Committee on Armed Services  
22 of the Senate, shall have the same effect with respect to

1 the implementation of this Act as if it were a joint explan-  
2 atory statement of a committee of conference.

3 **DIVISION A—DEPARTMENT OF**  
4 **DEFENSE AUTHORIZATIONS**  
5 **TITLE I—PROCUREMENT**

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

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

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

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

Sec. 114. Continuation of Soldier Enhancement Program.

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

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

Subtitle C—Navy Programs

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

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

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

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

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

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

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

Subtitle D—Air Force Programs

Sec. 131. Extension of inventory requirement for Air Force fighter aircraft.

Sec. 132. Contract for logistics support for VC-25B aircraft.

Sec. 133. Prohibition on certain reductions to B-1 bomber aircraft squadrons.

Sec. 134. Prohibition on use of funds for retirement of A-10 aircraft.

Sec. 135. Limitation on availability of funds for the B-52 Commercial Engine  
Replacement Program.

Sec. 136. Limitation on availability of funds pending information on bridge  
tanker aircraft.

Sec. 137. Inventory requirements and limitations relating to certain air refuel-  
ing tanker aircraft.

Sec. 138. Minimum inventory of tactical airlift aircraft.

Sec. 139. Report relating to reduction of total number of tactical airlift aircraft.

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

Sec. 141. Implementation of affordability, operational, and sustainment cost constraints for the F-35 aircraft program.

Sec. 142. Transfer of F-35 program responsibilities from the F-35 Joint Program Office to the Department of the Air Force and the Department of the Navy.

Sec. 143. Limitation on availability of funds for air-based and space-based ground moving target indicator capabilities.

Sec. 144. Limitation on availability of funds for procurement of aircraft systems for the armed overwatch program.

Sec. 145. Analysis of certain radar investment options.

Sec. 146. Review and briefing on fielded major weapon systems.

Sec. 147. Reports on exercise of waiver authority with respect to certain aircraft ejection seats.

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

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

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

9           **Subtitle B—Army Programs**

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

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

1 thORIZATION Act for Fiscal Year 2021 (Public Law 116–  
2 283), is further amended—

3 (1) in paragraph (1), by striking “shall deploy  
4 the capability as follows:” and all that follows  
5 through the period at the end and inserting “shall  
6 deploy two batteries of the capability by not later  
7 than September 30, 2020.”;

8 (2) in paragraph (2)—

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

11 (B) in the matter preceding subparagraph  
12 (A), by striking “deadlines” and inserting  
13 “deadline”;

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

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

17 (E) by redesignating subparagraph (H) as  
18 subparagraph (G); and

19 (3) in paragraph (4), by striking “deadlines  
20 specified in paragraph (1):” and all that follows  
21 through the period at the end and inserting “dead-  
22 line specified in paragraph (1) if the Secretary de-  
23 termines that sufficient funds have not been appro-  
24 priated to enable the Secretary to meet such dead-  
25 line.”.

1 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR AH-**  
2 **64E APACHE HELICOPTERS.**

3 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
4 Subject to section 2306b of title 10, United States Code,  
5 the Secretary of the Army may enter into one or more  
6 multiyear contracts, beginning with the fiscal year 2022  
7 program year, for the procurement of AH-64E Apache  
8 helicopters.

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

15 **SEC. 113. MULTIYEAR PROCUREMENT AUTHORITY FOR UH-**  
16 **60M AND HH-60M BLACK HAWK HELI-**  
17 **COPTERS.**

18 (a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—  
19 Subject to section 2306b of title 10, United States Code,  
20 the Secretary of the Army may enter into one or more  
21 multiyear contracts, beginning with the fiscal year 2022  
22 program year, for the procurement of UH-60M and HH-  
23 60M Black Hawk helicopters.

24 (b) CONDITION FOR OUT-YEAR CONTRACT PAY-  
25 MENTS.—A contract entered into under subsection (a)  
26 shall provide that any obligation of the United States to

1 make a payment under the contract for a fiscal year after  
2 fiscal year 2022 is subject to the availability of appropria-  
3 tions for that purpose for such later fiscal year.

4 **SEC. 114. CONTINUATION OF SOLDIER ENHANCEMENT PRO-**  
5 **GRAM.**

6 (a) **REQUIREMENT TO CONTINUE PROGRAM.**—The  
7 Secretary of the Army, acting through the Assistant Sec-  
8 retary of the Army for Acquisition, Logistics, and Tech-  
9 nology in accordance with subsection (b), shall continue  
10 to carry out the Soldier Enhancement Program estab-  
11 lished pursuant to section 203 of the National Defense  
12 Authorization Act for Fiscal Years 1990 and 1991 (Public  
13 Law 101–189; 103 Stat. 1394).

14 (b) **RESPONSIBLE OFFICIAL.**—The Secretary of the  
15 Army shall designate the Assistant Secretary of the Army  
16 for Acquisition, Logistics, and Technology as the official  
17 in the Department of the Army with principal responsi-  
18 bility for the management of the Soldier Enhancement  
19 Program under subsection (a).

20 (c) **DUTIES.**—The duties of the Soldier Enhancement  
21 Program shall include the identification, research, develop-  
22 ment, test, and evaluation of commercially available off-  
23 the-shelf items (as defined in section 104 of title 41,  
24 United States Code) and software applications to accel-  
25 erate the efforts of the Army to integrate, modernize, and



1 enhance weapons and equipment for use by Army soldiers,  
2 including—

3 (1) lighter, more lethal weapons; and

4 (2) support equipment, including lighter, more  
5 comfortable load-bearing equipment, field gear, com-  
6 bat clothing, survivability items, communications  
7 equipment, navigational aids, night vision devices,  
8 tactical power, sensors, and lasers.

9 **SEC. 115. LIMITATION ON AVAILABILITY OF FUNDS PEND-**  
10 **ING REPORT ON THE INTEGRATED VISUAL**  
11 **AUGMENTATION SYSTEM.**

12 (a) **LIMITATION.**—Of the funds authorized to be ap-  
13 propriated by this Act or otherwise made available for fis-  
14 cal year 2022 for the Army for procurement for the Inte-  
15 grated Visual Augmentation System, not more than 75  
16 percent may be obligated or expended until the date on  
17 which the Secretary of the Army submits to the congres-  
18 sional defense committees the report required under sub-  
19 section (b).

20 (b) **REPORT REQUIRED.**—

21 (1) **IN GENERAL.**—Not later than the date  
22 specified in paragraph (3), the Secretary of the  
23 Army shall submit to the congressional defense com-  
24 mittees a report on the Integrated Visual Augmenta-  
25 tion System of the Army.

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

3           (A) A certification from the Secretary of  
4 the Army that the Integrated Visual Augmenta-  
5 tion System is sufficiently reliable to meet oper-  
6 ational needs for mean time between failure to  
7 support planned operational mission profiles.

8           (B) A certification from the Secretary of  
9 the Army that the tactical network is suffi-  
10 ciently suitable and reliable to support the oper-  
11 ational employment of the System, including  
12 the System's ability to integrate into command  
13 networks.

14           (C)(i) A certification from the Secretary of  
15 the Army that the duration of the System's bat-  
16 tery power is suitable and reliable enough to  
17 meet planned operational mission requirements.

18           (ii) A plan to ensure the battery manage-  
19 ment of the System meets such requirements.

20           (D) A plan to enable the System to display  
21 position location and identification information  
22 for adjacent units, non-System-equipped plat-  
23 forms, and soldiers.

24           (E) A plan, including critical milestones, to  
25 achieve certified three-dimensional geospatial

1 data within the System for dynamic and preci-  
2 sion targeting.

3 (F) A basis-of-issue plan based on lessons  
4 from the developmental and operational testing  
5 of the System.

6 (G) A plan for iterative improvements to  
7 sensors, software, and form factor throughout  
8 production and procurement of the System.

9 (H) Any other matters that the Secretary  
10 considers relevant to the full understanding of  
11 the status of and plan for the System.

12 (3) DATE SPECIFIED.—The date specified in  
13 this paragraph is a date selected by the Secretary of  
14 the Army that is not later than 60 days after the  
15 date on which initial operational testing of the Inte-  
16 grated Visual Augmentation System of the Army has  
17 been completed.

18 (c) ASSESSMENT REQUIRED.—Not later than 60  
19 days after the date on which the Secretary of the Army  
20 submits the report required under subsection (b), the Di-  
21 rector of Operational Test and Evaluation shall submit to  
22 the congressional defense committees an assessment of the  
23 validity, reliability, and objectivity of the report with re-  
24 spect to each element described in subsection (b)(2).

1 **SEC. 116. STRATEGY AND AUTHORITY FOR THE PROCURE-**  
2 **MENT OF COMPONENTS FOR THE NEXT GEN-**  
3 **ERATION SQUAD WEAPON.**

4 (a) STRATEGY REQUIRED.—The Secretary of the  
5 Army shall develop and implement a competitive procure-  
6 ment strategy to identify, test, qualify, and procure com-  
7 ponents and accessories for the next generation squad  
8 weapon of the Army, including magazines, that are capa-  
9 ble of improving the performance of such weapon, with  
10 an emphasis on the procurement of—

- 11 (1) commercially available off-the-shelf items;  
12 (2) nondevelopmental items; and  
13 (3) components and accessories previously de-  
14 veloped by the Army that may be used for such  
15 weapon.

16 (b) MARKET SURVEY.—Upon receipt of the initial  
17 operational test and evaluation report for the next genera-  
18 tion squad weapon, the Secretary of the Army shall ini-  
19 tiate a market survey to identify components and acces-  
20 sories for the weapon that meet the criteria described in  
21 subsection (a).

22 (c) AUTHORIZATION.—After completing the market  
23 survey under subsection (b), the Secretary of the Army  
24 may enter into one or more contracts for the procurement  
25 of components and accessories for the next generation

1 squad weapon that meet the criteria described in sub-  
2 section (a).

3 (d) INFORMATION TO CONGRESS.—Not later than  
4 one year after receiving the initial operational test and  
5 evaluation report for the next generation squad weapon,  
6 the Secretary of the Army shall submit to the congres-  
7 sional defense committees a report that includes—

8 (1) the competitive acquisition strategy devel-  
9 oped under subsection (a), including timelines for  
10 the fielding of components and accessories for such  
11 weapon that—

12 (A) are commercially available off-the-shelf  
13 items or nondevelopmental items; and

14 (B) are capable of improving the perform-  
15 ance of such weapon;

16 (2) an assessment of the mean rounds between  
17 stoppage and mean rounds between failure of the  
18 next generation squad weapon, including a compari-  
19 son of—

20 (A) the mean rounds between stoppage and  
21 mean rounds between failure of such weapon;  
22 and

23 (B) the mean rounds between stoppage  
24 and mean rounds between failure of currently  
25 fielded weapons;



1 **SEC. 122. EXTENSION OF PROHIBITION ON AVAILABILITY**  
2 **OF FUNDS FOR NAVY PORT WATERBORNE SE-**  
3 **CURITY BARRIERS.**

4 Section 130(a) of the John S. McCain National De-  
5 fense Authorization Act for Fiscal Year 2019 (Public Law  
6 115–232; 132 Stat. 1665), as most recently amended by  
7 section 127 of the William M. (Mac) Thornberry National  
8 Defense Authorization Act for Fiscal Year 2021 (Public  
9 Law 116–283), is further amended by striking “for fiscal  
10 years 2019, 2020, or 2021” and inserting “for fiscal years  
11 2019, 2020, 2021, or 2022”.

12 **SEC. 123. EXTENSION OF REPORT ON LITTORAL COMBAT**  
13 **SHIP MISSION PACKAGES.**

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

18 **SEC. 124. INCORPORATION OF ADVANCED DEGAUSSING**  
19 **SYSTEMS INTO ARLEIGH BURKE CLASS DE-**  
20 **STROYERS.**

21 (a) IN GENERAL.—The Secretary of the Navy shall  
22 ensure that an advanced degaussing system is incor-  
23 porated into any Arleigh Burke class destroyer procured  
24 in fiscal year 2025 or any subsequent fiscal year pursuant  
25 to a covered contract.

1 (b) COVERED CONTRACT DEFINED.—In this section,  
2 the term “covered contract” means an annual or multiyear  
3 contract for the procurement of an Arleigh Burke class  
4 destroyer that is entered into by the Secretary of the Navy  
5 on or after the date of the enactment of this Act.

6 **SEC. 125. REPORT ON THE POTENTIAL BENEFITS OF A**  
7 **MULTIYEAR CONTRACT FOR THE PROCURE-**  
8 **MENT OF FLIGHT III ARLEIGH BURKE CLASS**  
9 **DESTROYERS.**

10 (a) IN GENERAL.—Not later than March 1, 2022, the  
11 Secretary of the Navy shall submit to the congressional  
12 defense committees a report on the potential benefits of  
13 a multiyear contract for the period of fiscal years 2023  
14 through 2027 for the procurement of Flight III Arleigh  
15 Burke class destroyers in the quantities specified in sub-  
16 section (c).

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

20 (1) the use of a contract described in such sub-  
21 section could result in significant savings compared  
22 to the total anticipated costs of carrying out the pro-  
23 gram through annual contracts;

24 (2) the minimum need for the destroyers de-  
25 scribed in such subsection to be purchased is ex-



1       pected to remain substantially unchanged during the  
2       contemplated contract period in terms of production  
3       rate, procurement rate, and total quantities;

4           (3) there is a reasonable expectation that  
5       throughout the contemplated contract period the  
6       Secretary of Defense will request funding for the  
7       contract at the level required to avoid contract can-  
8       cellation;

9           (4) there is a stable design for the destroyers  
10      to be acquired and that the technical risks associ-  
11      ated with such property are not excessive;

12          (5) the estimates of both the cost of the con-  
13      tract and the anticipated cost avoidance through the  
14      use of a multiyear contract are realistic;

15          (6) the use of such a contract will promote the  
16      national security of the United States; and

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

20      (c) EVALUATION BY QUANTITY.—The report re-  
21      quired by subsection (a) shall evaluate the potential of  
22      procuring each of the following quantities of Flight III  
23      Arleigh Burke-class destroyers over the period described  
24      in such subsection:

25           (1) 10.

1 (2) 12.

2 (3) 15.

3 (4) Any other quantities the Secretary of the  
4 Navy considers appropriate.

5 **SEC. 126. ACQUISITION, MODERNIZATION, AND**  
6 **SUSTAINMENT PLAN FOR CARRIER AIR**  
7 **WINGS.**

8 (a) PLAN REQUIRED.—Not later than April 1, 2022,  
9 the Secretary of the Navy shall submit to the congres-  
10 sional defense committees a 15-year acquisition, mod-  
11 ernization, and sustainment plan for the carrier air wings  
12 of the Navy.

13 (b) ELEMENTS.—The plan required by subsection (a)  
14 shall include the following:

15 (1)(A) An assessment of whether and to what  
16 extent the capabilities, capacity, and composition of  
17 the carrier air wings in existence as of the date of  
18 plan meet the requirements of the National Defense  
19 Strategy; and

20 (B) a plan to address any known shortfalls of  
21 such carrier wings, including shortfalls with respect  
22 to aerial refueling aircraft capacity and strike-fighter  
23 combat radius.

24 (2) An operational risk assessment and risk  
25 mitigation plan regarding the nine carrier air wings

1 that, as of the date of the plan, support combatant  
2 commander steady-state peacetime and potential  
3 major contingency requirements.

4 (3) An explanation of when the Secretary of the  
5 Navy will field a minimum of 10 carrier air wings  
6 in accordance with section 8062(e) of title 10,  
7 United States Code.

8 (4) An identification and explanation of the role  
9 of autonomous and remotely-piloted aircraft, includ-  
10 ing the MQ-25 aircraft, and other potential capabili-  
11 ties and platforms planned to be fielded in future  
12 carrier air wings.

13 (5) A detailed deck and hangar space plan that  
14 supports realistic peacetime steady-state or contin-  
15 gency surge level fixed-wing aircraft and rotorcraft  
16 preparation activities, flight operations, and onboard  
17 unit-level maintenance, repair, and sustainment ac-  
18 tivities for future carrier air wings.

19 (6) An appropriate modernization plan to maxi-  
20 mize operational use of platforms in existence as of  
21 the date of the plan, particularly the EA-18G air-  
22 craft and the E-2D aircraft, by leveraging available  
23 technologies such as Next Generation Jammer.

24 (7) An identification of the logistics supply  
25 chain support and modernization plan required dur-

1 ing peacetime steady-state and contingency oper-  
2 ations for future carrier air wings, particularly as it  
3 relates to implementing the organic C-130 and C-  
4 40 logistics tethering strategy.

5 (8) A detailed explanation for the Secretary of  
6 the Navy's decision to modify carrier air wing com-  
7 position to one squadron of 14 F-35C aircraft in-  
8 stead of the originally planned two squadrons of 10  
9 F-35C aircraft.

10 **SEC. 127. REPORT ON MATERIAL READINESS OF VIRGINIA**

11 **CLASS SUBMARINES OF THE NAVY.**

12 (a) IN GENERAL.—Not later than 120 days after the  
13 date of the enactment of this Act, the Secretary of the  
14 Navy shall submit to the congressional defense committees  
15 a report on the material readiness of the Virginia class  
16 submarines.

17 (b) ELEMENTS.—The report required by subsection  
18 (a) shall include the following:

19 (1) An assessment of the number of compo-  
20 nents and parts that have required replacement  
21 prior to the end of their estimated useful life or  
22 scheduled replacement timeline, including efforts to  
23 increase the reliability of “life of ship” components.

24 (2) An assessment of the extent to which part  
25 and material shortages have impacted deployment

1 and maintenance availability schedules, including an  
2 estimate of the number of active part  
3 cannibalizations or other actions taken to mitigate  
4 those impacts.

5 (3) An identification of the planned lead time to  
6 obtain key material for Virginia class submarines  
7 from shipbuilders and vendors.

8 (4) An identification of the actual lead time to  
9 obtain such material from shipbuilders and vendors.

10 (5) An identification of the cost increases of key  
11 components and parts for new construction and  
12 maintenance availabilities above planned material  
13 costs.

14 (6) An assessment of potential courses of action  
15 to improve the material readiness of the Virginia  
16 class submarines, including efforts to align new con-  
17 struction shipyards with maintenance shipyards and  
18 Naval Sea Systems Command to increase predict-  
19 ability of materials and purchasing power.

20 (7) Such recommendations as the Secretary  
21 may have for legislative changes, authorities, re-  
22 alignments, and administrative actions, including re-  
23 forms of the Federal Acquisition Regulation, to im-  
24 prove the material readiness of the Virginia class  
25 submarines.

1           (8) Such other elements as the Secretary con-  
2           siders appropriate.

### 3           **Subtitle D—Air Force Programs**

#### 4           **SEC. 131. EXTENSION OF INVENTORY REQUIREMENT FOR** 5           **AIR FORCE FIGHTER AIRCRAFT.**

6           (a) EXTENSION OF INVENTORY REQUIREMENT.—  
7           Section 9062(i)(1) of title 10, United States Code, is  
8           amended by striking “October 1, 2022” and inserting  
9           “October 1, 2026”.

10          (b) REPORTS ON RETIREMENT OF AIR FORCE  
11          FIGHTER AIRCRAFT.—Section 131 of the National De-  
12          fense Authorization Act for Fiscal Year 2018 (Public Law  
13          115–91; 131 Stat. 1314; 10 U.S.C. 9062 note) is amend-  
14          ed—

15                 (1) by amending subsection (b) to read as fol-  
16          lows:

17                 “(b) REPORT ON RETIREMENT OF AIRCRAFT.—

18                         “(1) IN GENERAL.—Beginning with fiscal year  
19                         2023, for any fiscal year in which the Secretary of  
20                         the Air Force expects the total aircraft inventory of  
21                         fighter aircraft of the Air Force or the total primary  
22                         mission aircraft inventory of fighter aircraft of the  
23                         Air Force to decrease below the levels specified in  
24                         section 9062(i)(1) of title 10, United States Code,  
25                         the Secretary of the Air Force shall submit to the

1 congressional defense committees a report setting  
2 forth the following:

3 “(A) A detailed rationale for the retire-  
4 ment of existing fighter aircraft and a detailed  
5 operational analysis of the portfolio of capabili-  
6 ties of the Air Force that demonstrates per-  
7 formance of the designated mission at an equal  
8 or greater level of effectiveness as the retiring  
9 aircraft.

10 “(B) An assessment of the implications for  
11 the Air Force, the Air National Guard, and the  
12 Air Force Reserve of the force mix ratio of  
13 fighter aircraft and how existing aircraft inven-  
14 tory levels and unit personnel levels for the ac-  
15 tive and reserve components are proposed to  
16 change during the fiscal year in which fighter  
17 aircraft will be retired.

18 “(C) A detailed assessment of the current  
19 operational risk and the operational risk that  
20 will be incurred for meeting—

21 “(i) the requirements of the National  
22 Defense Strategy and combatant com-  
23 manders; and

1                   “(ii) operational plans for major con-  
2                   tingency operations and steady-state or ro-  
3                   tational operations.

4                   “(D) Such other matters relating to the re-  
5                   tirement of fighter aircraft as the Secretary  
6                   considers appropriate.

7                   “(2) TIMING OF REPORT.—Each report re-  
8                   quired under paragraph (1) shall be included in the  
9                   materials submitted in support of the budget of the  
10                  President (as submitted to Congress under section  
11                  1105(a) of title 31, United States Code) for the fis-  
12                  cal year in which applicable decrease in fighter air-  
13                  craft inventory levels is expected to occur.”;

14                  (2) by striking subsection (c); and

15                  (3) by redesignating subsection (d) as sub-  
16                  section (c).

17 **SEC. 132. CONTRACT FOR LOGISTICS SUPPORT FOR VC-25B**  
18 **AIRCRAFT.**

19                  Section 143 of the John S. McCain National Defense  
20                  Authorization Act for Fiscal Year 2019 (Public Law 115–  
21                  232; 132 Stat. 1668) is amended—

22                  (1) in paragraph (1), by striking “, unless oth-  
23                  erwise approved in accordance with established pro-  
24                  cedures”; and



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

3 **SEC. 133. PROHIBITION ON CERTAIN REDUCTIONS TO B-1**  
4 **BOMBER AIRCRAFT SQUADRONS.**

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

7           (1) modify the designed operational capability  
8           statement for any B-1 bomber aircraft squadron, as  
9           in effect on the date of the enactment of this Act,  
10          in a manner that would reduce the capabilities of  
11          such a squadron below the levels specified in such  
12          statement as in effect on such date; or

13          (2) reduce, below the levels in effect on such  
14          date of enactment, the number of personnel assigned  
15          to units responsible for the operation and mainte-  
16          nance of B-1 aircraft if such reduction would affect  
17          the ability of such units to meet the capability de-  
18          scribed in paragraph (1).

19          (b) EXCEPTION.—The prohibition under subsection  
20 (a) shall not apply to an individual unit for which the Sec-  
21 retary of the Air Force has commenced the process of re-  
22 placing B-1 bomber aircraft with B-21 bomber aircraft.

23          (c) DEFINITIONS.—In this section:

1           (1) The term “covered period” means the pe-  
2           riod beginning on the date of the enactment of this  
3           Act and ending on September 30, 2023.

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

7   **SEC. 134. PROHIBITION ON USE OF FUNDS FOR RETIRE-**  
8                                   **MENT OF A-10 AIRCRAFT.**

9           (a) PROHIBITION.—Notwithstanding sections 134  
10          and 135 of the National Defense Authorization Act for  
11          Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2037),  
12          and except as provided in subsection (b), none of the funds  
13          authorized to be appropriated by this Act for fiscal year  
14          2022 for the Air Force may be obligated to retire, prepare  
15          to retire, or place in storage or on backup aircraft inven-  
16          tory status any A–10 aircraft.

17          (b) EXCEPTION.—

18               (1) IN GENERAL.—The limitation under sub-  
19               section (a) shall not apply to an individual A–10 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 Class A mishap.

23               (2) CERTIFICATION REQUIRED.—If the Sec-  
24               retary determines under paragraph (1) that an air-  
25               craft is no longer mission capable, the Secretary

1 shall submit to the congressional defense committees  
2 a certification that the status of such aircraft is due  
3 to a Class A mishap and not due to lack of mainte-  
4 nance or repairs or other reasons.

5 (3) CERTIFICATION ADDITIONAL.—Any certifi-  
6 cation submitted under paragraph (2) shall be in ad-  
7 dition to the notification and certification required  
8 by section 135(b) of the National Defense Author-  
9 ization Act for Fiscal Year 2017 (Public Law 114–  
10 328; 130 Stat. 2039).

11 **SEC. 135. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
12 **THE B-52 COMMERCIAL ENGINE REPLACE-**  
13 **MENT PROGRAM.**

14 (a) LIMITATION.—Of the funds authorized to be ap-  
15 propriated by this Act or otherwise made available for fis-  
16 cal year 2022 for the research and development, design,  
17 procurement, or advanced procurement of materials for  
18 the B-52 Commercial Engine Replacement Program, not  
19 more than 75 percent may be obligated or expended until  
20 the date on which the Secretary of Defense submits to  
21 the congressional defense committees the report described  
22 in section 2432 of title 10, United States Code, for the  
23 most recently concluded fiscal quarter for the B-52 Com-  
24 mercial Engine Replacement Program in accordance with  
25 subsection (b)(1).

1 (b) ADDITIONAL REQUIREMENTS.—

2 (1) TREATMENT OF BASELINE ESTIMATE.—The  
3 Secretary of Defense shall deem the Baseline Esti-  
4 mate for the B–52 Commercial Engine Replacement  
5 Program for fiscal year 2020 as the original Base-  
6 line Estimate for the Program.

7 (2) UNIT COST REPORTS AND CRITICAL COST  
8 GROWTH.—

9 (A) Subject to subparagraph (B), the Sec-  
10 retary shall carry out sections 2433 and 2433a  
11 of title 10, United States Code, with respect to  
12 the B–52 Commercial Engine Replacement Pro-  
13 gram, as if the Department had submitted a  
14 Selected Acquisition Report for the Program  
15 that included the Baseline Estimate for the  
16 Program for fiscal year 2020 as the original  
17 Baseline Estimate, except that the Secretary  
18 shall not carry out subparagraph (B) or sub-  
19 paragraph (C) of section 2433a(c)(1) of such  
20 title with respect to the Program.

21 (B) In carrying out the review required by  
22 section 2433a of such title, the Secretary shall  
23 not enter into a transaction under section 2371  
24 or 2371b of such title, exercise an option under  
25 such a transaction, or otherwise extend such a

1 transaction with respect to the B-52 Commer-  
2 cial Engine Replacement Program except to the  
3 extent determined necessary by the milestone  
4 decision authority, on a non-delegable basis, to  
5 ensure that the program can be restructured as  
6 intended by the Secretary without unnecessarily  
7 wasting resources.

8 (c) DEFINITIONS.—In this section:

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

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

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

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

1 **SEC. 136. LIMITATION ON AVAILABILITY OF FUNDS PEND-**  
2 **ING INFORMATION ON BRIDGE TANKER AIR-**  
3 **CRAFT.**

4 (a) **LIMITATION.**—Of the funds authorized to be ap-  
5 propriated by this Act or otherwise made available for fis-  
6 cal year 2022 for the Office of the Secretary of the Air  
7 Force for travel expenses, not more than thirty-five per-  
8 cent may be obligated or expended until—

9 (1) the Vice Chairman of the Joint Chiefs of  
10 Staff submits to the congressional defense commit-  
11 tees a report outlining the requirements for the  
12 bridge tanker aircraft; and

13 (2) the Secretary of the Air Force submits to  
14 the congressional defense committees—

15 (A) a report detailing the acquisition strat-  
16 egy for the bridge tanker aircraft;

17 (B) a certification identifying the amount  
18 of funds required for the acquisition of the  
19 bridge tanker aircraft; and

20 (C) a plan for the development of the ad-  
21 vanced aerial refueling tanker aircraft (com-  
22 monly referred to as the “KC–Z”).

23 (b) **BRIDGE TANKER AIRCRAFT DEFINED.**—In this  
24 section, the term “bridge tanker aircraft” means the fol-  
25 low-on tanker aircraft (commonly referred to as the “KC–  
26 Y”).

1 **SEC. 137. INVENTORY REQUIREMENTS AND LIMITATIONS**  
2 **RELATING TO CERTAIN AIR REFUELING**  
3 **TANKER AIRCRAFT.**

4 (a) REPEAL OF MINIMUM INVENTORY REQUIRE-  
5 MENTS FOR KC-10A AIRCRAFT.—Section 135 of the Wil-  
6 liam M. (Mac) Thornberry National Defense Authoriza-  
7 tion Act for Fiscal Year 2021 (Public Law 116-283) is  
8 amended—

9 (1) by striking subsection (b);

10 (2) by redesignating subsections (c) through (f)  
11 as subsections (b) through (e), respectively;

12 (3) in subsection (b), as so redesignated, by  
13 striking “subsection (e)” and inserting “subsection  
14 (d)”; and

15 (4) by amending subsection (d), as so redesign-  
16 nated, to read as follows:

17 “(d) EXCEPTIONS.—The requirement in subsection  
18 (b) shall not apply to an aircraft otherwise required to  
19 be maintained by that subsection if the Secretary of the  
20 Air Force—

21 “(1) at any time during the period beginning on  
22 the date of the enactment of this Act and ending on  
23 October 1, 2023, determines, on a case-by-case  
24 basis, that such aircraft is no longer mission capable  
25 due to mishap or other damage, or being uneco-  
26 nomic to repair; or

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

9           (b) LIMITATION ON RETIREMENT OF KC-135 AIR-  
10 CRAFT.—

11           (1) LIMITATION.—Notwithstanding section 135  
12           of the William M. (Mac) Thornberry National De-  
13           fense Authorization Act for Fiscal Year 2021 (Pub-  
14           lic Law 116-283) and except as provided in para-  
15           graph (2), the Secretary of the Air Force may not  
16           retire more than 18 KC-135 aircraft during the pe-  
17           riod beginning on the date of the enactment of this  
18           Act and ending on October 1, 2023.

19           (2) EXCEPTION.—The limitation in paragraph  
20           (1) shall not apply to individual KC-135 aircraft  
21           that the Secretary of the Air Force determines, on  
22           a case-by-case basis, to be no longer mission capable  
23           because of mishaps, other damage, or being uneco-  
24           nomical to repair.



1 (c) PROHIBITION ON REDUCTION OF KC-135 AIR-  
2 CRAFT IN PMAI OF THE RESERVE COMPONENTS.—None  
3 of the funds authorized to be appropriated by this Act or  
4 otherwise made available for fiscal year 2022 for the Air  
5 Force may be obligated or expended to reduce the number  
6 of KC-135 aircraft designated as primary mission aircraft  
7 inventory within the reserve components of the Air Force.

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

12 **SEC. 138. MINIMUM INVENTORY OF TACTICAL AIRLIFT AIR-**  
13 **CRAFT.**

14 (a) MINIMUM INVENTORY REQUIREMENT.—During  
15 the covered period, the Secretary of the Air Force shall  
16 maintain a total inventory of tactical airlift aircraft of not  
17 less than 279 aircraft.

18 (b) EXCEPTION.—The Secretary of the Air Force  
19 may reduce the number of tactical airlift aircraft in the  
20 Air Force below the minimum number specified in sub-  
21 section (a) if the Secretary determines, on a case-by-case  
22 basis, that an aircraft is no longer mission capable because  
23 of a mishap or other damage.

24 (c) COVERED PERIOD DEFINED.—In this section, the  
25 term “covered period” means the period—

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

2 (2) ending on the later of—

3 (A) October 1, 2022; or

4 (B) the date of the enactment of the next  
5 National Defense Authorization Act enacted  
6 after the date of the enactment of this Act.

7 **SEC. 139. REPORT RELATING TO REDUCTION OF TOTAL**  
8 **NUMBER OF TACTICAL AIRLIFT AIRCRAFT.**

9 (a) **REPORT REQUIRED.**—Not later than 180 days  
10 after the date of the enactment of this Act, the Secretary  
11 of the Air Force shall submit to the congressional defense  
12 committees a report on any plans of the Air Force to re-  
13 duce the total number of tactical airlift aircraft in the in-  
14 ventory of the Air Force.

15 (b) **ELEMENTS.**—The report required under sub-  
16 section (a) shall include, with respect to any plan of the  
17 Air Force to reduce the total number of tactical airlift air-  
18 craft—

19 (1) the justification for such reduction;

20 (2) an explanation of whether and to what ex-  
21 tent domestic operations was considered as part of  
22 such justification;

23 (3) analysis of the role of domestic operations  
24 during concurrent contingency operations;

1           (4) analysis of the C-130 aircraft force struc-  
2           tures recommended to support wartime mobility re-  
3           quirements as set forth in—

4                   (A) the mobility capability and require-  
5                   ments study conducted under section 144(b) of  
6                   the National Defense Authorization Act for Fis-  
7                   cal Year 2018 (Public Law 115-91; 131 Stat.  
8                   1321); and

9                   (B) the mobility capability requirements  
10                  study conducted under section 1712 of the Na-  
11                  tional Defense Authorization Act for Fiscal  
12                  Year 2020 (Public Law 116-92; 133 Stat.  
13                  1803);

14           (5) the Secretary's justification for any in-  
15           creased risk that may result from accepting a C-130  
16           aircraft force structure smaller than the force struc-  
17           ture recommended by such studies; and

18           (6) an explanation of whether and to what ex-  
19           tent Governors of States that may be affected by the  
20           planned reduction were consulted as part of the deci-  
21           sion making process.

22           (c) FORM OF REPORT.—The report required under  
23           subsection (a) shall be submitted in unclassified form, but  
24           may include a classified annex.

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

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

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

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

13               (A) 1,763; or

14               (B) the number obtained by—

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

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

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

24               (A) the affordability cost target for F-35A  
25       aircraft of the Air Force (as determined by the

1 Secretary of the Air Force in accordance with  
2 subsection (e)), divided by

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

8 (b) F-35B QUANTITY LIMIT FOR THE MARINE  
9 CORPS.—

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

15 (A) 353; or

16 (B) the number obtained by—

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

19 and

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

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

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

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

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

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

15 (A) 273; or

16 (B) the number obtained by—

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

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

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

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

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

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

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

17 (A) 67; or

18 (B) the number obtained by—

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

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

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

4           (A) the affordability cost target for F–35C  
5 aircraft of the Marine Corps (as determined by  
6 the Secretary of the Navy in accordance with  
7 subsection (e)), divided by

8           (B) a number equal to the average cost-  
9 per-tail-per-year of the F–35C aircraft of the  
10 Marine Corps during fiscal year 2027 (as deter-  
11 mined by the Secretary of the Navy in accord-  
12 ance with subsection (f)).

13       (e) DETERMINATION OF REQUIRED AFFORDABILITY  
14 COST TARGETS.—

15       (1) AIR FORCE.—Not later than October 1,  
16 2025, the Secretary of the Air Force shall—

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

23           (B) submit to the congressional defense  
24 committees a certification identifying the af-



1           fordability cost target determined under sub-  
2           paragraph (A).

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

5                   (A) determine an affordability cost target  
6           to be used for purposes of subsection (b)(2)(A),  
7           which shall be the dollar amount the Secretary  
8           determines to represent the required cost-per-  
9           tail-per-year for an F–35B aircraft of the Ma-  
10          rine Corps for fiscal year 2027;

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

17                   (C) determine an affordability cost target  
18          to be used for purposes of subsection (d)(2)(A),  
19          which shall be the dollar amount the Secretary  
20          determines to represent the required cost-per-  
21          tail-per-year for an F–35C aircraft of the Ma-  
22          rine Corps for fiscal year 2027; and

23                   (D) submit to the congressional defense  
24          committees a certification identifying each af-

1           fordability cost target determined under sub-  
2           paragraphs (A) through (C).

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

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

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

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

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

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

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

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

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

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

3                   (i) unit level manpower;

4                   (ii) unit operations;

5                   (iii) maintenance;

6                   (iv) sustaining support;

7                   (v) continuing system support; and

8                   (vi) modifications; and

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

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

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

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

3 **SEC. 142. TRANSFER OF F-35 PROGRAM RESPONSIBILITIES**  
4 **FROM THE F-35 JOINT PROGRAM OFFICE TO**  
5 **THE DEPARTMENT OF THE AIR FORCE AND**  
6 **THE DEPARTMENT OF THE NAVY.**

7 (a) TRANSFER OF FUNCTIONS.—

8 (1) SUSTAINMENT FUNCTIONS.—Not later than  
9 October 1, 2027, the Secretary of Defense shall  
10 transfer all functions relating to the management,  
11 planning, and execution of sustainment activities for  
12 the F-35 aircraft program from the F-35 Joint  
13 Program Office to the Secretary of the Air Force  
14 and the Secretary of the Navy as follows:

15 (A) All functions of the F-35 Joint Pro-  
16 gram Office relating to the management, plan-  
17 ning, and execution of sustainment activities for  
18 F-35B and F-35C aircraft shall be transferred  
19 to the Department of the Navy, and the Sec-  
20 retary of the Navy shall be the official in the  
21 Department of Defense with principal responsi-  
22 bility for carrying out such functions.

23 (B) All functions of the F-35 Joint Pro-  
24 gram Office relating to the management, plan-  
25 ning, and execution of sustainment activities for

1 F-35A aircraft shall be transferred to the De-  
2 partment of the Air Force, and the Secretary of  
3 the Air Force shall be the official in the De-  
4 partment of Defense with principal responsi-  
5 bility for carrying out such functions.

6 (2) ACQUISITION FUNCTIONS.—Not later than  
7 October 1, 2029, the Secretary of Defense shall  
8 transfer all acquisition functions for the F-35 air-  
9 craft program from the F-35 Joint Program Office  
10 to the Secretary of the Air Force and the Secretary  
11 of the Navy as follows:

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

19 (B) All functions of the F-35 Joint Pro-  
20 gram Office relating to the acquisition of F-  
21 35A aircraft shall be transferred to the Depart-  
22 ment of the Air Force, and the Secretary of the  
23 Air Force shall be the official in the Depart-  
24 ment of Defense with principal responsibility  
25 for carrying out such functions.

1 (b) TRANSITION PLAN.—Not later than October 1,  
2 2022, the Under Secretary of Defense for Acquisition and  
3 Sustainment, in coordination with the Secretary of the Air  
4 Force and the Secretary of the Navy, shall submit to the  
5 congressional defense committees a plan for carrying out  
6 the transfers required under subsection (a).

7 **SEC. 143. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
8 **AIR-BASED AND SPACE-BASED GROUND MOV-**  
9 **ING TARGET INDICATOR CAPABILITIES.**

10 (a) REVIEW OF REDUNDANCIES.—The Secretary of  
11 Defense shall conduct a review of all established and  
12 planned efforts to provide air-based and space-based  
13 ground moving target indicator capability to identify,  
14 eliminate, and prevent redundancies of such efforts across  
15 the Department of Defense.

16 (b) LIMITATION.—Of the funds authorized to be ap-  
17 propriated by this Act or otherwise made available for fis-  
18 cal year 2022 for the capability described in subsection  
19 (a), not more than 75 percent may be obligated or ex-  
20 pended for procurement or research and development for  
21 such capability until the date on which the Vice Chairman  
22 of the Joint Chiefs of Staff submits to the congressional  
23 defense committees the information required under sub-  
24 section (c).

1           (c) INFORMATION REQUIRED.—The Vice Chairman  
2 of the Joint Chiefs of Staff, in consultation with the Secre-  
3 taries of the military departments and the heads of such  
4 other agencies as the Secretary of Defense considers rel-  
5 evant to the ground moving target indicator capability de-  
6 scribed in subsection (a), shall submit to the congressional  
7 defense committees the following:

8           (1) A list of all procurement and research and  
9 development efforts relating to the capability that  
10 are funded by—

11                   (A) the Department of Defense; or

12                   (B) any other department or agency of the  
13 Federal Government.

14           (2) A description of how the efforts described in  
15 paragraph (1) will—

16                   (A) provide real-time information to rel-  
17 evant military end users through the use of air  
18 battle managers; and

19                   (B) meet the needs of combatant com-  
20 manders with respect to priority target tasking.

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

23                   (A) the joint all domain command and con-  
24 trol requirements and standards of the Depart-  
25 ment; and

1 (B) the validated requirements of the Joint  
2 Requirements Oversight Council with respect to  
3 ground moving target indicator capabilities.

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

6 **SEC. 144. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
7 **PROCUREMENT OF AIRCRAFT SYSTEMS FOR**  
8 **THE ARMED OVERWATCH PROGRAM.**

9 None of the funds authorized to be appropriated by  
10 this Act or otherwise made available for fiscal year 2022  
11 for the Department of Defense for the procurement of air-  
12 craft systems for the armed overwatch program of the  
13 United States Special Operations Command may be obli-  
14 gated or expended until a period of 15 days has elapsed  
15 following the date on which the acquisition roadmap re-  
16 quired by section 165(a) of the William M. (Mac) Thorn-  
17 berry National Defense Authorization Act for Fiscal Year  
18 2021 (Public Law 116–283) is submitted to the congres-  
19 sional defense committees.

20 **SEC. 145. ANALYSIS OF CERTAIN RADAR INVESTMENT OP-**  
21 **TIONS.**

22 (a) ANALYSIS REQUIRED.—

23 (1) IN GENERAL.—The Director of Cost Assess-  
24 ment and Program Evaluation shall conduct an  
25 analysis of covered radar systems operating in the



1 Navy and the Missile Defense Agency over the pe-  
2 riod covered by the most recent future-years defense  
3 program submitted to Congress under section 221 of  
4 title 10, United States Code.

5 (2) ELEMENTS.—The analysis conducted under  
6 paragraph (1) shall include the following:

7 (A) An independent cost estimate of each  
8 covered radar system described in paragraph  
9 (1) and each variant thereof.

10 (B) An assessment of the capability pro-  
11 vided by each such system and variant to ad-  
12 dress current and future air and missile defense  
13 threats.

14 (C) In the case of covered radar systems  
15 operating in the Navy, an assessment of the ca-  
16 pability and technical suitability of each  
17 planned configuration for such systems to sup-  
18 port current and future distributed maritime  
19 operations in contested environments.

20 (b) REPORT.—Not later than May 1, 2022, the Di-  
21 rector of Cost Assessment and Program Evaluation shall  
22 submit to the congressional defense committees a report  
23 that includes the following:

24 (1) The results of the analysis conducted under  
25 subsection (a)(1).



1 spect to capabilities of fielded major weapon systems fund-  
2 ed in the most recent future-years defense program sub-  
3 mitted to Congress under section 221 of title 10, United  
4 States Code, including a description of the analytical and  
5 implementation methodologies used—

6 (1) to ensure that fielded major weapon sys-  
7 tems meet current and emerging military threats;

8 (2) to upgrade or replace any fielded major  
9 weapon systems that is not capable of effectively  
10 meeting operational requirements or current, evol-  
11 ving, or emerging threats; and

12 (3) to develop and implement plans for the re-  
13 placement and divestment of fielded major weapon  
14 systems that address lower-priority military threats,  
15 as determined by intelligence assessments and oper-  
16 ational requirements.

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

21 **SEC. 147. REPORTS ON EXERCISE OF WAIVER AUTHORITY**  
22 **WITH RESPECT TO CERTAIN AIRCRAFT EJEC-**  
23 **TION SEATS.**

24 Not later than February 1, 2022, and on a semi-  
25 annual basis thereafter through February 1, 2024, the

1 Secretary of the Air Force and the Secretary of the Navy  
2 shall each submit to the congressional defense committees  
3 a report that includes, with respect to each location at  
4 which active flying operations are conducted or planned  
5 as of the date report—

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

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

13 (A) deferred maintenance; or

14 (B) the inability to obtain parts to make  
15 repairs or to fulfill time-compliance technical  
16 orders; and

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

19 (A) the date on which the waiver was  
20 issued; and

21 (B) the name and title of the official who  
22 authorized the waiver.

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

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

- Sec. 211. Codification of National Defense Science and Technology Strategy.
- Sec. 212. Codification of direct hire authority at personnel demonstration laboratories for advanced degree holders.
- Sec. 213. Duties and regional activities of the Defense Innovation Unit.
- Sec. 214. Codification of requirement for Defense Established Program to Stimulate Competitive Research.
- Sec. 215. Codification of authorities relating to Department of Defense science and technology reinvention laboratories.
- Sec. 216. Improvements relating to steering committee on emerging technology and national security threats.
- Sec. 217. Improvements relating to national network for microelectronics research and development.
- Sec. 218. Modification of mechanisms for expedited access to technical talent and expertise at academic institutions to support Department of Defense missions.
- Sec. 219. Technical correction to pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.
- Sec. 220. Defense research and engineering activities at minority institutions.
- Sec. 221. Test program for engineering plant of DDG(X) destroyer vessels.
- Sec. 222. Consortium to study irregular warfare.
- Sec. 223. Development and implementation of digital technologies for survivability and lethality testing.
- Sec. 224. Assessment and correction of deficiencies in the pilot breathing systems of tactical fighter aircraft.
- Sec. 225. Identification of the hypersonics facilities and capabilities of the Major Range and Test Facility Base.
- Sec. 226. Review of artificial intelligence applications and establishment of performance metrics.
- Sec. 227. Modification of the joint common foundation program.
- Sec. 228. Executive education on emerging technologies for senior civilian and military leaders.
- Sec. 229. Activities to accelerate development and deployment of dual-use quantum technologies.
- Sec. 230. National Guard participation in microreactor testing and evaluation.
- Sec. 231. Pilot program on the use of private sector partnerships to promote technology transition.
- Sec. 232. Pilot program on data repositories to facilitate the development of artificial intelligence capabilities for the Department of Defense.
- Sec. 233. Pilot programs for deployment of telecommunications infrastructure to facilitate 5G deployment on military installations.
- Sec. 234. Limitation on development of prototypes for the Optionally Manned Fighting Vehicle pending requirements analysis.

- Sec. 235. Limitation on transfer of certain operational flight test events and reductions in operational flight test capacity.
- Sec. 236. Limitation on availability of funds for certain C-130 aircraft.
- Sec. 237. Limitation on availability of funds for VC-25B aircraft program pending submission of documentation.
- Sec. 238. Limitation on availability of funds for the High Accuracy Detection and Exploitation System.

Subtitle C—Plans, Reports, and Other Matters

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

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

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

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

8   **Subtitle B—Program Require-**  
9           **ments, Restrictions, and Limita-**  
10           **tions**

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

13           (a) IN GENERAL.—Chapter 2 of title 10, United  
14 States Code, as amended by section 1081 of this Act, is

1 further amended by inserting before section 119, the fol-  
2 lowing new section:

3 **“§ 118c. National Defense Science and Technology**  
4 **Strategy**

5 “(a) IN GENERAL.—The Secretary of Defense shall  
6 develop a strategy—

7 “(1) to articulate the science and technology  
8 priorities, goals, and investments of the Department  
9 of Defense;

10 “(2) to make recommendations on the future of  
11 the defense research and engineering enterprise and  
12 its continued success in an era of strategic competi-  
13 tion; and

14 “(3) to establish an integrated approach to the  
15 identification, prioritization, development, and field-  
16 ing of emerging capabilities and technologies.

17 “(b) ELEMENTS.—The strategy required under sub-  
18 section (a) shall—

19 “(1) inform the development of each National  
20 Defense Strategy under section 113(g) of this title  
21 and be aligned with Government-wide strategic  
22 science and technology priorities, including the de-  
23 fense budget priorities of the Office of Science and  
24 Technology Policy of the President;

1           “(2) link the priorities, goals, and investments  
2           in subsection (a)(1) with needed critical enablers to  
3           specific programs, or broader portfolios, including—

4                   “(A) personnel and workforce capabilities;

5                   “(B) facilities for research and test infra-  
6           structure;

7                   “(C) relationships with academia, the ac-  
8           quisition community, the operational commu-  
9           nity, the defense industry, and the commercial  
10          sector; and

11                   “(D) funding, investments, personnel, fa-  
12          cilities, and relationships with other depart-  
13          ments and agencies of the Federal Government  
14          outside the Department of Defense without  
15          which defense capabilities would be severely de-  
16          graded;

17           “(3) support the coordination of acquisition pri-  
18          orities, programs, and timelines of the Department  
19          with the activities of the defense research and engi-  
20          neering enterprise;

21           “(4) include recommendations for changes in  
22          authorities, regulations, policies, or any other rel-  
23          evant areas, that would support the achievement of  
24          the goals set forth in the strategy;



1           “(5) identify mechanisms that may be used to  
2 identify critical capabilities and technological appli-  
3 cations required to address operational challenges  
4 outlined in the National Defense Strategy under sec-  
5 tion 113(g) of this title;

6           “(6) identify processes to inform senior leaders  
7 and policy makers on the potential impacts of  
8 emerging technologies for the purpose of shaping the  
9 development of policies and regulations;

10           “(7) support the efficient integration of capa-  
11 bilities and technologies to close near-term, mid-  
12 term, and long-term capability gaps;

13           “(8) support the development of appropriate in-  
14 vestments in research and technology development  
15 within the Department, and appropriate partner-  
16 ships with the defense industry and commercial in-  
17 dustry; and

18           “(9) identify mechanisms to provide informa-  
19 tion on defense technology priorities to industry to  
20 enable industry to invest deliberately in emerging  
21 technologies to build and broaden the capabilities of  
22 the industrial base.

23           “(c) COORDINATION.—The Secretary of Defense  
24 shall develop the strategy under subsection (a) in coordi-  
25 nation with relevant entities within the Office of the Sec-

1 retary of Defense, the military departments, the research  
2 organizations of Defense Agencies and Department of De-  
3 fense Field Activities, the intelligence community, defense  
4 and technology industry partners, research and develop-  
5 ment partners, other Federal research agencies, allies and  
6 partners of the United States, and other appropriate orga-  
7 nizations.

8 “(d) CONSIDERATIONS.—In developing the strategy  
9 under subsection (a), the Secretary of Defense shall con-  
10 sider—

11 “(1) the operational challenges identified in the  
12 National Defense Strategy and the technological  
13 threats and opportunities identified through the  
14 global technology review and assessment activities of  
15 the Department of Defense, the intelligence commu-  
16 nity, and other technology partners;

17 “(2) current military requirements and emerg-  
18 ing technologies in the defense and commercial sec-  
19 tors;

20 “(3) the capabilities of foreign near-peer and  
21 peer nations;

22 “(4) the need to support the development of a  
23 robust trusted and assured industrial base to manu-  
24 facture and sustain the technologies and capabilities  
25 to meet defense requirements; and

1           “(5) near-term, mid-term, and long-term tech-  
2           nology and capability development goals.

3           “(e) REPORTS.—

4           “(1) SUBSEQUENT REPORTS AND UPDATES.—

5           Not later than February 1 of the year following each  
6           fiscal year in which the National Defense Strategy  
7           is submitted under section 113(g) of this title, the  
8           Secretary of Defense shall submit to the congress-  
9           sional defense committees a report that includes an  
10          updated version of the strategy under subsection (a).

11          Each update to such strategy shall be prepared for  
12          purposes of such report based on emerging require-  
13          ments, technological developments in the United  
14          States, and technical intelligence derived from global  
15          technology reviews conducted by the Secretary of  
16          Defense.

17          “(2) FORM OF REPORTS.—The reports sub-  
18          mitted under paragraph (1) may be submitted in a  
19          form determined appropriate by the Secretary of De-  
20          fense, which may include classified, unclassified, and  
21          publicly releasable formats, as appropriate.

22          “(f) BRIEFING.—Not later than 90 days after the  
23          date on which the strategy under subsection (a) is com-  
24          pleted, the Secretary of Defense shall provide to the Com-  
25          mittees on Armed Services of the Senate and the House

1 of Representatives a briefing on the implementation plan  
2 for the strategy.

3 “(g) DESIGNATION.—The strategy developed under  
4 subsection (a) shall be known as the ‘National Defense  
5 Science and Technology Strategy’.”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 at the beginning of such chapter is amended by inserting  
8 before the item relating to section 119 the following new  
9 item:

“118e. National Defense Science and Technology Strategy.”.

10 (c) CONFORMING REPEAL.—Section 218 of the John  
11 S. McCain National Defense Authorization Act for Fiscal  
12 Year 2019 (Public Law 115–232; 132 Stat. 1679) is re-  
13 pealed.

14 (d) CONFORMING AMENDMENT.—Section  
15 2358b(c)(2)(B)(ii) of title 10, United States Code, is  
16 amended by striking “section 218 of the John S. McCain  
17 National Defense Authorization Act for Fiscal Year 2019  
18 (Public Law 115–232; 132 Stat. 1679)” and inserting  
19 “section 118c of this title”.

20 **SEC. 212. CODIFICATION OF DIRECT HIRE AUTHORITY AT**  
21 **PERSONNEL DEMONSTRATION LABORA-**  
22 **TORIES FOR ADVANCED DEGREE HOLDERS.**

23 (a) IN GENERAL.—Section 2358a of title 10, United  
24 States Code, is amended—

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

3           (2) by inserting after subsection (e) the fol-  
4           lowing new subsection (f):

5           “(f) DIRECT HIRE AUTHORITY AT PERSONNEL DEM-  
6           ONSTRATION LABORATORIES FOR ADVANCED DEGREE  
7           HOLDERS.—

8           “(1) AUTHORITY.—The Secretary of Defense  
9           may appoint qualified candidates possessing an ad-  
10          vanced degree to positions described in paragraph  
11          (2) without regard to the provisions of subchapter I  
12          of chapter 33 of title 5, other than sections 3303  
13          and 3328 of such title.

14          “(2) APPLICABILITY.—This subsection applies  
15          with respect to candidates for scientific and engi-  
16          neering positions within any laboratory designated  
17          by section 4121(b) of this title as a Department of  
18          Defense science and technology reinvention labora-  
19          tory.

20          “(3) LIMITATION.—(A) Authority under this  
21          subsection may not, in any calendar year and with  
22          respect to any laboratory, be exercised with respect  
23          to a number of candidates greater than the number  
24          equal to 5 percent of the total number of scientific  
25          and engineering positions within such laboratory

1 that are filled as of the close of the fiscal year last  
2 ending before the start of such calendar year.

3 “(B) For purposes of this paragraph, positions  
4 and candidates shall be counted on a full-time equiv-  
5 alent basis.”.

6 (b) REPEAL.—Section 1108 of the Duncan Hunter  
7 National Defense Authorization Act for Fiscal Year 2009  
8 (Public Law 110–417; 122 Stat. 4618 ) is hereby re-  
9 pealed.

10 (c) CONFORMING AMENDMENTS.—

11 (1) Section 255(b)(5)(B) of the National De-  
12 fense Authorization Act for Fiscal Year 2020 (Pub-  
13 lic Law 116–92; 10 U.S.C. 2223a note) is amended  
14 by striking “in section 2358a(f)(3) of” and inserting  
15 “in section 2358a(g) of”.

16 (2) Section 223(d)(3)(C) of the National De-  
17 fense Authorization Act for Fiscal Year 2020 (Pub-  
18 lic Law 116–92; 10 U.S.C. 2358 note) is amended  
19 by striking “in section 2358a(f) of” and inserting  
20 “in section 2358a(g) of”.

21 (3) Section 249(g)(1)(C) of the William M.  
22 (Mac) Thornberry National Defense Authorization  
23 Act for Fiscal Year 2021 (Public Law 116–283) is  
24 amended by striking “in section 2358a(f)(3) of” and  
25 inserting “in section 2358a(g) of”.

1 **SEC. 213. DUTIES AND REGIONAL ACTIVITIES OF THE DE-**  
2 **FENSE INNOVATION UNIT.**

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

6 “(ii) the technology requirements of  
7 the Department of Defense, as identified  
8 in the most recent—

9 “(I) National Defense Strategy;

10 “(II) National Defense Science  
11 and Technology Strategy as directed  
12 under section 218 of the John S.  
13 McCain National Defense Authoriza-  
14 tion Act for Fiscal Year 2019 (Public  
15 Law 115–232; 132 Stat. 1679); and

16 “(III) relevant policy and guid-  
17 ance from the Secretary of Defense;  
18 and”.

19 (b) REGIONAL ACTIVITIES.—Subject to the avail-  
20 ability of appropriations for such purpose, the Secretary  
21 of Defense may expand the efforts of the Defense Innova-  
22 tion Unit to engage and collaborate with private-sector in-  
23 dustry and communities in various regions of the United  
24 States—

25 (1) to accelerate the adoption of commercially  
26 developed advanced technology in modernization pri-

1 ority areas and such other key technology areas as  
2 may be identified by the Secretary; and

3 (2) to expand outreach to communities that do  
4 not otherwise have a Defense Innovation Unit pres-  
5 ence, including economically disadvantaged commu-  
6 nities.

7 **SEC. 214. CODIFICATION OF REQUIREMENT FOR DEFENSE**  
8 **ESTABLISHED PROGRAM TO STIMULATE**  
9 **COMPETITIVE RESEARCH.**

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

16 **“§ 4010. Defense Established Program to Stimulate**  
17 **Competitive Research**

18 “(a) PROGRAM REQUIRED.—The Secretary of De-  
19 fense, acting through the Under Secretary of Defense for  
20 Research and Engineering, shall carry out a Defense Es-  
21 tablished Program to Stimulate Competitive Research  
22 (DEPSCoR) as part of the university research programs  
23 of the Department of Defense.

24 “(b) PROGRAM OBJECTIVES.—The objectives of the  
25 program are as follows:



1           “(1) To increase the number of university re-  
2           searchers in eligible States capable of performing  
3           science and engineering research responsive to the  
4           needs of the Department of Defense.

5           “(2) To enhance the capabilities of institutions  
6           of higher education in eligible States to develop,  
7           plan, and execute science and engineering research  
8           that is relevant to the mission of the Department of  
9           Defense and competitive under the peer-review sys-  
10          tems used for awarding Federal research assistance.

11          “(3) To increase the probability of long-term  
12          growth in the competitively awarded financial assist-  
13          ance that institutions of higher education in eligible  
14          States receive from the Federal Government for  
15          science and engineering research.

16          “(c) PROGRAM ACTIVITIES.—In order to achieve the  
17          program objectives, the following activities are authorized  
18          under the program:

19                 “(1) Competitive award of grants for research  
20                 and instrumentation to support such research.

21                 “(2) Competitive award of financial assistance  
22                 for graduate students.

23                 “(3) To provide assistance to science and engi-  
24                 neering researchers at institutions of higher edu-  
25                 cation in eligible States through collaboration be-

1       tween Department of Defense laboratories and such  
2       researchers.

3           “(4) Any other activities that are determined  
4       necessary to further the achievement of the objec-  
5       tives of the program.

6       “(d) ELIGIBLE STATES.—(1) The Under Secretary  
7       of Defense for Research and Engineering shall designate  
8       which States are eligible States for the purposes of this  
9       section.

10       “(2) The Under Secretary shall designate a State as  
11       an eligible State if, as determined by the Under Sec-  
12       retary—

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

1 for such three preceding or last fiscal years, as the  
2 case may be; and

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

9 “(3) The Under Secretary shall not remove a des-  
10 ignation of a State under paragraph (2) because the State  
11 exceeds the funding levels specified under subparagraph  
12 (A) of such paragraph unless the State has exceeded such  
13 funding levels for at least two consecutive years.

14 “(e) COORDINATION WITH SIMILAR FEDERAL PRO-  
15 GRAMS.—(1) The Secretary may consult with the Director  
16 of the National Science Foundation and the Director of  
17 the Office of Science and Technology Policy in the plan-  
18 ning, development, and execution of the program and may  
19 coordinate the program with the Established Program to  
20 Stimulate Competitive Research conducted by the Na-  
21 tional Science Foundation and with similar programs  
22 sponsored by other departments and agencies of the Fed-  
23 eral Government.

24 “(2) All solicitations under the Defense Established  
25 Program to Stimulate Competitive Research may be made

1 to, and all awards may be made through, the State com-  
2 mittees established for purposes of the Established Pro-  
3 gram to Stimulate Competitive Research conducted by the  
4 National Science Foundation.

5 “(3) A State committee referred to in paragraph (2)  
6 shall ensure that activities carried out in the State of that  
7 committee under the Defense Established Program to  
8 Stimulate Competitive Research are relevant to the mis-  
9 sion of the Department of Defense and coordinated with  
10 the activities carried out in the State under other similar  
11 initiatives of the Federal Government to stimulate com-  
12 petitive research.

13 “(f) STATE DEFINED.—In this section, the term  
14 ‘State’ means a State of the United States, the District  
15 of Columbia, the Commonwealth of Puerto Rico, Guam,  
16 the Virgin Islands, American Samoa, and the Common-  
17 wealth of the Northern Mariana Islands.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 at the beginning of chapter 301 of such title, as added  
20 by section 1841 of the William M. (Mac) Thornberry Na-  
21 tional Defense Authorization Act for Fiscal Year 2021  
22 (Public Law 116–283) and amended by this Act, is fur-  
23 ther amended by striking the item relating to section 4010  
24 and inserting the following new item:

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

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

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

9 (d) EFFECTIVE DATE.—This section and the amend-  
10 ments and repeals made by this section shall take effect  
11 immediately after the effective date of the amendments  
12 made by title XVIII of the William M. (Mac) Thornberry  
13 National Defense Authorization Act for Fiscal Year 2021  
14 (Public Law 116–283).

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

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

1 **“§ 4121. Science and technology reinvention labora-**  
2 **tories: authority and designation**

3 “(a) IN GENERAL.—(1) The Secretary of Defense  
4 may carry out personnel demonstration projects at De-  
5 partment of Defense laboratories designated by the Sec-  
6 retary as Department of Defense science and technology  
7 reinvention laboratories.

8 “(2)(A) Each personnel demonstration project car-  
9 ried out under the authority of paragraph (1) shall be gen-  
10 erally similar in nature to the China Lake demonstration  
11 project.

12 “(B) For purposes of subparagraph (A), the China  
13 Lake demonstration project is the demonstration project  
14 that is authorized by section 6 of the Civil Service Mis-  
15 cellaneous Amendments Act of 1983 (Public Law 98–224)  
16 to be continued at the Naval Weapons Center, China  
17 Lake, California, and at the Naval Ocean Systems Center,  
18 San Diego, California.

19 “(3) If the Secretary carries out a demonstration  
20 project at a laboratory pursuant to paragraph (1), section  
21 4703 of title 5 shall apply to the demonstration project,  
22 except that—

23 “(A) subsection (d) of such section 4703 shall  
24 not apply to the demonstration project;

25 “(B) the authority of the Secretary to carry out  
26 the demonstration project is that which is provided

1 in paragraph (1) rather than the authority which is  
2 provided in such section 4703; and

3 “(C) the Secretary shall exercise the authorities  
4 granted to the Office of Personnel Management  
5 under such section 4703 through the Under Sec-  
6 retary of Defense for Research and Engineering  
7 (who shall place an emphasis in the exercise of such  
8 authorities on enhancing efficient operations of the  
9 laboratory and who may, in exercising such authori-  
10 ties, request administrative support from science and  
11 technology reinvention laboratories to review, re-  
12 search, and adjudicate personnel demonstration  
13 project proposals).

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

24 “(5) The limitations in section 5373 of title 5 do not  
25 apply to the authority of the Secretary under this sub-

1 section to prescribe salary schedules and other related  
2 benefits.

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

7 “(1) The Air Force Research Laboratory.

8 “(2) The Joint Warfare Analysis Center.

9 “(3) The Army Research Institute for the Be-  
10 havioral and Social Sciences.

11 “(4) The Combat Capabilities Development  
12 Command Armaments Center.

13 “(5) The Combat Capabilities Development  
14 Command Army Research Laboratory.

15 “(6) The Combat Capabilities Development  
16 Command Aviation and Missile Center.

17 “(7) The Combat Capabilities Development  
18 Command Chemical Biological Center.

19 “(8) The Combat Capabilities Development  
20 Command Command, Control, Communications,  
21 Computers, Cyber, Intelligence, Surveillance, and  
22 Reconnaissance Center.

23 “(9) The Combat Capabilities Development  
24 Command Ground Vehicle Systems Center.



1           “(10) The Combat Capabilities Development  
2           Command Soldier Center.

3           “(11) The Engineer Research and Development  
4           Center.

5           “(12) The Medical Research and Development  
6           Command.

7           “(13) The Technical Center, US Army Space  
8           and Missile Defense Command.

9           “(14) The Naval Air Systems Command War-  
10          fare Centers.

11          “(15) The Naval Facilities Engineering Com-  
12          mand Engineering and Expeditionary Warfare Cen-  
13          ter.

14          “(16) The Naval Information Warfare Centers,  
15          Atlantic and Pacific.

16          “(17) The Naval Medical Research Center.

17          “(18) The Naval Research Laboratory.

18          “(19) The Naval Sea Systems Command War-  
19          fare Centers.

20          “(20) The Office of Naval Research.

21          “(c) CONVERSION PROCEDURES.—The Secretary of  
22          Defense shall implement procedures to convert the civilian  
23          personnel of each Department of Defense science and  
24          technology reinvention laboratory, as so designated by  
25          subsection (b), to the personnel system under an appro-

1 p r i a t e demonstration project (as referred to in subsection  
2 (a)). Any conversion under this subsection—

3 “(1) shall not adversely affect any employee  
4 with respect to pay or any other term or condition  
5 of employment;

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

8 “(3) shall be completed within 18 months after  
9 designation; and

10 “(4) shall not apply to prevailing rate employ-  
11 ees (as defined by section 5342(a)(2) of title 5) or  
12 senior executives (as defined by section 3132(a)(3)  
13 of such title).

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

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

“4121. Science and technology reinvention laboratories: authority and designation.”.

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

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

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

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

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

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

1 partment of Defense laboratories designated by subsection  
2 (b) of such section as Department of Defense science and  
3 technology reinvention laboratories.”;

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

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

15 (3) Section 1109(c) of the National Defense Author-  
16 ization Act for Fiscal Year 2016 (Public Law 114-92; 10  
17 U.S.C. 2358 note) is amended by striking “specified in  
18 section 1105(a) of the National Defense Authorization Act  
19 for Fiscal Year 2010 (Public Law 111-84; 123 Stat.  
20 2486; 10 U.S.C. 2358 note)” and inserting “designated  
21 under section 4121(b) of title 10, United States Code”.

22 (4) Section 2803(a)(1) of the National Defense Au-  
23 thorization Act for Fiscal Year 2016 (Public Law 114-  
24 92; 10 U.S.C. 2358 note) is amended by striking “(as des-  
25 igned by section 1105(a) of the National Defense Au-

1 thorization Act for Fiscal Year 2010 (Public Law 111–  
2 84; 10 U.S.C. 2358 note)” and inserting “(as designated  
3 under section 4121(b) of title 10, United States Code)”.

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

11 (6) Section 211(g) of the National Defense Author-  
12 ization Act for Fiscal Year 2017 (Public Law 114–328;  
13 10 U.S.C. 2358 note) is amended by striking “under sec-  
14 tion 1105 of the National Defense Authorization Act for  
15 Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358  
16 note), as amended” and inserting “under section  
17 4121(b)of title 10, United States Code”.

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

1           (8) Section 223(d)(3)(B) of the National Defense Au-  
2 thORIZATION Act for Fiscal Year 2020 (Public Law 116-  
3 92; 10 U.S.C. 2358 note) is amended by striking “under  
4 section 1105 of the National Defense Authorization Act  
5 for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C.  
6 2358 note)” and inserting “under section 4121(b) of title  
7 10, United States Code”.

8           (9) Section 252(e)(1) of the National Defense Au-  
9 thORIZATION Act for Fiscal Year 2020 (Public Law 116-  
10 92; 10 U.S.C. 2358 note) is amended by striking “under  
11 section 1105 of the National Defense Authorization Act  
12 for Fiscal Year 2010 (Public Law 111-84; 10 U.S.C.  
13 2358 note)” and inserting “under section 4121(b) of title  
14 10, United States Code”.

15           (10) Section 255(b)(5)(A) of the National Defense  
16 AUTHORIZATION Act for Fiscal Year 2020 (Public Law 116-  
17 92; 10 U.S.C. 223a note) is amended by striking “(as des-  
18 ignated under section 1105 of the National Defense Au-  
19 thORIZATION Act for Fiscal Year 2010 (Public Law 111-  
20 84; 10 U.S.C. 2358 note))” and inserting “(as designated  
21 under section 4121(b) of title 10, United States Code)”.

22           (11) Section 249 of the William M. (Mac) Thornberry  
23 NATIONAL DEFENSE AUTHORIZATION Act for Fiscal Year 2021  
24 (Public Law 116-283) is amended—

1 (A) in subsection (e)(1)(A), by striking “under  
2 section 2358a of title 10, United States Code” and  
3 inserting “under section 4121(b) of title 10, United  
4 States Code”; and

5 (B) in subsection (g)(1)(B) by striking “under  
6 section 1105 of the National Defense Authorization  
7 Act for Fiscal Year 2010 (Public Law 111–84; 10  
8 U.S.C. 2358 note)” and inserting “under section  
9 4121(b) of title 10, United States Code”.

10 (12) Section 2124(h)(3) of title 10, United States  
11 Code, as redesignated by section 1843(b)(1) of the Wil-  
12 liam M. (Mac) Thornberry National Defense Authoriza-  
13 tion Act for Fiscal Year 2021 (Public Law 116–283), is  
14 amended by striking “designated under section 1105 of  
15 the National Defense Authorization Act for Fiscal Year  
16 2010 (Public Law 111–84; 10 U.S.C. 2358 note)” and  
17 inserting “designated under section 4121(b) of this title”.

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

22 (A) in subsection (b), by striking “designated  
23 by section 1105(a) of the National Defense Author-  
24 ization Act for Fiscal Year 2010 (Public Law 111–  
25 84; 10 U.S.C. 2358 note)” both places it appears

1 and inserting “designated by section 4121(b) of this  
2 title”; and

3 (B) in subsection (d)(2), by striking “pursuant  
4 to section 342(b) of the National Defense Authoriza-  
5 tion Act for Fiscal Year 1995 (Public Law 103–337;  
6 10 U.S.C. 2358 note)” both places it appears and  
7 inserting “pursuant to section 4121(a) of this title”.

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

13 (e) EFFECTIVE DATE.—This section and the amend-  
14 ments and repeals made by this section shall take effect  
15 immediately after the effective date of the amendments  
16 made by title XVIII of the William M. (Mac) Thornberry  
17 National Defense Authorization Act for Fiscal Year 2021  
18 (Public Law 116–283).

19 **SEC. 216. IMPROVEMENTS RELATING TO STEERING COM-**  
20 **MITTEE ON EMERGING TECHNOLOGY AND**  
21 **NATIONAL SECURITY THREATS.**

22 Section 236 of the William M. (Mac) Thornberry Na-  
23 tional Defense Authorization Act for Fiscal Year 2021  
24 (Public Law 116–283), is amended—



1 (1) in subsection (a), by striking “may” and in-  
2 sserting “and the Director of National Intelligence  
3 may jointly”;

4 (2) in subsection (b), by—

5 (A) by striking paragraphs (3) through  
6 (8); and

7 (B) by inserting after paragraph (2) the  
8 following:

9 “(3) The Principal Deputy Director of National  
10 Intelligence.

11 “(4) Such other officials of the Department of  
12 Defense and intelligence community as the Secretary  
13 of Defense and the Director of National Intelligence  
14 jointly determine appropriate.”;

15 (3) by redesignating subsections (c) through (e)  
16 as subsections (d) through (f), respectively;

17 (4) by inserting after subsection (b) the fol-  
18 lowing:

19 “(c) LEADERSHIP.—The Steering Committee shall be  
20 chaired by the Deputy Secretary of Defense, the Vice  
21 Chairman of the Joint Chiefs of Staff, and the Principal  
22 Deputy Director of National Intelligence jointly.”;

23 (5) in subsection (d), as redesignated by para-  
24 graph (3)—

25 (A) in paragraph (1)—

1 (i) by striking “a strategy” and in-  
2 serting “strategies”;

3 (ii) by inserting “and intelligence  
4 community” after “United States mili-  
5 tary”; and

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

10 (B) in paragraph (3)—

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

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

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

19 (iv) by redesignating subparagraph  
20 (E) as subparagraph (F); and

21 (v) by inserting after subparagraph  
22 (D) the following:

23 “(E) any changes to the guidance for de-  
24 veloping the National Intelligence Program  
25 budget required by section 102A(c)(1)(A) of the

1 National Security Act of 1947 (50 U.S.C.  
2 3024(c)(1)(A)), that may be required to imple-  
3 ment the strategies under paragraph (1); and”;  
4 and

5 (vi) in subparagraph (F), as redesign-  
6 nated by clause (iv), by inserting “and the  
7 intelligence community” after “Depart-  
8 ment of Defense”; and

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

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

14 “(e) DEFINITIONS.—In this section:

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

1           “(2) The term ‘intelligence community’ has the  
2           meaning given such term in section 3 of the Na-  
3           tional Security Act of 1947 (50 U.S.C. 3003).”; and  
4           (7) in subsection (f), as redesignated by para-  
5           graph (3), by striking “October 1, 2024” and insert-  
6           ing “October 1, 2025”.

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

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

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

16                 (2) by adding at the end the following new  
17                 paragraph:

18                 “(3) SELECTION OF ENTITIES.—

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

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

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

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

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

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

24           (2) in subsection (e)—

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

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

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

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

9 “(33) Spectrum activities.

10 “(34) Research security and integrity.

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

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

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

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

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

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

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

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

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

17 (B) An assessment of the ability of minor-  
18 ity institutions—

19 (i) to participate in defense-related  
20 engineering, research, and development ac-  
21 tivities; and

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

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

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

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

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

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

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



1           engineering, research, and development needs of  
2           the Department.

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

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

10                   (A) submit to the congressional defense  
11                   committees a report that includes the plan de-  
12                   veloped under paragraph (1); and

13                   (B) make the plan available on a publicly  
14                   accessible website of the Department of De-  
15                   fense.

16           (b) ACTIVITIES TO SUPPORT THE RESEARCH AND  
17           ENGINEERING CAPACITY OF HISTORICALLY BLACK COL-  
18           LEGES AND UNIVERSITIES AND MINORITY INSTITU-  
19           TIONS.—

20                   (1) IN GENERAL.—Subject to the availability of  
21                   appropriations, the Secretary may establish a pro-  
22                   gram to award contracts, grants, or other agree-  
23                   ments on a competitive basis, and to perform other  
24                   appropriate activities for the purposes described in  
25                   paragraph (2).

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

3           (A) Developing the capability, including  
4 workforce and research infrastructure, for mi-  
5 nority institutions to more effectively compete  
6 for Federal engineering, research, and develop-  
7 ment funding opportunities.

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

13           (C) Any other purposes the Secretary de-  
14 termines appropriate for enhancing the defense-  
15 related engineering, research, and development  
16 capabilities of minority institutions.

17       (c) INCREASING PARTNERSHIPS FOR MINORITY IN-  
18 STITUTIONS WITH NATIONAL SECURITY RESEARCH AND  
19 ENGINEERING ORGANIZATIONS.—Section 2362 of title 10,  
20 United States Code, is amended—

21           (1) in subsection (a), by striking “Assistant  
22 Secretary” each place it appears and inserting  
23 “Under Secretary”; and

24           (2) in subsection (d)—

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

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

4 (B) by adding at the end the following  
5 paragraph:

6 “(2) The Secretary of Defense shall establish  
7 goals and incentives to encourage federally funded  
8 research and development centers, science and tech-  
9 nology reinvention laboratories, and University Af-  
10 filiated Research Centers funded by the Department  
11 of Defense—

12 “(A) to assess the capacity of covered edu-  
13 cational institutions to address the research and  
14 development needs of the Department through  
15 partnerships and collaborations; and

16 “(B) if appropriate, to enter into partner-  
17 ships and collaborations with such institu-  
18 tions.”.

19 (d) MINORITY INSTITUTION DEFINED.—In this sec-  
20 tion, the term “minority institution” means a covered edu-  
21 cational institution (as defined in section 2362 of title 10,  
22 United States Code).

1 **SEC. 221. TEST PROGRAM FOR ENGINEERING PLANT OF**  
2 **DDG(X) DESTROYER VESSELS.**

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

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

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

15 (1) Electrical propulsion motor.

16 (2) Other propulsion drive train components.

17 (3) Main propulsion system.

18 (4) Electrical generation and distribution sys-  
19 tems.

20 (5) Machinery control systems.

21 (6) Power control modules.

22 (d) TEST OBJECTIVES.—The test program required  
23 by subsection (a) shall include, at a minimum, the fol-  
24 lowing test objectives demonstrated across the full range  
25 of engineering plant operations for the DDG(X) destroyer  
26 class of vessels:

1           (1) Test of a single shipboard representative  
2 propulsion drive train.

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

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

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

13           (f) DEFINITIONS.—In this section:

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

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

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

23           (a) ESTABLISHMENT.—The Secretary of Defense  
24 may establish a research consortium of institutions of

1 higher education to study irregular warfare and the re-  
2 sponses to irregular threats.

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

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

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

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

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

18 (5) To transition promising basic research—

19 (A) to higher stages of research and devel-  
20 opment; and

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

24 (6) To facilitate the collaboration of research  
25 centers of excellence relating to irregular threats to

1 better distribute expertise to specific issues and sce-  
2 narios regarding such threats.

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

6 (A) the understanding of irregular threats;  
7 and

8 (B) the integration of data-based responses  
9 to such threats.

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

12 (9) To support the work of a Department of  
13 Defense Functional Center for Security Studies in  
14 Irregular Warfare if such Center is established pur-  
15 suant to section 1299L of the William M. (Mac)  
16 Thornberry National Defense Authorization Act for  
17 Fiscal Year 2021 (Public Law 116–283).

18 (10) To carry out such other research initia-  
19 tives relating to irregular warfare and irregular  
20 threats as the Secretary of Defense determines ap-  
21 propriate.

22 (c) PARTNERSHIPS.—If the Secretary of Defense es-  
23 tablishes a research consortium under subsection (a), the  
24 Secretary shall encourage partnerships between the con-

1 sortium and university-affiliated research centers and  
2 other research institutions, as appropriate.

3 (d) INSTITUTION OF HIGHER EDUCATION DE-  
4 FINED.—In this section, the term “institution of higher  
5 education” has the meaning given that term in section 101  
6 of the Higher Education Act of 1965 (20 U.S.C. 1001).

7 **SEC. 223. DEVELOPMENT AND IMPLEMENTATION OF DIG-**  
8 **ITAL TECHNOLOGIES FOR SURVIVABILITY**  
9 **AND LETHALITY TESTING.**

10 (a) EXPANSION OF SURVIVABILITY AND LETHALITY  
11 TESTING.—

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

14 (A) expand the survivability and lethality  
15 testing of covered systems to include testing  
16 against non-kinetic threats; and

17 (B) develop digital technologies to test  
18 such systems against such threats throughout  
19 the life cycle of each such system.

20 (2) DEVELOPMENT OF DIGITAL TECHNOLOGIES  
21 FOR LIVE FIRE TESTING.—

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

24 (i) digital technologies to enable the  
25 modeling and simulation of the live fire



1 testing required under section 2366 of title  
2 10, United States Code; and

3 (ii) a process to use data from phys-  
4 ical live fire testing to inform and refine  
5 the digital technologies described in clause  
6 (i).

7 (B) OBJECTIVES.—In carrying out sub-  
8 paragraph (A), the Secretary shall seek to  
9 achieve the following objectives:

10 (i) Enable assessments of full spec-  
11 trum survivability and lethality of each  
12 covered system with respect to kinetic and  
13 non-kinetic threats.

14 (ii) Inform the development and re-  
15 finement of digital technology to test and  
16 improve covered systems.

17 (iii) Enable survivability and lethality  
18 assessments of the warfighting capabilities  
19 of a covered system with respect to—

20 (I) communications;

21 (II) firepower;

22 (III) mobility;

23 (IV) catastrophic survivability;

24 and

25 (V) lethality.

1 (C) DEMONSTRATION ACTIVITIES.—

2 (i) IN GENERAL.—The Secretary, act-  
3 ing through the Director, shall carry out  
4 activities to demonstrate the digital tech-  
5 nologies for full spectrum survivability  
6 testing developed under subparagraph (A).

7 (ii) PROGRAM SELECTION.—The Sec-  
8 retary shall assess and select not fewer  
9 than three and not more than ten pro-  
10 grams of the Department to participate in  
11 the demonstration activities required under  
12 clause (i).

13 (iii) ARMED FORCES PROGRAMS.—Of  
14 the programs selected pursuant to clause  
15 (ii), the Director shall select—

16 (I) at least one such program  
17 from the Army;

18 (II) at least one such program  
19 from the Navy or the Marine Corps;  
20 and

21 (III) at least one such program  
22 from the Air Force or the Space  
23 Force.

24 (3) REGULAR SURVIVABILITY AND LETHALITY  
25 TESTING THROUGHOUT LIFE CYCLE.—

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

3 (i) develop a process to regularly test  
4 through the use of digital technologies the  
5 survivability and lethality of each covered  
6 system against kinetic and non-kinetic  
7 threats throughout the life cycle of such  
8 system as threats evolve; and

9 (ii) establish guidance for such test-  
10 ing.

11 (B) ELEMENTS.—In carrying out subpara-  
12 graph (A), the Secretary shall determine the  
13 following:

14 (i) When to deploy digital technologies  
15 to provide timely and up-to-date insights  
16 with respect to covered systems without  
17 unduly delaying fielding of capabilities.

18 (ii) The situations in which it may be  
19 necessary to develop and use digital tech-  
20 nologies to assess legacy fleet  
21 vulnerabilities.

22 (b) REPORTS AND BRIEFING.—

23 (1) ASSESSMENT AND SELECTION OF PRO-  
24 GRAMS.—Not later than 180 days after the date of  
25 the enactment of this Act, the Secretary shall submit

1 to the congressional defense committees a report  
2 that identifies the programs selected to participate  
3 in the demonstration activities under subsection  
4 (a)(2)(C).

5 (2) MODERNIZATION AND DIGITIZATION RE-  
6 PORT.—

7 (A) IN GENERAL.—Not later than March  
8 15, 2023, the Director shall submit to the con-  
9 gressional defense committees a report that in-  
10 cludes—

11 (i) an assessment of the progress of  
12 the Secretary in carrying out subsection  
13 (a);

14 (ii) an assessment of each of the dem-  
15 onstration activities carried out under sub-  
16 section (a)(2)(C), including a comparison  
17 of—

18 (I) the risks, benefits, and costs  
19 of using digital technologies for live  
20 fire testing and evaluation; and

21 (II) the risks, benefits, and costs  
22 of traditional physical live fire testing  
23 approaches that—

24 (aa) are not supported by  
25 digital technologies;

1 (bb) do not include testing  
2 against non-kinetic threats; and

3 (cc) do not include full spec-  
4 trum survivability;

5 (iii) an explanation of—

6 (I) how real-world operational  
7 and digital survivability and lethality  
8 testing data will be used to inform  
9 and enhance digital technology;

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

17 (III) the contribution of such  
18 data to the decision-support processes  
19 for managing and overseeing acquisi-  
20 tion programs of the Department;

21 (iv) an assessment of the ability of the  
22 Department to perform full spectrum sur-  
23 vivability and lethality testing of each cov-  
24 ered system with respect to kinetic and  
25 non-kinetic threats;

1 (v) an assessment of the processes im-  
2 plemented by the Department to manage  
3 digital technologies developed pursuant to  
4 subsection (a); and

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

11 (B) BRIEFING.—Not later than April 14,  
12 2023, the Director shall provide to the congres-  
13 sional defense committees a briefing that identi-  
14 fies any changes to existing law that may be  
15 necessary to implement subsection (a).

16 (c) DEFINITIONS.—In this section:

17 (1) The term “covered officials” means—

18 (A) the Under Secretary of Defense for  
19 Research and Engineering;

20 (B) the Under Secretary of Defense for  
21 Acquisition and Sustainment;

22 (C) the Chief Information Officer;

23 (D) the Director;

24 (E) the Director of Cost Assessment and  
25 Program Evaluation;

1 (F) the Service Acquisition Executives;

2 (G) the Service testing commands;

3 (H) the Director of the Defense Digital

4 Service; and

5 (I) representatives from—

6 (i) the Department of Defense Test

7 Resource Management Center;

8 (ii) the High Performance Computing

9 Modernization Program Office; and

10 (iii) the Joint Technical Coordination

11 Group for Munitions Effectiveness.

12 (2) The term “covered system” means any  
13 warfighting capability that can degrade, disable, de-  
14 ceive, or destroy forces or missions.

15 (3) The term “Department” means the Depart-  
16 ment of Defense.

17 (4) The term “digital technologies” includes  
18 digital models, digital simulations, and digital twin  
19 capabilities that may be used to test the survivability  
20 and lethality of a covered system.

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

23 (6) The term “full spectrum survivability and  
24 lethality testing” means a series of assessments of  
25 the effects of kinetic and non-kinetic threats on the

1       communications, firepower, mobility, catastrophic  
2       survivability, and lethality of a covered system.

3               (7) The term “non-kinetic threats” means un-  
4       conventional threats, including—

5                       (A) cyber attacks;

6                       (B) electromagnetic spectrum operations;

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

9                       (D) directed energy weapons.

10              (8) The term “Secretary” means the Secretary  
11       of Defense.

12 **SEC. 224. ASSESSMENT AND CORRECTION OF DEFICI-**  
13 **ENCIES IN THE PILOT BREATHING SYS-**  
14 **TEMS OF TACTICAL FIGHTER AIRCRAFT.**

15       (a) TESTING AND EVALUATION REQUIRED.—Begin-  
16       ning not later than 120 days after the date of the enact-  
17       ment of this Act, the Secretary of Defense, in consultation  
18       with the Administrator of the National Aeronautics and  
19       Space Administration, shall commence operational testing  
20       and evaluation of each fleet of tactical fighter aircraft (in-  
21       cluding each type and model variant of aircraft within the  
22       fleet) that uses the Onboard Oxygen Generating System  
23       for the pilot breathing system (in this section referred to  
24       as the “breathing system”) to—



1           (1) determine whether the breathing system  
2           complies with Military Standard 3050 (MIL-STD-  
3           3050), titled “Aircraft Crew Breathing Systems  
4           Using On-Board Oxygen Generating System  
5           (OBOGS)”;

6           (2) assess the safety and effectiveness of the  
7           breathing system for all pilots of the aircraft fleet  
8           tested.

9           (b) REQUIREMENTS.—The following shall apply to  
10          the testing and evaluation conducted for an aircraft fleet  
11          under subsection (a):

12           (1) The F-35 aircraft fleet shall be the first  
13           aircraft fleet tested and evaluated, and such testing  
14           and evaluation shall include F-35A, F-35B, and F-  
15           35C aircraft.

16           (2) The pilot, aircraft systems, and operational  
17           flight environment of the aircraft shall not be as-  
18           sessed in isolation but shall be tested and evaluated  
19           as integrated parts of the breathing system.

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

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

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

9 (5) A diverse group of pilots shall participate in  
10 the testing and evaluation, including—

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

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

17 (6) Aircraft involved in the testing and evalua-  
18 tion shall perform operations with operationally rep-  
19 resentative and realistic aircraft configurations.

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

24 (8) The testing and evaluation shall include  
25 testing data from pilot reports, measurements of

1 breathing pressures and air delivery response timing  
2 and flow, cabin pressure, air-speed, acceleration,  
3 measurements of hysteresis during all phases of  
4 flight, measurements of differential pressure between  
5 mask and cabin altitude, and measurements of  
6 spirometry and specific oxygen saturation levels of  
7 the pilot immediately before and immediately after  
8 each flight.

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

14 (10) The testing and evaluation shall include  
15 the participation of subject matter experts who have  
16 familiarity and technical expertise regarding design  
17 and functions of the aircraft, its propulsion system,  
18 pilot breathing system, life support equipment,  
19 human factors, and any other systems or subject  
20 matter the Secretary determines necessary to con-  
21 duct effective testing and evaluation. At a minimum,  
22 such subject matter experts shall include aerospace  
23 physiologists, engineers, flight surgeons, and sci-  
24 entists.

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

13          (c) CORRECTIVE ACTIONS.—Not later than 90 days  
14          after the submittal of a final report under subsection (e)  
15          for an aircraft fleet, the Secretary of Defense shall take  
16          such actions as are necessary to correct all deficiencies,  
17          shortfalls, and gaps in the breathing system that were dis-  
18          covered or reported as a result of the testing and evalua-  
19          tion of such aircraft fleet under subsection (a).

20          (d) PRELIMINARY REPORTS.—

21                 (1) IN GENERAL.—Not later than the date  
22                 specified in paragraph (2), for each aircraft fleet  
23                 tested and evaluated under subsection (a), the Sec-  
24                 retary of Defense shall submit to the congressional  
25                 defense committees a separate preliminary report,

1 based on the initial results of such testing and eval-  
2 uation, that includes—

3 (A) the initial findings and recommenda-  
4 tions of the Secretary;

5 (B) potential corrective actions that the  
6 Secretary of Defense may carry out to address  
7 deficiencies in the breathing system of the air-  
8 craft tested; and

9 (C) the results of initial review and assess-  
10 ment, conducted by the Administrator of the  
11 National Aeronautics and Space Administration  
12 for purposes of the report, of—

13 (i) the testing and evaluation plans,  
14 execution, processes, data, and technical  
15 results of the testing and evaluation activi-  
16 ties under subsection (a); and

17 (ii) the initial findings, recommenda-  
18 tions, and potential corrective actions de-  
19 termined by the Secretary of Defense  
20 under subparagraphs (A) and (B).

21 (2) DATE SPECIFIED.—The date specified in  
22 this paragraph is the earlier of—

23 (A) a date selected by the Secretary of the  
24 Air Force that is not later than 180 days after

1 the testing and evaluation of the aircraft fleet  
2 under subsection (a) has been completed; or

3 (B) one year after the commencement of  
4 the testing and evaluation of the aircraft fleet  
5 under subsection (a).

6 (e) FINAL REPORTS.—Not later than two years after  
7 the commencement of the testing and evaluation under  
8 subsection (a) for an aircraft fleet, the Secretary of De-  
9 fense shall submit to the congressional defense committees  
10 a final report on the results of such testing with respect  
11 to such aircraft fleet that includes, based on the final re-  
12 sults of such testing and evaluation—

13 (1) findings and recommendations with respect  
14 to the breathing system; and

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

18 (f) INDEPENDENT REVIEW OF FINAL REPORT.—

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

1           (2) REPORT TO SECRETARY.—Not later than  
2           seven months after the date on which the Secretary  
3           of Defense enters into an agreement with a federally  
4           funded research and development center under para-  
5           graph (1), the center shall submit to the Secretary  
6           a report on the results of the review conducted  
7           under such paragraph.

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

13 **SEC. 225. IDENTIFICATION OF THE HYPERSONICS FACILI-**  
14                   **TIES AND CAPABILITIES OF THE MAJOR**  
15                   **RANGE AND TEST FACILITY BASE.**

16          (a) IDENTIFICATION REQUIRED.—Not later than 180  
17          days after the date of the enactment of this Act, the Sec-  
18          retary of Defense shall identify each facility and capability  
19          of the Major Range and Test Facility Base—

20               (1) the primary mission of which is the test and  
21               evaluation of hypersonics technology; or

22               (2) that provides other test and evaluation ca-  
23               pabilities to support the development of hypersonics  
24               technology.

1 (b) BRIEFING.—Not later than one year after the  
2 date of the enactment of this Act, the Secretary of Defense  
3 shall provide to the congressional defense committees a  
4 briefing on a plan to improve the capabilities identified  
5 under subsection (a), including—

6 (1) a schedule for such improvements; and

7 (2) a description of any organizational changes,  
8 investments, policy changes, or other activities the  
9 Secretary proposes to carry out as part of such plan.

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

14 **SEC. 226. REVIEW OF ARTIFICIAL INTELLIGENCE APPLICA-**  
15 **TIONS AND ESTABLISHMENT OF PERFORM-**  
16 **ANCE METRICS.**

17 (a) IN GENERAL.—Not later than 180 days after the  
18 date of the enactment of this Act, the Secretary of Defense  
19 shall—

20 (1) review the potential applications of artificial  
21 intelligence and digital technology to the platforms,  
22 processes, and operations of the Department of De-  
23 fense; and

24 (2) establish performance objectives and accom-  
25 panying metrics for the incorporation of artificial in-



1 intelligence and digital readiness into such platforms,  
2 processes, and operations.

3 (b) PERFORMANCE OBJECTIVES AND ACCOMPANYING  
4 METRICS.—

5 (1) SKILL GAPS.—In carrying out subsection  
6 (a), the Secretary of Defense shall require each Sec-  
7 retary of a military department and the heads of  
8 such other organizations and elements of the De-  
9 partment of Defense as the Secretary of Defense de-  
10 termines appropriate to—

11 (A) conduct a comprehensive review and  
12 assessment of—

13 (i) skill gaps in the fields of software  
14 development, software engineering, data  
15 science, and artificial intelligence;

16 (ii) the qualifications of civilian per-  
17 sonnel needed for both management and  
18 specialist tracks in such fields; and

19 (iii) the qualifications of military per-  
20 sonnel (officer and enlisted) needed for  
21 both management and specialist tracks in  
22 such fields; and

23 (B) establish recruiting, training, and tal-  
24 ent management performance objectives and ac-  
25 companying metrics for achieving and maintain-

1           ing staffing levels needed to fill identified gaps  
2           and meet the needs of the Department for  
3           skilled personnel.

4           (2) AI MODERNIZATION ACTIVITIES.—In car-  
5           rying out subsection (a), the Secretary of Defense  
6           shall—

7                   (A) assess investment by the Department  
8                   of Defense in artificial intelligence innovation,  
9                   science and technology, and research and devel-  
10                  opment;

11                  (B) assess investment by the Department  
12                  in test and evaluation of artificial intelligence  
13                  capabilities; and

14                  (C) establish performance objectives and  
15                  accompanying metrics for artificial intelligence  
16                  modernization activities of the Department.

17           (3) EXERCISES, WARGAMES, AND EXPERIMEN-  
18           TATION.—In conjunction with the activities of the  
19           Secretary of Defense under subsection (a), the  
20           Chairman of the Joint Chiefs of Staff, in coordina-  
21           tion with the Director of the Joint Artificial Intel-  
22           ligence Center, shall—

23                   (A) assess the integration of artificial intel-  
24                   ligence into war-games, exercises, and experi-  
25                   mentation; and

1 (B) develop performance objectives and ac-  
2 companying metrics for such integration.

3 (4) LOGISTICS AND SUSTAINMENT.—In car-  
4 rying out subsection (a), the Secretary of Defense  
5 shall require the Under Secretary of Defense for Ac-  
6 quisition and Sustainment, with support from the  
7 Director of the Joint Artificial Intelligence Center,  
8 to—

9 (A) assess the application of artificial intel-  
10 ligence in logistics and sustainment systems;  
11 and

12 (B) establish performance objectives and  
13 accompanying metrics for integration of artifi-  
14 cial intelligence in the Department of Defense  
15 logistics and sustainment enterprise.

16 (5) BUSINESS APPLICATIONS.—In carrying out  
17 subsection (a), the Secretary of Defense shall re-  
18 quire the Under Secretary of Defense (Comptroller),  
19 in coordination with the Director of the Joint Artifi-  
20 cial Intelligence Center, to—

21 (A) assess the integration of artificial intel-  
22 ligence for administrative functions that can be  
23 performed with robotic process automation and  
24 artificial intelligence-enabled analysis; and

1 (B) establish performance objectives and  
2 accompanying metrics for the integration of ar-  
3 tificial intelligence in priority business process  
4 areas of the Department of Defense, including  
5 the following:

6 (i) Human resources.

7 (ii) Budget and finance, including  
8 audit.

9 (iii) Retail.

10 (iv) Real estate.

11 (v) Health care.

12 (vi) Logistics.

13 (vii) Such other business processes as  
14 the Secretary considers appropriate.

15 (c) REPORT TO CONGRESS.—Not later than 120 days  
16 after the completion of the review required by subsection  
17 (a)(1), the Secretary of Defense shall submit to the con-  
18 gressional defense committees a report on—

19 (1) the findings of the Secretary with respect to  
20 the review and any action taken or proposed to be  
21 taken by the Secretary to address such findings; and

22 (2) the performance objectives and accom-  
23 panying metrics established under subsections (a)(2)  
24 and (b).

1 **SEC. 227. MODIFICATION OF THE JOINT COMMON FOUNDA-**  
2 **TION PROGRAM.**

3 (a) MODIFICATION OF JOINT COMMON FOUNDA-  
4 TION.—The Secretary of Defense shall modify the Joint  
5 Common Foundation program conducted by the Joint Ar-  
6 tificial Intelligence Center to ensure that Department of  
7 Defense components can more easily contract with leading  
8 commercial artificial intelligence companies to support the  
9 rapid and efficient development and deployment of appli-  
10 cations and capabilities.

11 (b) QUALIFYING COMMERCIAL COMPANIES.—The  
12 Secretary of Defense shall take such actions as may be  
13 necessary to increase the number of commercial artificial  
14 intelligence companies eligible to provide support to De-  
15 partment of Defense components, including with respect  
16 to requirements for cybersecurity protections and proc-  
17 esses, to achieve automatic authority to operate and pro-  
18 vide continuous delivery, security clearances, data port-  
19 ability, and interoperability.

20 (c) USE OF FAR PART 12.—The Secretary of De-  
21 fense shall ensure that, to the maximum extent prac-  
22 ticable, commercial artificial intelligence companies are  
23 able to offer platforms, services, applications, and tools to  
24 Department of Defense components through processes and  
25 procedures under part 12 of the Federal Acquisition Regu-  
26 lation.

1 (d) OBJECTIVES OF THE JOINT COMMON FOUNDA-  
2 TION PROGRAM.—The objectives of the Joint Common  
3 Foundation program shall include the following:

4 (1) Relieving Department of Defense compo-  
5 nents of the need to design or develop or independ-  
6 ently contract for the computing and data hosting  
7 platforms and associated services on and through  
8 which the component at issue would apply its do-  
9 main expertise to develop specific artificial intel-  
10 ligence applications.

11 (2) Providing expert guidance to components in  
12 selecting commercial platforms, tools, and services to  
13 support the development of component artificial in-  
14 telligence applications.

15 (3) Ensuring that leading commercial artificial  
16 intelligence technologies and capabilities are easily  
17 and rapidly accessible to components through  
18 streamlined contracting processes.

19 (4) Assisting components in designing, devel-  
20 oping, accessing, or acquiring commercial or non-  
21 commercial capabilities that may be needed to sup-  
22 port the operational use of artificial intelligence ap-  
23 plications.

24 (5) Enabling companies to develop software for  
25 artificial intelligence applications within secure soft-

1       ware development environments that are controlled,  
2       sponsored, required, or specified by the Department  
3       of Defense, including PlatformOne of the Depart-  
4       ment of the Air Force

5       (e) BRIEFING.—Not later than 120 days after the  
6       date of the enactment of this Act, the Secretary of Defense  
7       shall provide to the congressional defense committees a  
8       briefing on actions taken to carry out this section.

9       **SEC. 228. EXECUTIVE EDUCATION ON EMERGING TECH-**  
10                   **NOLOGIES FOR SENIOR CIVILIAN AND MILI-**  
11                   **TARY LEADERS.**

12       (a) ESTABLISHMENT OF COURSE.—Not later than  
13       two years after the date of the enactment of this Act, the  
14       Secretary of Defense shall establish executive education  
15       activities on emerging technologies for appropriate general  
16       and flag officers and senior executive-level civilian leaders  
17       that are designed specifically to prepare new general and  
18       flag officers and senior executive-level civilian leaders on  
19       relevant technologies and how these technologies may be  
20       applied to military and business activities in the Depart-  
21       ment of Defense.

22       (b) PLAN FOR PARTICIPATION.—

23               (1) IN GENERAL.—The Secretary of Defense  
24       shall develop a plan for participation in executive  
25       education activities established under subsection (a).

1           (2) REQUIREMENTS.—As part of such plan, the  
2           Secretary shall ensure that, not later than five years  
3           after the date of the establishment of the activities  
4           under subsection (a), all appropriate general flag of-  
5           ficers and senior executive-level civilian leaders are—

6                   (A) required to complete the executive edu-  
7                   cation activities under such subsection; and

8                   (B) certified as having successfully com-  
9                   pleted the executive education activities.

10          (c) REPORT.—

11           (1) IN GENERAL.—Not later than the date that  
12           is three years after the date of the enactment of this  
13           Act, the Secretary of Defense shall submit to the  
14           Committee on Armed Services of the Senate and the  
15           Committee on Armed Services of the House of Rep-  
16           resentatives a report on the status of the implemen-  
17           tation of the activities required by subsection (a).

18           (2) CONTENTS.—The report submitted under  
19           paragraph (1) shall include the following:

20                   (A) A description of the new general and  
21                   flag officers and senior executive-level civilian  
22                   leaders for whom the education activities have  
23                   been designated.



1 (B) A recommendation with respect to con-  
2 tinuing or expanding the activities required  
3 under subsection (a).

4 **SEC. 229. ACTIVITIES TO ACCELERATE DEVELOPMENT AND**  
5 **DEPLOYMENT OF DUAL-USE QUANTUM TECH-**  
6 **NOLOGIES.**

7 (a) **ACTIVITIES REQUIRED.**—The Secretary of De-  
8 fense shall establish a set of activities—

9 (1) to accelerate the development and deploy-  
10 ment of dual-use quantum capabilities;

11 (2) to ensure the approach of the United States  
12 to investments of the Department of Defense in  
13 quantum information science research and develop-  
14 ment reflects an appropriate balance between sci-  
15 entific progress and the potential economic and secu-  
16 rity implications of such progress;

17 (3) to ensure that the Department of Defense  
18 is fully aware and has a technical understanding of  
19 the maturity and operational utility of new and  
20 emerging quantum technologies; and

21 (4) to ensure the Department of Defense con-  
22 sistently has access to the most advanced quantum  
23 capabilities available in the commercial sector to  
24 support research and modernization activities.

25 (b) **ASSISTANCE PROGRAM.**—

1           (1) PROGRAM REQUIRED.—In carrying out sub-  
2           section (a) and subject to the availability of appro-  
3           priations for such purpose, the Secretary of Defense  
4           shall, acting through the Director of the Defense  
5           Advanced Research Projects Agency and in consulta-  
6           tion with appropriate public and private sector orga-  
7           nizations, establish a program under which the Sec-  
8           retary may award assistance to one or more organi-  
9           zations—

10                   (A) to identify defense applications for  
11                   which dual-use quantum technologies provide a  
12                   clear advantage over competing technologies;

13                   (B) to accelerate development of such  
14                   quantum technologies; and

15                   (C) to accelerate the deployment of dual-  
16                   use quantum capabilities.

17           (2) FORM OF ASSISTANCE.—Assistance award-  
18           ed under the program required by paragraph (1)  
19           may consist of a grant, a contract, a cooperative  
20           agreement, other transaction, or such other form of  
21           assistance as the Secretary of Defense considers ap-  
22           propriate.

23           (3) AUTHORITIES AND ACQUISITION AP-  
24           PROACHES.—The Secretary of Defense may use the

1 following authorities and approaches for the pro-  
2 gram required by paragraph (1):

3 (A) Section 2374a of title 10, United  
4 States Code, relating to prizes for advanced  
5 technology achievements.

6 (B) Section 2373 of such title, relating to  
7 procurement for experimental purposes.

8 (C) Sections 2371 and 2371b of such title,  
9 relating to transactions other than contracts  
10 and grants and authority of the Department of  
11 Defense to carry out certain prototype projects,  
12 respectively.

13 (D) Section 2358 of such title, relating to  
14 research and development projects.

15 (E) Section 879 of the National Defense  
16 Authorization Act for Fiscal Year 2017 (Public  
17 Law 114–328; 10 U.S.C. 2302 note), relating  
18 to defense pilot program for authority to ac-  
19 quire innovative commercial products, tech-  
20 nologies, and services using general solicitation  
21 competitive procedures.

22 (F) Requirement for milestone payments  
23 based on technical achievements.

24 (G) Requirement for cost share from pri-  
25 vate sector participants in the program.

1 (H) Commercial procurement authority  
2 under part 12 of the Federal Acquisition Regu-  
3 lation.

4 (I) Such other authorities or approaches as  
5 the Secretary considers appropriate.

6 (4) POLICIES AND PROCEDURES.—The Sec-  
7 retary of Defense shall, in consultation with such ex-  
8 perts from government and industry as the Sec-  
9 retary considers appropriate, establish policies and  
10 procedures to carry out the program required by  
11 paragraph (1).

12 (c) BRIEFING AND REPORT.—

13 (1) BRIEFING.—Not later than March 1, 2022,  
14 the Secretary of Defense shall provide to the con-  
15 gressional defense committees a briefing on the plan  
16 to carry out the activities required by subsection (a)  
17 and the program required by subsection (b).

18 (2) REPORT.—Not later than December 31,  
19 2022, and not less frequently than once each year  
20 thereafter until December 31, 2026, the Secretary of  
21 Defense shall submit to the congressional defense  
22 committees a report on the activities carried out  
23 under subsection (a) and the program carried out  
24 under subsection (b).

1 **SEC. 230. NATIONAL GUARD PARTICIPATION IN MICRO-**  
2 **REACTOR TESTING AND EVALUATION.**

3 The Secretary of Defense may, in coordination with  
4 the Director of the Strategic Capabilities Office and the  
5 Chief of the National Guard Bureau, assemble a collection  
6 of four National Guard units to participate in the testing  
7 and evaluation of a micro nuclear reactor program.

8 **SEC. 231. PILOT PROGRAM ON THE USE OF PRIVATE SEC-**  
9 **TOR PARTNERSHIPS TO PROMOTE TECH-**  
10 **NOLOGY TRANSITION.**

11 (a) IN GENERAL.—Consistent with section 2359 of  
12 title 10, United States Code, the Secretary of Defense  
13 shall carry out a pilot program to foster the transition of  
14 the science and technology programs, projects, and activi-  
15 ties of the Department of Defense from the research, de-  
16 velopment, pilot, and prototyping phases into acquisition  
17 activities and operational use. Under the pilot program,  
18 the Secretary shall seek to enter into agreements with  
19 qualified private sector organizations to support—

20 (1) matching technology developers with pro-  
21 grams, projects, and activities of the Department  
22 that may have a use for the technology developed by  
23 such developers;

24 (2) providing technical assistance to appropriate  
25 parties on participating in the procurement pro-  
26 grams and acquisition processes of the Department,

1 including training and consulting on programming,  
2 budgeting, contracting, requirements, and other rel-  
3 evant processes and activities; and

4 (3) overcoming barriers and challenges facing  
5 technology developers, including challenges posed by  
6 restrictions on accessing secure facilities, networks,  
7 and information.

8 (b) PRIORITY.—In carrying out the activities de-  
9 scribed in paragraphs (1) through (3) of subsection (a),  
10 a qualified private sector organization shall give priority  
11 to technology producers that are small business concerns  
12 (as defined under section 3 of the Small Business Act (15  
13 U.S.C. 632)), research institutions (as defined in section  
14 9(e) of such Act), or institutions of higher education (as  
15 defined in section 101 of the Higher Education Act of  
16 1965 (20 U.S.C 1001)).

17 (c) TERMS OF AGREEMENTS.—The terms of an  
18 agreement under subsection (a) shall be determined by the  
19 Secretary of Defense.

20 (d) DATA COLLECTION.—

21 (1) PLAN REQUIRED BEFORE IMPLEMENTA-  
22 TION.—The Secretary of Defense may not enter into  
23 an agreement under subsection (a) until the date on  
24 which the Secretary—

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

4 (B) submits the plan to the congressional  
5 defense committees.

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

10 (A) developing and sharing best practices  
11 for facilitating the transition of science and  
12 technology from the research, development,  
13 pilot, and prototyping phases into acquisition  
14 activities and operational use within the De-  
15 partment of Defense;

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

19 (C) providing information to the congres-  
20 sional defense committees as required under  
21 subsection (e).

22 (e) BRIEFING.—Not later than December 31, 2022,  
23 the Secretary of Defense shall provide to the congressional  
24 defense committees a briefing on the progress of the Sec-

1   retary in implementing the pilot program under this sec-  
2   tion and any related policy issues.

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

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

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

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

13          (4) such other individuals and organizations as  
14   the Secretary determines appropriate.

15       (g) TERMINATION.—The pilot program under this  
16   section shall terminate on the date that is five years after  
17   the date on which Secretary of Defense enters into the  
18   first agreement with a qualified private sector organiza-  
19   tion under subsection (a).

20       (h) COMPTROLLER GENERAL ASSESSMENT AND RE-  
21   PORT.—

22           (1) ASSESSMENT.—The Comptroller General of  
23   the United States shall conduct an assessment of the  
24   pilot program under this section. The assessment



1 shall include an evaluation of the effectiveness of the  
2 pilot program with respect to—

3 (A) facilitating the transition of science  
4 and technology from the research, development,  
5 pilot, and prototyping phases into acquisition  
6 activities and operational use within the De-  
7 partment of Defense; and

8 (B) protecting sensitive information in the  
9 course of the pilot program.

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

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

17 (A) four years after the date on which the  
18 Secretary of Defense enters into the first agree-  
19 ment with a qualified private sector organiza-  
20 tion under subsection (a); or

21 (B) five years after the date of the enact-  
22 ment of this Act.

1 **SEC. 232. PILOT PROGRAM ON DATA REPOSITORIES TO FA-**  
2 **CILITATE THE DEVELOPMENT OF ARTIFICIAL**  
3 **INTELLIGENCE CAPABILITIES FOR THE DE-**  
4 **PARTMENT OF DEFENSE.**

5 (a) ESTABLISHMENT OF DATA REPOSITORIES.—The  
6 Secretary of Defense, acting through the Chief Data Offi-  
7 cer of the Department of Defense and the Director of the  
8 Joint Artificial Intelligence Center (and such other offi-  
9 cials as the Secretary determines appropriate), may carry  
10 out a pilot program under which the Secretary—

11 (1) establishes data repositories containing De-  
12 partment of Defense data sets relevant to the devel-  
13 opment of artificial intelligence software and tech-  
14 nology; and

15 (2) allows appropriate public and private sector  
16 organizations to access such data repositories for the  
17 purpose of developing improved artificial intelligence  
18 and machine learning software capabilities that may,  
19 as determined appropriate by the Secretary, be pro-  
20 cured by the Department to satisfy Department re-  
21 quirements and technology development goals.

22 (b) ELEMENTS.—If the Secretary of Defense carries  
23 out the pilot program under subsection (a), the data re-  
24 positories established under the program—

25 (1) may include unclassified training quality  
26 data sets and associated labels representative of di-

1       verse types of information, representing Department  
2       of Defense missions, business processes, and activi-  
3       ties; and

4               (2) shall—

5                       (A) be categorized and annotated to sup-  
6                       port development of a common evaluation  
7                       framework for artificial intelligence models and  
8                       other technical software solutions;

9                       (B) be made available to appropriate pub-  
10                      lic and private sector organizations to support  
11                      rapid development of software and artificial in-  
12                      telligence capabilities;

13                     (C) include capabilities and tool sets to de-  
14                     tect, evaluate, and correct errors in data anno-  
15                     tation, identify gaps in training data used in  
16                     model development that would require addi-  
17                     tional data labeling, and evaluate model per-  
18                     formance across the life cycle of the data re-  
19                     positories; and

20                     (D) be developed to support other missions  
21                     and activities as determined by the Secretary.

22       (c) BRIEFING.—Not later than 270 days after the  
23       date of the enactment of this Act, the Secretary of Defense  
24       shall provide to the congressional defense committees a  
25       briefing on—

1 (1) whether the Secretary intends to carry out  
2 the pilot program under this section;

3 (2) if the Secretary does not intend to carry out  
4 the pilot program, an explanation of the reasons for  
5 such decision;

6 (3) if the Secretary does intend to carry out the  
7 pilot program, or if the Secretary has already initi-  
8 ated the pilot program as of the date of the brief-  
9 ing—

10 (A) the types of information the Secretary  
11 determines are feasible and advisable to include  
12 in the data repositories described in subsection  
13 (a); and

14 (B) the progress of the Secretary in car-  
15 rying out the program.

16 **SEC. 233. PILOT PROGRAMS FOR DEPLOYMENT OF TELE-**  
17 **COMMUNICATIONS INFRASTRUCTURE TO FA-**  
18 **CILITATE 5G DEPLOYMENT ON MILITARY IN-**  
19 **STALLATIONS.**

20 (a) PLANS.—

21 (1) IN GENERAL.—Not later than 180 days  
22 after enactment of this Act, each Secretary of a mili-  
23 tary department shall submit to the congressional  
24 defense committees a plan for a pilot program for  
25 the deployment of telecommunications infrastructure

1 to facilitate the availability of fifth-generation wire-  
2 less telecommunications services on military installa-  
3 tions under the jurisdiction of the Secretary.

4 (2) PLAN ELEMENTS.—Each plan submitted  
5 under paragraph (1) by a Secretary of a military de-  
6 partment shall include, with respect to such military  
7 department, the following:

8 (A) A list of military installations at which  
9 the pilot program will be carried out, including  
10 at least one military installation of the depart-  
11 ment.

12 (B) A description of authorities that will  
13 be used to execute the pilot program.

14 (C) A timeline for the implementation and  
15 duration of the pilot program.

16 (D) The identity of each telecommuni-  
17 cation carrier that intends to use the tele-  
18 communications infrastructure deployed pursu-  
19 ant to the pilot to provide fifth-generation wire-  
20 less telecommunication services at each of the  
21 military installations listed under subparagraph  
22 (A).

23 (E) An assessment of need for centralized  
24 processes and points of contacts to facilitate de-

1           ployment of the telecommunications infrastruc-  
2           ture.

3           (b) PILOT PROGRAMS REQUIRED.—Not later than  
4 one year after the date of the enactment of this Act, each  
5 Secretary of a military department shall establish a pilot  
6 program in accordance with the plan submitted by the  
7 Secretary under subsection (a)(1).

8           (c) REPORTS.—

9           (1) IN GENERAL.—Not later than 180 days  
10 after the date on which a Secretary of a military de-  
11 partment commences a pilot program under sub-  
12 section (b), and not less frequently than once every  
13 180 days thereafter until the completion of the pilot  
14 program, the Secretary shall submit to the congres-  
15 sional defense committees a report on the pilot pro-  
16 gram.

17           (2) CONTENTS.—Each report submitted under  
18 paragraph (1) for a pilot program shall include the  
19 following:

20           (A) A description of the status of the pilot  
21 program at each military installation at which  
22 the pilot program is carried out.

23           (B) A description of the use of, and serv-  
24 ices provided by, telecommunications carriers of

1 the telecommunications infrastructure at each  
2 military installation under the pilot program.

3 (C) Such additional information as the  
4 Secretary of the military department considers  
5 appropriate.

6 (d) TELECOMMUNICATIONS INFRASTRUCTURE DE-  
7 FINED.—In this section, the term “telecommunications in-  
8 frastructure” includes, at a minimum, the following:

9 (1) Macro towers.

10 (2) Small cell poles.

11 (3) Distributed antenna systems.

12 (4) Dark fiber.

13 (5) Power solutions.

14 **SEC. 234. LIMITATION ON DEVELOPMENT OF PROTOTYPES**  
15 **FOR THE OPTIONALLY MANNED FIGHTING**  
16 **VEHICLE PENDING REQUIREMENTS ANAL-**  
17 **YSIS.**

18 (a) LIMITATION.—The Secretary of the Army may  
19 not enter into a contract for the development of a physical  
20 prototype for the Optionally Manned Fighting Vehicle or  
21 any other next-generation infantry fighting vehicle of the  
22 Army until a period of 30 days has elapsed following the  
23 date on which the Secretary submits to the congressional  
24 defense committees the report required under subsection  
25 (b).

1 (b) REPORT REQUIRED.—

2 (1) IN GENERAL.—The Secretary of the Army  
3 shall submit to the congressional defense committees  
4 a report on the analysis supporting the determina-  
5 tion of formal requirements or desired characteris-  
6 tics for the Optionally Manned Fighting Vehicle re-  
7 fined through the concept and detailed design phases  
8 of the acquisition strategy.

9 (2) ELEMENTS.—The report required by para-  
10 graph (1) shall include the following:

11 (A) A detailed description of the formal re-  
12 quirements applicable to the Optionally Manned  
13 Fighting Vehicle or desired characteristics guid-  
14 ing the physical prototyping phase of the pro-  
15 gram.

16 (B) A description of the analysis conducted  
17 to finalize such requirements and characteris-  
18 tics.

19 (C) A description of Optionally Manned  
20 Fighting Vehicle-equipped force structure de-  
21 signs and the operational concepts analyzed  
22 during the vehicle concept design and detailed  
23 design phases.

24 (D) A detailed description of the analysis  
25 conducted, trade-offs considered, and conclu-



1           sions drawn with respect to the force structure  
2           designs and operational concepts, survivability,  
3           mobility, lethality, payload, and combat effec-  
4           tiveness in execution of the critical operational  
5           tasks required of fighting-vehicle-equipped in-  
6           fantry.

7           (E) An assessment and comparison of the  
8           combat effectiveness (including survivability,  
9           mobility, and lethality) of combined arms com-  
10          pany teams equipped with Optionally Manned  
11          Fighting Vehicles compared to those equipped  
12          with fully modernized Bradley Fighting Vehi-  
13          cles.

14          (c) BRIEFING REQUIRED.—At least 30 days prior to  
15          the submission of the report under subsection (b), the Sec-  
16          retary of the Army shall provide to the congressional de-  
17          fense committees a briefing on the preliminary findings  
18          of the Secretary with respect to each element specified in  
19          subsection (b)(2).

20          (d) COMPTROLLER GENERAL ASSESSMENT.—Not  
21          later than 60 days after the date on which the report  
22          under subsection (b) is submitted, the Comptroller Gen-  
23          eral of the United States shall submit to the congressional  
24          defense committees a written assessment of the report, in-  
25          cluding—

1 (1) an assessment of the objectivity, validity,  
2 and reliability of the Army's analysis with respect to  
3 each element specified in subsection (b)(2); and

4 (2) any other matters the Comptroller General  
5 determines appropriate.

6 **SEC. 235. LIMITATION ON TRANSFER OF CERTAIN OPER-**  
7 **ATIONAL FLIGHT TEST EVENTS AND REDUC-**  
8 **TIONS IN OPERATIONAL FLIGHT TEST CA-**  
9 **PACITY.**

10 (a) LIMITATION.—

11 (1) IN GENERAL.—The Secretary of the Navy  
12 may not take any action described in paragraph (2)  
13 until the date on which the Director of Operational  
14 Test and Evaluation, in consultation with the Sec-  
15 retary of the Navy, certifies to the congressional de-  
16 fense committees that the use of non-test designated  
17 units to conduct flight testing will not have any ap-  
18 preciable effect on—

19 (A) the cost or schedule of any naval avia-  
20 tion or naval aviation-related program; or

21 (B) the efficacy of test execution, analysis,  
22 and evaluation for any such program.

23 (2) ACTIONS DESCRIBED.—The actions de-  
24 scribed in this paragraph are the following:

1 (A) The delegation of any operational  
2 flight test event to be conducted by a non-test  
3 designated unit.

4 (B) Any action that would reduce, below  
5 the levels authorized and in effect on October 1,  
6 2020, any of the following:

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

10 (ii) The personnel billets assigned to  
11 support such capacity.

12 (iii) The aviation force structure, avia-  
13 tion inventory, or quantity of aircraft as-  
14 signed to support such capacity, including  
15 rotorcraft and fixed-wing aircraft.

16 (b) REPORT REQUIRED.—Not later than September  
17 1, 2022, the Director of Operational Test and Evaluation  
18 shall submit to the congressional defense committees a re-  
19 port that assesses each of the following as of the date of  
20 the report:

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

1 testing required for the aviation-related programs of  
2 the Department of Defense and the naval aviation-  
3 related programs of the Department of the Navy.

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

10 (3) The technical, fiscal, and programmatic  
11 issues and risks associated with the plans of the Sec-  
12 retary of the Navy to delegate and task non-test des-  
13 igned operational naval aviation units and organi-  
14 zations to efficiently and effectively execute, analyze,  
15 and evaluate testing and evaluation master plans for  
16 all aviation-related programs and projects of the De-  
17 partment of the Navy.

18 (c) NON-TEST DESIGNATED UNIT DEFINED.—In  
19 this section, the term “non-test designated unit” means  
20 a naval aviation unit that does not have designated as its  
21 primary mission operational testing and evaluation in sup-  
22 port of naval aviation or naval aviation-related projects  
23 and programs.

1 **SEC. 236. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **CERTAIN C-130 AIRCRAFT.**

3 None of the funds authorized to be appropriated by  
4 this Act or otherwise made available for fiscal year 2022  
5 for the Navy may be obligated or expended to procure a  
6 C-130 aircraft for testing and evaluation as a potential  
7 replacement for the E-6B aircraft until the date on which  
8 all of the following conditions are met:

9 (1) The Secretary of the Navy has submitted to  
10 the congressional defense committees a report that  
11 includes—

12 (A) the unit cost of each such C-130 test  
13 aircraft;

14 (B) the life cycle sustainment plan for such  
15 C-130 aircraft;

16 (C) a statement indicating whether such  
17 C-130 aircraft will be procured using multiyear  
18 contracting authority under section 2306b of  
19 title 10, United States Code; and

20 (D) the total amount of funds needed to  
21 complete the procurement of such C-130 air-  
22 craft.

23 (2) The Secretary of the Navy has certified to  
24 the congressional defense committees that C-130  
25 aircraft in the inventory of the Air Force as of the  
26 date of the enactment of this Act would not be capa-

1 ble of fulfilling all requirements under the E-6B air-  
2 craft program of record.

3 (3) The Commander of the United States Stra-  
4 tegic Command has submitted to the congressional  
5 defense committees a report identifying the plan for  
6 hardware that will replace the E-6B aircraft while  
7 fulfilling all requirements under the E-6B program  
8 of record.

9 **SEC. 237. LIMITATION ON AVAILABILITY OF FUNDS FOR VC-**  
10 **25B AIRCRAFT PROGRAM PENDING SUBMIS-**  
11 **SION OF DOCUMENTATION.**

12 (a) DOCUMENTATION REQUIRED.—Not later than 30  
13 days after the date of the enactment of this Act, the Sec-  
14 retary of the Air Force shall submit to the congressional  
15 defense committees an integrated master schedule that  
16 has been approved by the Secretary for the VC-25B presi-  
17 dential aircraft recapitalization program of the Air Force.

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

1 **SEC. 238. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **THE HIGH ACCURACY DETECTION AND EX-**  
3 **PLOITATION SYSTEM.**

4 Of the funds authorized to be appropriated by this  
5 Act or otherwise made available for fiscal year 2022 for  
6 research, development, test, and evaluation for the Army  
7 for the High Accuracy Detection and Exploitation System,  
8 not more than 75 percent may be obligated or expended  
9 until the Vice Chairman of the Joint Chiefs of Staff cer-  
10 tifies to the congressional defense committees that—

11 (1) the High Accuracy Detection and Exploi-  
12 tation System enables multi-domain operations for  
13 the Army and is consistent with the Joint All Do-  
14 main Command and Control strategy of the Depart-  
15 ment of Defense; and

16 (2) in a conflict, the System will be able to op-  
17 erate at standoff distances for survivability against  
18 enemy air defenses, while providing signals intel-  
19 ligence, electronic intelligence, communications intel-  
20 ligence, or synthetic aperture radar or moving target  
21 indicator information to the ground component com-  
22 mander, consistent with planned operational con-  
23 cepts.

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

3   **SEC. 241. MODIFICATION TO ANNUAL REPORT OF THE DI-**  
4                           **RECTOR OF OPERATIONAL TEST AND EVAL-**  
5                           **UATION.**

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

8   **SEC. 242. ADAPTIVE ENGINE TRANSITION PROGRAM ACQUI-**  
9                           **SITION STRATEGY FOR THE F-35A AIRCRAFT.**

10           (a) **IN GENERAL.**—Not later than 14 days after the  
11   date on which the budget of the President for fiscal year  
12   2023 is submitted to Congress pursuant to section 1105  
13   of title 31, United States Code, the Secretary of the Air  
14   Force, in consultation with the Under Secretary of De-  
15   fense for Acquisition and Sustainment, shall submit to the  
16   congressional defense committees a report on the integra-  
17   tion of the Adaptive Engine Transition Program propul-  
18   sion system into the F-35A aircraft.

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

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

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



1 (B) begin, not later than fiscal year 2027,  
2 activities to retrofit all F-35A aircraft with  
3 such propulsion system.

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

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

9 **SEC. 243. ACQUISITION STRATEGY FOR AN ADVANCED PRO-**  
10 **PULSION SYSTEM FOR F-35B AND F-35C AIR-**  
11 **CRAFT.**

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

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

23 (1) An analysis the effects of an advanced pro-  
24 pulsion system on the combat effectiveness and

1 sustainment costs of F-35B and F-35C aircraft, in-  
2 cluding any effects resulting from—

3 (A) increased thrust, fuel efficiency, ther-  
4 mal capacity, and electrical generation; and

5 (B) improvements in acceleration, speed,  
6 range, and overall mission effectiveness.

7 (2) An assessment of how the integration of an  
8 advanced propulsion system may result in—

9 (A) a reduction in dependency on support  
10 assets, including air refueling and replenish-  
11 ment tankers; and

12 (B) an overall cost benefit to the Depart-  
13 ment from reduced acquisition and sustainment  
14 for such support assets.

15 (3) A competitive acquisition strategy (informed  
16 by fiscal considerations, the assessment of combat  
17 effectiveness under paragraph (1), and consideration  
18 of technical limitations)—

19 (A) to integrate an advanced propulsion  
20 system into F-35B aircraft and F-35C air-  
21 craft;

22 (B) to begin, not later than fiscal year  
23 2027, activities to produce all F-35B aircraft  
24 and all F-35C aircraft with such propulsion  
25 systems; and

1 (C) to begin, not later than fiscal year  
2 2027, activities to retrofit all F-35B aircraft  
3 and all F-35C aircraft with such propulsion  
4 systems.

5 (c) **ADVANCED PROPULSION SYSTEM DEFINED.**—In  
6 this section, term “advanced propulsion system” means—  
7 (1) a derivative of the propulsion system devel-  
8 oped for the F-35 aircraft under the Adaptive En-  
9 gine Transition Program of the Air Force; or  
10 (2) a derivative of a propulsion system pre-  
11 viously developed for the F-35 aircraft.

12 **SEC. 244. ASSESSMENT OF THE DEVELOPMENT AND TEST**  
13 **ENTERPRISE OF THE AIR FORCE RESEARCH**  
14 **LABORATORY.**

15 (a) **ASSESSMENT REQUIRED.**—The Secretary of the  
16 Air Force shall conduct an assessment of the ability of  
17 the Air Force Research Laboratory to effectively carry out  
18 development and testing activities with respect to the ca-  
19 pabilities of the Space Force specific to space access and  
20 space operations.

21 (b) **REPORT.**—Not later than 90 days after the date  
22 of the enactment of this Act, the Secretary of the Air  
23 Force shall submit to the congressional defense commit-  
24 tees a report on the results of the assessment conducted

1 under subsection (a). The report shall include an expla-  
2 nation of—

3 (1) any challenges to the development and test-  
4 ing capabilities of the Air Force Research Labora-  
5 tory as described subsection (a), including any chal-  
6 lenges relating to test activities and infrastructure;

7 (2) any changes to the organizational structure  
8 of the Laboratory that may be needed to enable the  
9 laboratory to adequately address the missions of  
10 both the Space Force and the Air Force generally,  
11 and the amount of funding, if any, required to im-  
12 plement such changes;

13 (3) any barriers to the recapitalization of the  
14 testing infrastructure of the Laboratory; and

15 (4) the plans of the Secretary to address the  
16 issues identified under paragraphs (1) through (3).

17 **SEC. 245. STUDY ON EFFICIENT USE OF DEPARTMENT OF**

18 **DEFENSE TEST AND EVALUATION ORGANIZA-**

19 **TIONS, FACILITIES, AND LABORATORIES.**

20 (a) STUDY REQUIRED.—

21 (1) IN GENERAL.—Not later than 90 days after  
22 the date of the enactment of this Act, the Secretary  
23 of Defense shall direct the Defense Science Board to  
24 carry out a study on the resources and capabilities

1 of the test and evaluation organizations, facilities,  
2 and laboratories of the Department of Defense.

3 (2) PARTICIPATION.—Participants in the study  
4 conducted under paragraph (1) shall include the fol-  
5 lowing:

6 (A) Such members of the Defense Science  
7 Board as the Chairman of the Board considers  
8 appropriate for the study.

9 (B) Such additional temporary members or  
10 contracted support as the Secretary—

11 (i) selects from those recommended by  
12 the Chairman for purposes of the study;  
13 and

14 (ii) considers to have significant tech-  
15 nical, policy, or military expertise relevant  
16 to defense test and evaluation missions.

17 (3) ELEMENTS.—The study conducted under  
18 paragraph (1) shall include the following:

19 (A) Assessment of the effectiveness of cur-  
20 rent developmental testing, operational testing,  
21 and integrated testing within the Department  
22 of Defense in meeting statutory objectives and  
23 the test and evaluation requirements of the  
24 Adaptive Acquisition Framework.

1 (B) Identification of industry and govern-  
2 ment best practices for conducting develop-  
3 mental testing, operational testing, and inte-  
4 grated testing.

5 (C) Potential applicability of industry and  
6 government best practices for conducting devel-  
7 opmental testing, operational testing, and inte-  
8 grated testing within the Department to im-  
9 prove test and evaluation outcomes.

10 (D) Identification of duplication of efforts  
11 and other non- or low-value added activities  
12 that reduce speed and effectiveness of test and  
13 evaluation activities.

14 (E) Assessment of test and evaluation  
15 oversight organizations within the Office of the  
16 Secretary of Defense, including their authori-  
17 ties, responsibilities, activities, resources, and  
18 effectiveness, including with respect to acquisi-  
19 tion programs of the military departments and  
20 Defense Agencies.

21 (F) Assessment of the research, develop-  
22 ment, test, and evaluation infrastructure master  
23 plan required under section 252 of the National  
24 Defense Authorization Act for Fiscal Year 2020  
25 (Public Law 116–92; 10 U.S.C. 2358 note).

1 (F) Development and assessment of poten-  
2 tial courses of action to improve the effective-  
3 ness of oversight of developmental testing, oper-  
4 ational testing, and integrated testing activities,  
5 and test and evaluation resources within the Of-  
6 fice of the Secretary of Defense, including as  
7 one such course of action establishing a single  
8 integrated office with such responsibilities.

9 (G) Development of such recommendations  
10 as the Defense Science Board may have for leg-  
11 islative changes, authorities, organizational re-  
12 alignments, and administrative actions to im-  
13 prove test and evaluation oversight and capa-  
14 bilities, and facilitate better test and evaluation  
15 outcomes.

16 (H) Such other matters as the Secretary  
17 considers appropriate.

18 (4) ACCESS TO INFORMATION.—The Secretary  
19 of Defense shall provide the Defense Science Board  
20 with timely access to appropriate information, data,  
21 resources, and analysis so that the Board may con-  
22 duct a thorough and independent analysis as re-  
23 quired under this subsection.

24 (5) REPORT.—

1 (A) REPORT OF BOARD.—Not later than  
2 one year after the date on which the Secretary  
3 of Defense directs the Defense Science Board to  
4 conduct the study under paragraph (1), or De-  
5 cember 1, 2022, whichever occurs earlier, the  
6 Board shall transmit to the Secretary a final  
7 report on the study.

8 (B) SUBMITTAL TO CONGRESS.—Not later  
9 than 30 days after the date on which the Sec-  
10 retary of Defense receives the final report under  
11 subparagraph (A), the Secretary shall submit to  
12 the congressional defense committees such re-  
13 port and such comments as the Secretary con-  
14 siders appropriate.

15 (b) BRIEFING REQUIRED.—Not later than 90 days  
16 after the date of the enactment of this Act, the Secretary  
17 of Defense shall provide the congressional defense commit-  
18 tees a briefing on the schedule and plan to execute activi-  
19 ties under this section.

20 **SEC. 246. REPORT ON AUTONOMY INTEGRATION IN MAJOR**  
21 **WEAPON SYSTEMS.**

22 (a) REPORT REQUIRED.—Not later than one year  
23 after the date of the enactment of this Act, the Secretary  
24 of Defense shall submit to the congressional defense com-  
25 mittees a report on activities to resource and integrate au-



1 tonomy software into appropriate systems to enable the  
2 continued operational capability of such systems in GPS-  
3 denied environments by fiscal year 2025.

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

6 (1) a list of systems, to be selected by the Sec-  
7 retary of Defense, which can be integrated with au-  
8 tonomy software as described in subsection (a) by  
9 fiscal year 2025;

10 (2) timelines for integrating autonomy software  
11 into the systems as identified under paragraph (1);

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

15 (4) plans to leverage advanced artificial intel-  
16 ligence technologies, as appropriate, for such sys-  
17 tems;

18 (5) plans for ensuring the safety and security of  
19 such systems equipped with autonomy software, in-  
20 cluding plans for testing, evaluation, validation, and  
21 verification of such systems; and

22 (6) a list of Department of Defense policies in  
23 effect as of the date of the report that would need  
24 to be modified or revoked in order to implement the  
25 software integration described in subsection (a).

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

4 **SEC. 247. REPORTS AND BRIEFINGS ON RECOMMENDA-**  
5 **TIONS OF THE NATIONAL SECURITY COMMIS-**  
6 **SION ON ARTIFICIAL INTELLIGENCE RE-**  
7 **GARDING THE DEPARTMENT OF DEFENSE.**

8 (a) REPORTS REQUIRED.—On an annual basis dur-  
9 ing the two-year period beginning on the date of the enact-  
10 ment of this Act, the Secretary of Defense shall submit  
11 to the congressional defense committees a report on the  
12 recommendations made by the National Security Commis-  
13 sion on Artificial Intelligence with respect to the Depart-  
14 ment of Defense. Each such report shall include—

15 (1) for each such recommendation, a determina-  
16 tion of whether the Secretary of Defense intends to  
17 implement the recommendation;

18 (2) in the case of a recommendation the Sec-  
19 retary intends to implement, the intended timeline  
20 for implementation, a description of any additional  
21 resources or authorities required for such implemen-  
22 tation, and the plan for such implementation;

23 (3) in the case of a recommendation the Sec-  
24 retary determines is not advisable or feasible, the

1 analysis and justification of the Secretary in making  
2 that determination; and

3 (4) in the case of a recommendation the Sec-  
4 retary determines the Department is already imple-  
5 menting through a separate line of effort, the anal-  
6 ysis and justification of the Secretary in making  
7 that determination.

8 (b) BRIEFINGS REQUIRED.—Not less frequently than  
9 once each year during the two-year period beginning on  
10 the date of the enactment of this Act, the Secretary of  
11 Defense shall provide to the congressional defense commit-  
12 tees a briefing on—

13 (1) the progress of the Secretary in analyzing  
14 and implementing the recommendations made by the  
15 National Security Commission on Artificial Intel-  
16 ligence with respect to the Department of Defense;

17 (2) any programs, projects, or other activities of  
18 the Department that are being carried out to ad-  
19 vance the recommendations of the Commission; and

20 (3) the amount of funding provided for such  
21 programs, projects, and activities.

## 22 **TITLE III—OPERATION AND** 23 **MAINTENANCE**

### TITLE III—OPERATION AND MAINTENANCE

#### Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

## Subtitle B—Energy and Environment

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

## Subtitle C—National Security Climate Resilience

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

## Subtitle D—Treatment of Perfluoroalkyl Substances and Polyfluoroalkyl Substances

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

- Sec. 347. Comptroller General study on Department of Defense procurement of certain items containing certain PFAS substances.
- Sec. 348. Report on schedule for completion of remediation of perfluoroalkyl substances and polyfluoroalkyl substances.
- Sec. 349. Report on remediation of perfluoroalkyl substances and polyfluoroalkyl substances at certain military installations.

#### Subtitle E—Logistics and Sustainment

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

#### Subtitle F—Reports

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

#### Subtitle G—Other Matters

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

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

3   **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

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

10           **Subtitle B—Energy and**  
11                           **Environment**

12   **SEC. 311. INCLUSION OF IMPACTS ON MILITARY INSTALLA-**  
13                           **TION RESILIENCE IN THE NATIONAL DE-**  
14                           **FENSE STRATEGY AND ASSOCIATED DOCU-**  
15                           **MENTS.**

16           (a) NATIONAL DEFENSE STRATEGY AND DEFENSE  
17   PLANNING GUIDANCE.—Section 113(g) of title 10, United  
18   States Code, is amended—

19                   (1) in paragraph (1)(B)—

20                           (A) in clause (ii), by striking “actors,” and  
21                           inserting “actors, and the current or projected  
22                           threats to military installation resilience,”; and

23                           (B) by inserting after clause (ix), the fol-  
24                           lowing new clause:

1           “(x) Strategic goals to address or mitigate  
2           the current and projected risks to military in-  
3           stallation resilience.”; and

4           (2) in paragraph (2)(A), in the matter pre-  
5           ceding clause (i), by striking “priorities,” and insert-  
6           ing “priorities, including priorities relating to the  
7           current or projected risks to military installation re-  
8           silience,”.

9           (b) NATIONAL DEFENSE SUSTAINMENT AND LOGIS-  
10          TICS REVIEW.—

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

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

16           (B) by redesignating such section, as  
17           amended by subparagraph (A), as section 118b;  
18           and

19           (C) by moving such section so as to appear  
20          after section 118a.

21           (2) CLERICAL AND CONFORMING AMEND-  
22          MENTS.—

23           (A) CLERICAL AMENDMENTS.—The table  
24          of sections for chapter 2 of such title is amend-  
25          ed—

1 (i) by striking the first item relating  
2 to section 118a; and

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

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

5 (B) CONFORMING AMENDMENT.—Section  
6 314(c) of the William M. (Mac) Thornberry Na-  
7 tional Defense Authorization Act for Fiscal  
8 Year 2021 (Public Law 116–283) is amended  
9 by striking “section 118a” and inserting “sec-  
10 tion 118b”.

11 (c) CHAIRMAN’S RISK ASSESSMENT.—Section  
12 153(b)(2)(B) of title 10, United States Code, is amended  
13 by inserting after clause (vi) the following new clause:

14 “(vii) Identify and assess risk resulting  
15 from, or likely to result from, current or pro-  
16 jected effects on military installation resil-  
17 ience.”.

18 (d) STRATEGIC DECISIONS RELATING TO MILITARY  
19 INSTALLATIONS.—The Secretary of each military depart-  
20 ment, with respect to any installation under the jurisdic-  
21 tion of that Secretary, and the Secretary of Defense, with  
22 respect to any installation of the Department of Defense  
23 that is not under the jurisdiction of the Secretary of a  
24 military department, shall consider the strategic risks as-  
25 sociated with military installation resilience.



1 (e) NATIONAL DEFENSE STRATEGY AND NATIONAL  
2 MILITARY STRATEGY.—The Secretary of Defense, in co-  
3 ordination with the heads of such other Federal agencies  
4 as the Secretary determines appropriate, shall incorporate  
5 the security implications of military installation resilience  
6 into the National Defense Strategy and the National Mili-  
7 tary Strategy.

8 (f) NATIONAL SECURITY PLANNING DOCUMENTS.—  
9 The Secretary of Defense and the Chairman of the Joint  
10 Chiefs of Staff shall consider the security implications as-  
11 sociated with military installation resilience in developing  
12 the Defense Planning Guidance under section 113(g)(2)  
13 of title 10, United States Code, the Risk Assessment of  
14 the Chairman of the Joint Chiefs of Staff under section  
15 153(b)(2) of such title, and other relevant strategy, plan-  
16 ning, and programming documents and processes.

17 (g) CAMPAIGN PLANS OF COMBATANT COMMANDS.—  
18 The Secretary of Defense shall ensure that the national  
19 security implications associated with military installation  
20 resilience are integrated into the campaign plans of the  
21 combatant commands.

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

24 (1) REPORT.—Not later than 90 days after the  
25 date of the enactment of this Act, the Secretary of

1 Defense shall submit to the Committees on Armed  
2 Services of the Senate and the House of Representa-  
3 tives a report describing how the aspects of military  
4 installation resilience have been incorporated into  
5 modeling, simulation, war-gaming, and other anal-  
6 yses by the Department of Defense.

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

10 (i) MODIFICATION TO ANNUAL REPORT RELATED TO  
11 INSTALLATIONS ENERGY MANAGEMENT, ENERGY RESIL-  
12 IENCE, AND MISSION ASSURANCE AND READINESS.—

13 (1) MODIFICATION.—Section 2925(a) of title  
14 10, United States Code, is amended—

15 (A) by redesignating paragraph (8) as  
16 paragraph (10); and

17 (B) by inserting after paragraph (7) the  
18 following new paragraphs:

19 “(8) A description of the effects on military  
20 readiness, and an estimate of the financial costs to  
21 the Department of Defense, reasonably attributed to  
22 adverse impacts to military installation resilience  
23 during the year preceding the submission of the re-  
24 port, including loss of or damage to military net-

1 works, systems, installations, facilities, and other as-  
2 sets and capabilities of the Department.

3 “(9) An assessment of vulnerabilities to military  
4 installation resilience.”.

5 (2) USE OF ASSESSMENT TOOL.—The Secretary  
6 shall use the Climate Vulnerability and Risk Assess-  
7 ment Tool of the Department (or such successor  
8 tool) in preparing each report under section 2925(a)  
9 of title 10, United States Code (as amended by  
10 paragraph (1)).

11 (j) DEFINITIONS.—In this section:

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

15 (2) The term “National Defense Strategy”  
16 means the national defense strategy under section  
17 113(g)(1) of such title.

18 (3) The term “National Military Strategy”  
19 means the national military strategy under section  
20 153(b) of such title.

21 **SEC. 312. ENERGY EFFICIENCY TARGETS FOR DEPART-**  
22 **MENT OF DEFENSE DATA CENTERS.**

23 (a) ENERGY EFFICIENCY TARGETS FOR DATA CEN-  
24 TERS.—

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

4    **“§ 2921. Energy efficiency targets for data centers**

5           “(a) COVERED DATA CENTERS.—(1) For each cov-  
6           ered data center, the Secretary of Defense shall—

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

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

13          “(C) develop other energy efficiency or water  
14          usage targets for the data center based on industry  
15          standards and best practices, as applicable to meet  
16          energy efficiency and resiliency goals;

17          “(D) identify potential renewable or clean en-  
18          ergy resources, or related technologies such as ad-  
19          vanced battery storage capacity, to enhance resil-  
20          iency at the data center, including potential renew-  
21          able or clean energy purchase targets based on the  
22          location of the data center; and

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

1       “(2) The Secretary of Defense shall ensure that tar-  
2 gets developed under paragraph (1) are consistent with  
3 guidance issued by the Secretary of Energy.

4       “(3) In this subsection, the term ‘covered data center’  
5 means a data center of the Department of Defense that—

6           “(A) is one of the 50 data centers of the De-  
7 partment with the highest annual power usage rates;  
8 and

9           “(B) has been established before the date of the  
10 enactment of this section.

11       “(b) NEW DATA CENTERS.—(1) Except as provided  
12 in paragraph (2), in the case of any Department of De-  
13 fense data center established on or after the date of the  
14 enactment of this section, the Secretary of Defense shall  
15 establish energy, water usage, and resiliency-related  
16 standards that the data center shall be required to meet  
17 based on location, resiliency, industry and Federal stand-  
18 ards, and best practices. Such standards shall include—

19           “(A) power usage effectiveness standards;

20           “(B) water usage effectiveness standards; and

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

23       “(2) The Secretary may waive the requirement for  
24 a Department data center established on or after the date

1 of the enactment of this section to meet the standards es-  
2 tablished under paragraph (1) if the Secretary—

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

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

8 (2) CLERICAL AMENDMENT.—The table of sec-  
9 tions at the beginning of such subchapter is amend-  
10 ed by inserting after the item relating to section  
11 2920 the following new item:

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

12 (b) INVENTORY OF DATA FACILITIES.—

13 (1) INVENTORY REQUIRED.—By not later than  
14 180 days after the date of the enactment of this Act,  
15 the Secretary of Defense shall conduct an inventory  
16 of all data centers owned or operated by the Depart-  
17 ment of Defense. Such survey shall include the fol-  
18 lowing:

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

21 (B) For each such data center, the earlier  
22 of the following dates:

23 (i) The date on which the data center  
24 was established.

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

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

6 (D) The number of data centers that  
7 measure power usage effectiveness and, for each  
8 such data center, the power usage effectiveness  
9 for the center.

10 (E) The number of data centers that  
11 measure water usage effectiveness and, for each  
12 such data center, the water usage effectiveness  
13 for the center.

14 (F) A description of any other existing en-  
15 ergy efficiency or efficient water usage metrics  
16 used by any data center and the applicable  
17 measurements for any such center.

18 (G) An assessment of the facility resiliency  
19 of each data center, including redundant power  
20 and cooling facility infrastructure.

21 (H) Any other matters determined relevant  
22 by the Secretary.

23 (c) REPORT.—Not later than 180 days after the com-  
24 pletion of the inventory required under subsection (b), the  
25 Secretary of Defense shall submit to the Committee on

1 Armed Services of the House of Representatives a report  
2 on the inventory and the energy assessment targets under  
3 section 2921(a) of title 10, United States Code, as added  
4 by subsection (a). Such report shall include the following:

5 (1) A timeline of necessary actions required to  
6 meet the energy assessment targets for covered data  
7 centers.

8 (2) The estimated costs associated with meeting  
9 such targets.

10 (3) An assessment of the business case for  
11 meeting such targets, including any estimated sav-  
12 ings in operational energy and water costs and esti-  
13 mated reduction in energy and water usage if the  
14 targets are met.

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

19 (d) DATA CENTER DEFINED.—In this section, the  
20 term “data center” has the meaning given such term in  
21 the most recent Integrated Data Collection guidance of  
22 the Office of Management and Budget.



1 **SEC. 313. GRANTS FOR MAINTAINING OR IMPROVING MILI-**  
2 **TARY INSTALLATION RESILIENCE.**

3 Section 2391 of title 10, United States Code, is  
4 amended—

5 (1) in subsection (b)(5), by adding at the end  
6 the following new subparagraph:

7 “(D) The Secretary of Defense may also make  
8 grants, conclude cooperative agreements, and supplement  
9 other Federal funds, in order to assist a State or local  
10 government in planning, enhancing infrastructure, and  
11 implementing measures and projects (to include resilience  
12 measures and projects involving the protection, restora-  
13 tion, and maintenance of natural features) that, as deter-  
14 mined by the Secretary of Defense, will contribute to  
15 maintaining or improving military installation resilience or  
16 will prevent or mitigate encroachment that could affect op-  
17 erations of the Department of Defense.”; and

18 (2) in subsection (e)(1), by striking “subsection  
19 (b)(1)(D)” and inserting “paragraphs (1)(D) and  
20 (E) and (5)(D) of subsection (b) and subsection  
21 (d)”.

1 **SEC. 314. MAINTENANCE OF CURRENT ANALYTICAL TOOLS**  
2 **IN EVALUATING ENERGY RESILIENCE MEAS-**  
3 **URES.**

4 (a) IN GENERAL.—Section 2911 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new subsection:

7 “(i) ASSESSMENT OF LIFE-CYCLE COSTS AND PER-  
8 FORMANCE OF POTENTIAL ENERGY RESILIENCE  
9 PROJECTS.—(1) Subject to the availability of appropria-  
10 tions, the Secretary of Defense shall develop and institute  
11 a process to ensure that the Department of Defense, when  
12 evaluating energy resilience measures, uses analytical tools  
13 that are accurate and effective in projecting the costs and  
14 performance of such measures.

15 “(2) Analytical tools used under paragraph (1) shall  
16 be—

17 “(A) designed to—

18 “(i) provide an accurate projection of the  
19 costs and performance of the energy resilience  
20 measure being analyzed;

21 “(ii) be used without specialized training;  
22 and

23 “(iii) produce resulting data that is under-  
24 standable and usable by the typical source se-  
25 lection official;

1           “(B) consistent with standards and analytical  
2 tools commonly applied by the Department of En-  
3 ergy and by commercial industry;

4           “(C) adaptable to accommodate a rapidly  
5 changing technological environment;

6           “(D) peer reviewed for quality and precision  
7 and measured against the highest level of develop-  
8 ment for such tools; and

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

11       (b) REPORTING REQUIREMENT.—If amounts are ap-  
12 propriated to carry out the requirements under subsection  
13 (i) of section 2911 of title 10, United States Code, as  
14 added by subsection (a), not later than September 30,  
15 2022, the Secretary of Defense shall submit to the Com-  
16 mittees on Armed Services of the Senate and the House  
17 of Representatives a report on the execution by the Sec-  
18 retary of such requirements.

19 **SEC. 315. AUTHORITY TO TRANSFER AMOUNTS DERIVED**  
20 **FROM ENERGY COST SAVINGS.**

21       Section 2912 of title 10, United States Code, is  
22 amended—

23           (1) in subsection (a), by striking “until ex-  
24 pended” and inserting “for that fiscal year and the  
25 succeeding fiscal year”; and

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

3           “(e) TRANSFER OF AMOUNTS.—(1) The Secretary of  
4           Defense may transfer amounts described in subsection (a)  
5           that remain available for obligation to other funding ac-  
6           counts of the Department of Defense if the purpose for  
7           which such amounts will be used is a purpose specified  
8           in subsection (b) or (c).

9           “(2) Amounts transferred to a funding account of the  
10          Department under paragraph (1) shall be available for ob-  
11          ligation for the same period as amounts in that account.

12          “(3) At the end of each fiscal year, the Secretary of  
13          Defense shall submit to Congress a report detailing any  
14          funds transferred pursuant to paragraph (1) during that  
15          fiscal year, including a detailed description of the purpose  
16          for which such amounts have been used.”.

17       **SEC. 316. EXEMPTION FROM PROHIBITION ON USE OF**  
18                               **OPEN-AIR BURN PITS IN CONTINGENCY OP-**  
19                               **ERATIONS OUTSIDE THE UNITED STATES.**

20          Section 317(a) of the National Defense Authorization  
21          Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C.  
22          2701 note) is amended by adding at the end the following  
23          new paragraphs:

24               “(3) EXEMPTION AUTHORITY FOR CERTAIN LO-  
25               CATIONS.—

1           “(A) IN GENERAL.—The Secretary may  
2 exempt a location from the prohibition under  
3 paragraph (1) if the Secretary determines it is  
4 in the paramount interest of the United States  
5 to do so.

6           “(B) NONDELEGATION.—The Secretary  
7 may not delegate the authority under subpara-  
8 graph (A).

9           “(4) REPORTING REQUIREMENT FOR LOCATION  
10 EXEMPTIONS.—

11           “(A) IN GENERAL.—Not later than 30  
12 days after granting an exemption pursuant to  
13 paragraph (3)(A) with respect to the use of an  
14 open-air burn pit at a location, the Secretary  
15 shall submit to the Committees on Armed Serv-  
16 ices of the Senate and the House of Represent-  
17 atives a written report that identifies—

18                   “(i) the location of the open-air burn  
19 pit;

20                   “(ii) the number of personnel of the  
21 United States assigned to the location  
22 where the open-air burn pit is being used;

23                   “(iii) the size and expected duration  
24 of use of the open-air burn pit;

1 “(iv) the personal protective equip-  
2 ment or other health risk mitigation efforts  
3 that will be used by members of the armed  
4 forces when airborne hazards are present,  
5 including how such equipment will be pro-  
6 vided when required; and

7 “(v) the need for the open-air burn pit  
8 and rationale for granting the exemption.

9 “(B) FORM.—A report submitted under  
10 subparagraph (A) shall be submitted in unclas-  
11 sified form, but may include a classified  
12 annex.”.

13 **SEC. 317. EXPANSION OF PURPOSES OF SENTINEL LAND-**  
14 **SCAPES PARTNERSHIP PROGRAM TO IN-**  
15 **CLUDE RESILIENCE.**

16 (a) IN GENERAL.—Section 317 of the National De-  
17 fense Authorization Act for Fiscal Year 2018 (Public Law  
18 115–91; 10 U.S.C. 2684a note) is amended—

19 (1) in subsection (a), in the first sentence, by  
20 inserting “and restore” after “to preserve”;

21 (2) in subsection (c)—

22 (A) by inserting “resilience,” after “benefit  
23 of conservation,”; and

24 (B) by inserting “, resilience,” after “land  
25 management”;

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

4           (4) by redesignating subsection (e) as sub-  
5           section (f);

6           (5) by inserting after subsection (d) the fol-  
7           lowing new subsection (e):

8           “(e) PARTICIPATION BY OTHER AGENCIES.—Other  
9           Federal agencies with programs addressing conservation  
10          or resilience may, and are encouraged to—

11           “(1) participate in the activities of the Sentinel  
12          Landscapes Partnership; and

13           “(2) become full partners in the Sentinel Land-  
14          scapes Partnership.”; and

15           (6) in subsection (f), as redesignated by para-  
16          graph (4), by adding at the end the following new  
17          paragraph:

18           “(4) RESILIENCE.—The term ‘resilience’ means  
19          the capability to avoid, prepare for, minimize the ef-  
20          fect of, adapt to, and recover from extreme weather  
21          events, flooding, wildfire, or other anticipated or un-  
22          anticipated changes in environmental conditions.”.

23          (b) INCLUSION OF PROGRAM INFORMATION IN CER-  
24          TAIN ANNUAL REPORTS.—Section 2684a(g)(2) of title 10,  
25          United States Code, is amended—

1 (1) by redesignating subparagraph (E) as sub-  
2 paragraph (F); and

3 (2) by inserting after subparagraph (D) the fol-  
4 lowing new subparagraph:

5 “(E) Information concerning the activities un-  
6 dertaken pursuant to the Sentinel Landscapes Part-  
7 nership established under section 317 of the Na-  
8 tional Defense Authorization Act for Fiscal Year  
9 2018 (Public Law 115–91; 10 U.S.C. 2684a note).”.

10 (c) CONSERVATION AND CULTURAL ACTIVITIES.—  
11 Section 2694 of title 10, United States Code, is amend-  
12 ed—

13 (1) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A), by inserting  
16 “or involves a sentinel landscape” before  
17 the semicolon; and

18 (ii) in subparagraph (B), by inserting  
19 “or that would contribute to maintaining  
20 or improving military installation resil-  
21 ience” before the semicolon; and

22 (B) in paragraph (2)—

23 (i) in subparagraph (A), by inserting  
24 “or nature-based climate resilience plans”  
25 before the period; and



- 1 (ii) in subparagraph (F)—
- 2 (I) in clause (i)—
- 3 (aa) by striking “single eco-
- 4 system that encompasses” and
- 5 inserting “single ecosystem—
- 6 “(I) that encompasses”;
- 7 (bb) by redesignating clause
- 8 (ii) as subclause (II) and moving
- 9 such subclause, as so redesign-
- 10 ated, two ems to the right; and
- 11 (cc) in subclause (II), as re-
- 12 designated by item (bb), by strik-
- 13 ing the period at the end and in-
- 14 serting “; or”; and
- 15 (II) by adding at the end the fol-
- 16 lowing new clause (ii):
- 17 “(ii) for one or more ecosystems within a
- 18 sentinel landscape.”; and
- 19 (2) by adding at the end the following new sub-
- 20 section:
- 21 “(e) SENTINEL LANDSCAPE DEFINED.—In this sec-
- 22 tion, the term ‘sentinel landscape’ has the meaning given
- 23 that term in section 317(f) of the National Defense Au-
- 24 thorization Act for Fiscal Year 2018 (Public Law 115–
- 25 91; 10 U.S.C. 2684a note).”.

1 **SEC. 318. INSPECTION OF PIPING AND SUPPORT INFRA-**  
2 **STRUCTURE AT RED HILL BULK FUEL STOR-**  
3 **AGE FACILITY, HAWAII.**

4 (a) SENSE OF CONGRESS.—In order to fully effec-  
5 tuate national security, assure the maximum safe utiliza-  
6 tion of the Red Hill Bulk Fuel Storage Facility in Hono-  
7 lulu, Hawai‘i, and fully address concerns as to potential  
8 impacts of the facility on public health, it is the sense of  
9 Congress that the Secretary of the Navy and the Defense  
10 Logistics Agency should—

11 (1) operate and maintain the Red Hill Bulk  
12 Fuel Storage Facility to the highest standard pos-  
13 sible; and

14 (2) require safety inspections to be conducted  
15 more frequently based on the corrosion rate of the  
16 piping and overall condition of the pipeline system  
17 and support equipment at the facility.

18 (b) INSPECTION REQUIREMENT.—

19 (1) INSPECTION REQUIRED.—The Secretary of  
20 the Navy shall direct the Naval Facilities Engineer-  
21 ing Command to conduct an inspection of the pipe-  
22 line system, supporting infrastructure, and appur-  
23 tenances, including valves and any other corrosion  
24 prone equipment, at the Red Hill Bulk Fuel Storage  
25 Facility.

1           (2) INSPECTION AGENT; STANDARDS.—The in-  
2           spection required by this subsection shall be per-  
3           formed—

4                   (A) by an independent American Petro-  
5           leum Institute certified inspector who will  
6           present findings of the inspection and options  
7           to the Secretary of the Navy for improving the  
8           integrity of the Red Hill Bulk Fuel Storage Fa-  
9           cility and its appurtenances; and

10                   (B) in accordance with the Unified Facili-  
11           ties Criteria (UFC-3-460-03) and American Pe-  
12           troleum Institute 570 inspection standards.

13           (3) EXCEPTION.—The inspection required by  
14           this subsection excludes the fuel tanks at the Red  
15           Hill Bulk Fuel Storage Facility.

16           (c) LIFE-CYCLE SUSTAINMENT PLAN.—In conjunc-  
17           tion with the inspection required by subsection (b), the  
18           Naval Facilities Engineering Command shall prepare a  
19           life-cycle sustainment plan for the Red Hill Bulk Fuel  
20           Storage Facility, which shall consider the current condi-  
21           tion and service life of the tanks, pipeline system, and sup-  
22           port equipment.

23           (d) CONSIDERATION OF ALTERNATIVES TO RED  
24           HILL BULK FUEL STORAGE FACILITY.—The Secretary of  
25           Defense shall conduct an assessment of possible alter-

1 natives to the Red Hill Bulk Fuel Storage Facility for bulk  
2 fuel storage, including consideration of at least three loca-  
3 tions outside of the State of Hawai‘i. The assessment shall  
4 be based on the overall requirement to support the fuel  
5 requirements of the Pacific Fleet, the costs and timeline  
6 for recapitalization of the Red Hill Bulk Fuel Storage Fa-  
7 cility to the standards delineated in subsection (b)(2)(B),  
8 and the costs and timeline to establish an alternative loca-  
9 tion for secure bulk fuel storage.

10 (e) REPORTING REQUIREMENT.—Not later than one  
11 year after the date of the enactment of this Act, the Sec-  
12 retary of Defense shall submit to the congressional defense  
13 committees a report containing—

14 (1) the results of the independent inspection of  
15 the Red Hill Bulk Fuel Storage Facility conducted  
16 under subsection (b);

17 (2) the life-cycle sustainment plan prepared by  
18 the Naval Facilities Engineering Command under  
19 subsection (c);

20 (3) the results of the assessment conducted by  
21 the Secretary under subsection (d) of possible alter-  
22 natives to the Red Hill Bulk Fuel Storage Facility;  
23 and

24 (4) options on improving the security and main-  
25 tenance of the Red Hill Bulk Fuel Storage Facility.

1 **SEC. 319. ENERGY, WATER, AND WASTE NET-ZERO RE-**  
2 **QUIREMENT FOR MAJOR MILITARY INSTAL-**  
3 **LATIONS.**

4 (a) **REQUIREMENT.**—The Secretary of Defense shall  
5 improve military installation efficiency, performance, and  
6 management by ensuring that at least 10 percent of major  
7 military installations achieve energy net-zero and water or  
8 waste net-zero by fiscal year 2035.

9 (b) **STUDY ON REQUIREMENT.**—

10 (1) **STUDY.**—Not later than 60 days after the  
11 date of the enactment of this Act, the Secretary  
12 shall seek to enter into a contract with a federally  
13 funded research and development center to carry out  
14 a study on the net-zero requirement specified in sub-  
15 section (a) that assesses, at a minimum, the fol-  
16 lowing:

17 (A) Potential methods or strategies to  
18 achieve such requirement by the fiscal year  
19 2035 deadline.

20 (B) The resiliency of major military instal-  
21 lations subject to such requirement with respect  
22 to grid or other utility disruptions.

23 (C) The life-cycle costs related to such re-  
24 quirement.

25 (D) Computation methods for determining  
26 such life-cycle costs.

1           (E) Such other matters as the federally  
2           funded research and development center car-  
3           rying out the study determines appropriate.

4           (2) DEADLINE.—The study under paragraph  
5           (1) shall be completed by not later than February 1,  
6           2023.

7           (3) BRIEFING.—Upon completion of the study  
8           under paragraph (1), the Secretary shall provide to  
9           the Committees on Armed Services of the House of  
10          Representatives and Senate a briefing on the find-  
11          ings of the study.

12          (c) STATUS REPORT AND BRIEFINGS ON PROGRESS  
13          TOWARD MEETING CURRENT GOAL REGARDING USE OF  
14          RENEWABLE ENERGY TO MEET FACILITY ENERGY  
15          NEEDS.—

16          (1) REPORT.—Not later than 180 days after  
17          the date of the enactment of this Act, the Secretary  
18          shall submit to the Committees on Armed Services  
19          of the House of Representatives and Senate a report  
20          on the progress the Secretary has made toward  
21          meeting the goal described in section 2911(g)(1)(A)  
22          of title 10, United States Code, with respect to fiscal  
23          year 2025.

24          (2) BRIEFINGS.—During fiscal year 2022 and  
25          each succeeding fiscal year through fiscal year 2025,

1 the Secretary shall provide to the Committees on  
2 Armed Services of the House of Representatives and  
3 Senate a briefing on the progress the Secretary has  
4 made toward meeting the goal described in section  
5 2911(g)(1)(A) of title 10, United States Code, with  
6 respect to fiscal year 2025.

7 (d) MAJOR MILITARY INSTALLATION DEFINED.—In  
8 this section, the term “major military installation” has the  
9 meaning given to the term “large site” in the most recent  
10 version of the Department of Defense Base Structure Re-  
11 port issued before the date of the enactment of this Act.

12 **SEC. 320. DEMONSTRATION PROGRAM ON DOMESTIC PRO-**  
13 **DUCTION OF RARE EARTH ELEMENTS FROM**  
14 **COAL BYPRODUCTS.**

15 (a) DEMONSTRATION PROGRAM REQUIRED.—Not  
16 later than 120 days after the date of the enactment of  
17 this Act, the Secretary of Defense shall commence car-  
18 rying out a demonstration program on recovering rare  
19 earth elements and critical minerals from acid mine drain-  
20 age and other coal byproducts.

21 (b) PARTNERSHIP.—In carrying out the demonstra-  
22 tion program required by subsection (a), the Secretary  
23 shall seek to enter into a partnership with one or more  
24 institutions of higher education that can demonstrate  
25 techniques for recovering rare earth elements and critical

1 minerals from acid mine drainage and other coal byprod-  
2 ucts, as the Secretary considers applicable.

3 (c) ELEMENTS.—The demonstration program re-  
4 quired by subsection (a) shall address the following:

5 (1) The efficacy of separating rare earth ele-  
6 ments and critical minerals from acid mine drainage.

7 (2) The feasibility of bringing such technology  
8 to commercialized scale.

9 (3) Domestic locations that are appropriate for  
10 the deployment of such technology.

11 (4) The ability of such technology to meet the  
12 requirements of the defense industrial base to sup-  
13 plement the rare earth element and critical mineral  
14 needs of the Department of Defense.

15 (d) DURATION.—The demonstration program re-  
16 quired by subsection (a) shall be carried out during the  
17 one-year period beginning on the date of the commence-  
18 ment of the demonstration program.

19 (e) BRIEFING.—Not later than 120 days after the  
20 date of the completion of the demonstration program re-  
21 quired by subsection (a), the Secretary and the program  
22 manager of the institute of higher education with whom  
23 the Secretary partners pursuant to subsection (b) shall  
24 provide to the Committees on Armed Services of the Sen-  
25 ate and the House of Representatives a briefing on the



1 elements of the demonstration program set forth under  
2 subsection (c).

3 **SEC. 321. LONG-DURATION DEMONSTRATION INITIATIVE**  
4 **AND JOINT PROGRAM.**

5 (a) ESTABLISHMENT OF INITIATIVE.—Not later than  
6 March 1, 2022, the Secretary of Defense shall establish  
7 a demonstration initiative composed of demonstration  
8 projects focused on the development of long-duration en-  
9 ergy storage technologies.

10 (b) SELECTION OF PROJECTS.—To the maximum ex-  
11 tent practicable, in selecting demonstration projects to  
12 participate in the demonstration initiative under sub-  
13 section (a), the Secretary of Defense shall—

14 (1) ensure a range of technology types;

15 (2) ensure regional diversity among projects;

16 and

17 (3) consider bulk power level, distribution power  
18 level, behind-the-meter, microgrid (grid-connected or  
19 islanded mode), and off-grid applications.

20 (c) JOINT PROGRAM.—

21 (1) ESTABLISHMENT.—As part of the dem-  
22 onstration initiative under subsection (a), the Sec-  
23 retary of Defense, in consultation with the Secretary  
24 of Energy, shall establish within the Department of  
25 Defense a joint program to carry out projects—

1 (A) to demonstrate promising long-dura-  
2 tion energy storage technologies at different  
3 scales to promote energy resiliency; and

4 (B) to help new, innovative long-duration  
5 energy storage technologies become commer-  
6 cially viable.

7 (2) MEMORANDUM OF UNDERSTANDING.—Not  
8 later than 180 days after the date of the enactment  
9 of this Act, the Secretary of Defense shall enter into  
10 a memorandum of understanding with the Secretary  
11 of Energy to administer the joint program.

12 (3) INFRASTRUCTURE.—In carrying out the  
13 joint program, the Secretary of Defense and the Sec-  
14 retary of Energy shall—

15 (A) use existing test-bed infrastructure  
16 at—

17 (i) installations of the Department of  
18 Defense; and

19 (ii) facilities of the Department of En-  
20 ergy; and

21 (B) develop new infrastructure for identi-  
22 fied projects, if appropriate.

23 (4) GOALS AND METRICS.—The Secretary of  
24 Defense and the Secretary of Energy shall develop  
25 goals and metrics for technological progress under

1 the joint program consistent with energy resilience  
2 and energy security policies.

3 (5) SELECTION OF PROJECTS.—

4 (A) IN GENERAL.—To the maximum ex-  
5 tent practicable, in selecting projects to partici-  
6 pate in the joint program, the Secretary of De-  
7 fense and the Secretary of Energy may—

8 (i) ensure that projects are carried  
9 out under conditions that represent a vari-  
10 ety of environments with different physical  
11 conditions and market constraints; and

12 (ii) ensure an appropriate balance  
13 of—

14 (I) larger, operationally-scaled  
15 projects, adapting commercially-prov-  
16 en technology that meets military  
17 service defined requirements; and

18 (II) smaller, lower-cost projects.

19 (B) PRIORITY.—In carrying out the joint  
20 program, the Secretary of Defense and the Sec-  
21 retary of Energy shall give priority to dem-  
22 onstration projects that—

23 (i) make available to the public  
24 project information that will accelerate de-  
25 ployment of long-duration energy storage

1 technologies that promote energy resil-  
2 iency; and

3 (ii) will be carried out as field dem-  
4 onstrations fully integrated into the instal-  
5 lation grid at an operational scale.

6 **SEC. 322. PILOT PROGRAM TO TEST NEW SOFTWARE TO**  
7 **TRACK EMISSIONS AT CERTAIN MILITARY IN-**  
8 **STALLATIONS.**

9 (a) IN GENERAL.—The Secretary of Defense may  
10 conduct a pilot program (to be known as the “Installations  
11 Emissions Tracking Program”) to evaluate the feasibility  
12 and effectiveness of software and emerging technologies  
13 and methodologies to track real-time emissions from mili-  
14 tary installations and installation assets.

15 (b) GOALS.—The goals of the Installations Emissions  
16 Tracking Program shall be—

17 (1) to evaluate the capabilities of software and  
18 emerging technologies and methodologies to effec-  
19 tively track emissions in real time; and

20 (2) to reduce energy costs and increase effi-  
21 ciencies.

22 (c) LOCATIONS.—If the Secretary conducts the In-  
23 stallations Emissions Tracking Program, the Secretary  
24 shall select, for purposes of the Program, four major mili-

1 tary installations located in different geographical regions  
2 of the United States.

3 **SEC. 323. DEPARTMENT OF DEFENSE PLAN TO REDUCE**  
4 **GREENHOUSE GAS EMISSIONS.**

5 (a) PLAN REQUIRED.—Not later than September 30,  
6 2022, the Secretary of Defense shall submit to Congress  
7 a plan to reduce the greenhouse gas emissions of the De-  
8 partment of Defense.

9 (b) BRIEFINGS.—The Secretary shall provide to the  
10 Committees on Armed Services of the House of Represent-  
11 atives and the Senate annual briefings on the progress of  
12 the Department of Defense toward meeting science-based  
13 emissions targets in the plan required by subsection (a).

14 **Subtitle C—National Security**  
15 **Climate Resilience**

16 **SEC. 331. DEFINITIONS.**

17 In this subtitle:

18 (1) The terms “climate resilience” and “ex-  
19 treme weather” have the meanings given such terms  
20 in section 101(a) of title 10, United States Code, as  
21 amended by section 332.

22 (2) The term “climate security” has the mean-  
23 ing given such term in the second subsection (e) of  
24 section 120 of the National Security Act of 1947  
25 (50 U.S.C. 3060(e)).

1           (3) The term “military installation resilience”  
2           has the meaning given such term in section 101(e)  
3           of title 10, United States Code.

4 **SEC. 332. CLIMATE RESILIENCE INFRASTRUCTURE INITIA-**  
5 **TIVE OF THE DEPARTMENT OF DEFENSE.**

6           (a) CLIMATE RESILIENCE INFRASTRUCTURE INITIA-  
7 TIVE.—Chapter 136 of title 10, United States Code, is  
8 amended by adding at the end the following new section:  
9 **“§ 2285. Department of Defense Climate Resilience**  
10 **Infrastructure Initiative**

11           “(a) DESIGNATION.—The programs, practices, and  
12 activities carried out pursuant to this section shall be  
13 known collectively as the ‘Climate Resilience Infrastruc-  
14 ture Initiative of the Department of Defense’.

15           “(b) HARDENING AND QUICK RECOVERY.—In car-  
16 rying out military installation resilience plans pursuant to  
17 section 2864 of this title, the Secretary of Defense shall  
18 ensure that the development by the Department of De-  
19 fense of requirements for backup utilities, communica-  
20 tions, and transportation to ensure that the critical infra-  
21 structure of Department facilities is hardened, developed,  
22 and constructed for quick recovery from natural disasters  
23 and the impacts of extreme weather.

24           “(d) SUSTAINMENT AND MODERNIZATION.—The  
25 Secretary shall develop sustainment and modernization re-

1 requirements for facilities of the Department in connection  
2 with climate resilience.

3       “(e) COLLABORATION IN PLANNING WITH LOCAL  
4 COMMUNITIES.—The Secretary shall develop, within exist-  
5 ing frameworks for collaborative activities between mili-  
6 tary installations and State and local communities, and  
7 in addition to the requirements of section 2864(c) of this  
8 title, a framework that authorizes and directs installation  
9 commanders to engage with State, regional, and local  
10 agencies, and with local communities, on planning for cli-  
11 mate resilience, to enhance efficient response to impacts  
12 of extreme weather and secure collaborative investment in  
13 infrastructure that is resilient to the current and projected  
14 impacts of extreme weather.

15       “(f) TESTING AND TRAINING RANGE LANDS.—

16               “(1) PRACTICES FOR SUSTAINMENT OF  
17 LANDS.—The Secretary shall develop and implement  
18 practices to sustain the lands of the military testing  
19 and training ranges of the Department, and the  
20 lands of testing and training ranges on State-owned  
21 National Guard installations, through the adaptation  
22 and resilience of such lands to the current and pro-  
23 jected impacts of extreme weather to ensure the on-  
24 going availability of such lands to military personnel,

1        weapon systems, and equipment for testing and  
2        training purposes.

3           “(2) TRAINING AND EDUCATION ON  
4        SUSTAINMENT OF LANDS.—The Secretary shall de-  
5        velop a program of training and education for mem-  
6        bers of the Armed Forces (including the reserve  
7        components) on the importance of the sustainment  
8        of the lands of the military testing and training  
9        ranges as described in paragraph (1).

10           “(3) INVESTMENT IN RESILIENCE OF LANDS.—  
11        The Secretary shall use existing programs of the De-  
12        partment, including the Readiness and Environ-  
13        mental Protection Integration Program of the De-  
14        partment (or such successor program), to provide for  
15        investments determined appropriate by the Secretary  
16        in the lands of the military testing and training  
17        ranges, to increase the resilience and adaptation of  
18        such lands to the current and projected impacts of  
19        extreme weather for testing and training purposes in  
20        connection with current and projected testing and  
21        training requirements in the short- and long-term.

22           “(b) USE OF CERTAIN TECHNOLOGIES.—The Sec-  
23        retary shall take appropriate actions to increase the use  
24        of low emission, emission-free, and net-zero-emission en-  
25        ergy technologies in the operations, programs, projects,



1 and activities of the Department, provided the use is cost  
2 effective over the life-cycle of the investment.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of such chapter is amended by adding  
5 at the end the following new item:

“2285. Department of Defense Climate Resilience Infrastructure Initiative.”.

6 (c) DEFINITIONS.—Section 101(a) of title 10, United  
7 States Code, is amended by adding at the end the fol-  
8 lowing new paragraphs:

9 “(19) The term ‘climate resilience’ means the  
10 capability to avoid, prepare for, minimize the effect  
11 of, adapt to, and recover from, extreme weather, or  
12 from anticipated or unanticipated changes in envi-  
13 ronmental conditions, that do (or have the potential  
14 to) adversely affect the national security of the  
15 United States or of allies and partners of the United  
16 States.

17 “(20) The term ‘extreme weather’ means recur-  
18 rent flooding, drought, desertification, wildfires,  
19 thawing permafrost, sea level fluctuation, changes in  
20 mean high tides, or any other weather-related event,  
21 or anticipated change in environmental conditions,  
22 that present (or are projected to present) a recur-  
23 ring annual threat to the climate security of the  
24 United States or of allies and partners of the United  
25 States.”.

1 **SEC. 333. INCLUSION OF INFORMATION REGARDING EX-**  
2 **TREME WEATHER AND CYBER ATTACKS OR**  
3 **DISRUPTIONS IN REPORTS ON NATIONAL**  
4 **TECHNOLOGY AND INDUSTRIAL BASE.**

5 Section 2504(3)(B) of title 10, United States Code,  
6 is amended by inserting “(including vulnerabilities related  
7 to the current and projected impacts of extreme weather  
8 and to cyber attacks or disruptions)” after “industrial  
9 base”.

10 **SEC. 334. CLIMATE RESILIENCE IN PLANNING, ENGAGE-**  
11 **MENT STRATEGIES, INFRASTRUCTURE, AND**  
12 **FORCE DEVELOPMENT OF DEPARTMENT OF**  
13 **DEFENSE.**

14 (a) CLIMATE CHALLENGES AND CLIMATE RESIL-  
15 IENCE IN KEY PROCESSES OF DEPARTMENT OF DE-  
16 FENSE.—The Secretary of Defense shall direct that the  
17 acquisition, budget planning and execution, infrastructure  
18 planning and sustainment, force development, engagement  
19 strategy development, security assistance, and other core  
20 processes of the Department of Defense fully consider and  
21 make needed adjustments to account for current and  
22 emerging climate and environmental challenges and to en-  
23 sure the climate resilience of assets and capabilities of the  
24 Department, to include cost effectiveness over the life  
25 cycle of the investment weighed against threat reduction.

1 (b) CLIMATE RESILIENCE MISSION IMPACT ASSESS-  
2 MENT.—

3 (1) IN GENERAL.—The Secretary shall conduct  
4 a mission impact assessment on climate resilience  
5 for the Department.

6 (2) ELEMENTS.—The assessment conducted  
7 under paragraph (1) shall include the following:

8 (A) An assessment of the direct impacts of  
9 extreme weather on the deployment and oper-  
10 ations of the Armed Forces, and the manner in  
11 which extreme weather may impact the require-  
12 ments of the commanders of the combatant  
13 commands in the respective areas of responsi-  
14 bility of such commanders, including—

15 (i) an assessment of the evolving pos-  
16 ture of peer competitors and impacts to de-  
17 ployment and operations of peer competi-  
18 tors due to extreme weather;

19 (ii) an assessment of the impacts of  
20 expanding requirements for Department  
21 humanitarian assistance and disaster re-  
22 sponse due to extreme weather;

23 (iii) a threat assessment of the im-  
24 pacts of extreme weather, drought, and  
25 desertification on regional stability;

1 (iv) an assessment of risks to home  
2 station strategic and operational support  
3 area readiness, including the strategic  
4 highway network, the strategic rail net-  
5 work, and strategic air and sea ports; and

6 (v) the development of standards for  
7 data collection to assist decision-making  
8 processes for research, development, and  
9 acquisition priorities for installation and  
10 infrastructure resilience to extreme weath-  
11 er.

12 (B) A long-term strategic plan, including  
13 war games and exercises, centered on climate-  
14 driven crises, and a long-term assessment of cli-  
15 mate security by the Office of Net Assessment  
16 of the Department.

17 (C) A review outlining near-term and long-  
18 term needs for research, development, and de-  
19 ployment for equipment and other measures re-  
20 quired to assure the resilience of the assets and  
21 capabilities of the Department and each compo-  
22 nent thereof, and of key elements of the defense  
23 industrial base and supporting transportation  
24 networks, to the impacts of extreme weather.

25 (c) REPORTS.—

1           (1) IN GENERAL.—Not later than one year  
2 after the date of the enactment of this Act, and  
3 every five years thereafter, the Chairman of the  
4 Joint Chiefs of Staff shall submit to the Committees  
5 on Armed Services of the Senate and the House of  
6 Representatives a report on the broader strategic  
7 and operational impacts of extreme weather on the  
8 Department, measures to address such impacts, and  
9 progress in implementing new technologies and plat-  
10 forms, training and education methods, and data  
11 collection and dissemination for each military de-  
12 partment to meet the respective mission require-  
13 ments of the department.

14           (2) RESEARCH, DEVELOPMENT, AND DEPLOY-  
15 MENT NEEDS.—Each report required by paragraph  
16 (1) shall identify research, development, and deploy-  
17 ment needs for each combatant command and func-  
18 tional command.

19 **SEC. 335. ASSESSMENT OF CLIMATE RISKS TO INFRA-**  
20 **STRUCTURE OF DEPARTMENT OF DEFENSE.**

21           (a) IN GENERAL.—The Secretary of Defense shall di-  
22 rect the Secretary of each military department to—

23           (1) assess the vulnerability of installations and  
24 other facilities under the jurisdiction of such Sec-  
25 retary, and of State-owned National Guard installa-

1 tions, to the current and projected impacts of ex-  
2 treme weather, using vulnerability and risk assess-  
3 ment tools chosen or developed pursuant to section  
4 326 of the National Defense Authorization Act for  
5 Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
6 1310);

7 (2) assess the infrastructure required for suc-  
8 cessful operation of such installations and facilities  
9 in response to any such vulnerabilities and ensure  
10 the military installation resilience of such installa-  
11 tions and facilities; and

12 (3) develop installation-specific plans pursuant  
13 to section 2864(c) of title 10, United States Code,  
14 and similar plans for State-owned National Guard  
15 installations, to address such vulnerabilities.

16 (b) FACILITY ASSESSMENT.—In carrying out sub-  
17 section (a), the Secretary of each military department  
18 shall determine the needs of the military installations and  
19 other facilities under the jurisdiction of such Secretary,  
20 and of State-owned National Guard installations, based on  
21 the level of risks posed by the current and projected im-  
22 pacts of extreme weather, the likelihood of such risks, and  
23 the role of such installations and facilities in maintaining  
24 overall readiness and operational capability.

1 (c) CONSIDERATIONS.—In carrying out the assess-  
2 ments and developing the plans required under this sec-  
3 tion, the Secretary of Defense shall ensure that the cost  
4 effectiveness over the life-cycle of the investment, and the  
5 feasibility of solutions and technologies, are considered.

6 **Subtitle D—Treatment of**  
7 **Perfluoroalkyl Substances and**  
8 **Polyfluoroalkyl Substances**

9 **SEC. 341. TREATMENT BY DEPARTMENT OF DEFENSE OF**  
10 **PERFLUOROALKYL SUBSTANCES AND**  
11 **POLYFLUOROALKYL SUBSTANCES.**

12 (a) IN GENERAL.—Chapter 160 of title 10, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing new sections:

15 **“§ 2714. Perfluoroalkyl substances and**  
16 **polyfluoroalkyl substances task force**

17 “(a) IN GENERAL.—The Secretary of Defense shall  
18 establish a task force to address the effects of the release  
19 of perfluoroalkyl substances and polyfluoroalkyl sub-  
20 stances from activities of the Department of Defense (in  
21 this section referred to as the ‘PFAS Task Force’).

22 “(b) MEMBERSHIP.—The members of the PFAS  
23 Task Force are the following:

24 “(1) The Assistant Secretary of Defense for  
25 Energy, Installations, and Environment.

1           “(2) The Assistant Secretary of the Army for  
2           Installations, Energy, and Environment.

3           “(3) The Assistant Secretary of the Navy for  
4           Energy, Installations, and Environment.

5           “(4) The Assistant Secretary of the Air Force  
6           for Installations, Environment, and Energy.

7           “(5) The Assistant Secretary of Defense for  
8           Health Affairs.

9           “(c) CHAIRMAN.—The Assistant Secretary of De-  
10          fense for Energy, Installations, and Environment shall be  
11          the chairman of the PFAS Task Force.

12          “(d) SUPPORT.—The Under Secretary of Defense for  
13          Personnel and Readiness and such other individuals as the  
14          Secretary of Defense considers appropriate shall support  
15          the activities of the PFAS Task Force.

16          “(e) DUTIES.—The duties of the PFAS Task Force  
17          are the following:

18                 “(1) Monitoring the health aspects of exposure  
19                 to perfluoroalkyl substances and polyfluoroalkyl sub-  
20                 stances, as found by the Secretary of Health and  
21                 Human Services.

22                 “(2) Identifying, and funding the procurement  
23                 of, an effective alternative to firefighting foam con-  
24                 taining perfluoroalkyl substances or polyfluoroalkyl  
25                 substances.



1           “(3) Coordinating within the Department of  
2           Defense with respect to mitigating the effects of the  
3           release of perfluoroalkyl substances and  
4           polyfluoroalkyl substances.

5           “(4) Assessing the perceptions of Congress and  
6           the public of the efforts of the Department of De-  
7           fense with respect to mitigating the effects of the re-  
8           lease of perfluoroalkyl substances and polyfluoroalkyl  
9           substances from activities of the Department.

10          “(f) REPORT.—Not later than 90 days after the date  
11          of the enactment of the National Defense Authorization  
12          Act for Fiscal Year 2022, and quarterly thereafter, the  
13          Chairman of the PFAS Task Force shall submit to Con-  
14          gress a report on the activities of the task force.

15          “(g) DEFINITIONS.—In this section:

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

19                 “(2) The term ‘polyfluoroalkyl substance’  
20                 means a man-made chemical containing a mix of  
21                 fully fluorinated carbon atoms, partially fluorinated  
22                 carbon atoms, and nonfluorinated carbon atoms.

1 **“§ 2715. Testing for perfluoroalkyl substances and**  
2 **polyfluoroalkyl substances at military in-**  
3 **stallations and facilities of the National**  
4 **Guard**

5 “(a) IN GENERAL.—Not later than two years after  
6 the date of the enactment of the National Defense Author-  
7 ization Act for Fiscal Year 2022, the Secretary of Defense  
8 shall complete preliminary assessment and site inspection  
9 testing for perfluoroalkyl substances and polyfluoroalkyl  
10 substances at all military installations and facilities of the  
11 National Guard located in the United States that are iden-  
12 tified as of March 31, 2021, as having a release of  
13 perfluoroalkyl substances or polyfluoroalkyl substances.

14 “(b) DETERMINATION OF CONTAMINATION.—Testing  
15 conducted under subsection (a) at a military installation  
16 or facility of the National Guard shall determine—

17 “(1) whether the installation or facility has con-  
18 tamination from a perfluoroalkyl substance or  
19 polyfluoroalkyl substance; and

20 “(2) whether activities in connection with such  
21 installation or facility have caused contamination  
22 from a perfluoroalkyl substance or polyfluoroalkyl  
23 substance outside of such installation or facility.

24 “(c) ADDITIONAL RESPONSE ACTIONS.—Testing  
25 conducted under subsection (a) shall provide at least a  
26 preliminary basis for determining whether additional envi-

1 ronmental response actions are necessary to address con-  
2 tamination from a perfluoroalkyl substance or  
3 polyfluoroalkyl substance.

4 “(d) TYPE OF TESTING.—When testing for  
5 perfluoroalkyl substances or polyfluoroalkyl substances  
6 under subsection (a) or any other provision of law, the  
7 Secretary shall use a method to measure for all  
8 perfluoroalkyl substances or polyfluoroalkyl substances in  
9 drinking water that has been validated by the Adminis-  
10 trator of the Environmental Protection Agency.

11 “(e) DEFINITIONS.—In this section:

12 “(1) The term ‘military installation’ has the  
13 meaning given such term in section 2801(c)(4) of  
14 this title.

15 “(2) The terms ‘perfluoroalkyl substance’ and  
16 ‘polyfluoroalkyl substance’ have the meanings given  
17 such terms in section 2714 of this title.”.

18 (b) CLERICAL AMENDMENT.—The table of sections  
19 for such chapter is amended by adding at the end the fol-  
20 lowing new items:

“2714. Perfluoroalkyl substances and polyfluoroalkyl substances task force.

“2715. Testing for perfluoroalkyl substances and polyfluoroalkyl substances at  
military installations and facilities of the National Guard.”.

21 (c) REPORTS ON STATUS OF TESTING.—

22 (1) SUBMISSION.—For each of fiscal years  
23 2022 through 2024, the Secretary shall submit to  
24 the Committees on Armed Services of the House of

1 Representatives and the Senate a report on the sta-  
2 tus of the testing conducted under section 2715(a)  
3 of title 10, United States Code (as added by sub-  
4 section (a)), during such year.

5 (2) MATTERS.—Each report submitted under  
6 paragraph (1) shall identify, with respect to testing  
7 conducted under such section 2715(a)—

8 (A) each military installation or facility  
9 where testing has been completed;

10 (B) each military installation or facility  
11 where testing has not yet been completed;

12 (C) the projected completion date for test-  
13 ing at military installations or facilities where  
14 testing has not yet been completed;

15 (D) the results of testing at military instal-  
16 lations or facilities where testing has been com-  
17 pleted; and

18 (E) the actions planned, and the projected  
19 timelines for such actions, for each military in-  
20 stallation or facility to address contamination  
21 by a perfluoroalkyl substance or polyfluoroalkyl  
22 substance.

23 (3) TIMING.—Each report under paragraph (1)  
24 shall be submitted not later than January 1 of the

1 fiscal year immediately following the fiscal year cov-  
2 ered by the report.

3 (4) LIMITATION ON DELEGATION.—The Sec-  
4 retary may delegate the responsibility for preparing  
5 the reports required by paragraph (1) only to the  
6 Deputy Secretary of Defense.

7 (5) DEFINITIONS.—In this subsection, the  
8 terms “military installation”, “perfluoroalkyl sub-  
9 stance”, and “polyfluoroalkyl substance” have the  
10 meanings given such terms in section 2715 of title  
11 10, United States Code (as added by subsection (a)).

12 **SEC. 342. EXTENSION OF TRANSFER AUTHORITY FOR**  
13 **FUNDING OF STUDY AND ASSESSMENT ON**  
14 **HEALTH IMPLICATIONS OF PER- AND**  
15 **POLYFLUOROALKYL SUBSTANCES CONTAMI-**  
16 **NATION IN DRINKING WATER BY AGENCY**  
17 **FOR TOXIC SUBSTANCES AND DISEASE REG-**  
18 **ISTRY.**

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

1 and section 337 of the William M. (Mac) Thornberry Na-  
2 tional Defense Authorization Act for Fiscal Year 2021  
3 (Public Law 116–283), is further amended by striking  
4 “fiscal years 2019, 2020, and 2021” and inserting “fiscal  
5 years 2019 through 2023”.

6 **SEC. 343. TEMPORARY MORATORIUM ON INCINERATION BY**  
7 **DEPARTMENT OF DEFENSE OF**  
8 **PERFLUOROALKYL SUBSTANCES,**  
9 **POLYFLUOROALKYL SUBSTANCES, AND**  
10 **AQUEOUS FILM FORMING FOAM.**

11 (a) TEMPORARY MORATORIUM.—Beginning not later  
12 than 120 days after the date of the enactment of this Act,  
13 the Secretary of Defense shall prohibit the incineration of  
14 covered materials until the earlier of the following:

15 (1) The date on which the Secretary issues  
16 guidance implementing—

17 (A) the interim guidance on the destruc-  
18 tion and disposal of PFAS and materials con-  
19 taining PFAS published by the Administrator  
20 of the Environmental Protection Agency under  
21 section 7361 of the National Defense Author-  
22 ization Act for Fiscal Year 2020 (15 U.S.C.  
23 8961); and

1 (B) section 330 of the National Defense  
2 Authorization Act for Fiscal Year 2020 (Public  
3 Law 116–92; 10 U.S.C. 2701 note).

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

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

14 (c) REPORT.—Not later than one year after the en-  
15 actment of this Act, and annually thereafter for three  
16 years, the Secretary shall submit to the Administrator and  
17 the Committees on Armed Services of the Senate and the  
18 House of Representatives a report on all incineration by  
19 the Department of Defense of covered materials during  
20 the year covered by the report, including—

21 (1) the total amount of covered materials incin-  
22 erated;

23 (2) the temperature range specified in the per-  
24 mit where the covered materials were incinerated;

1           (3) the locations and facilities where the cov-  
2           ered materials were incinerated;

3           (4) details on actions taken by the Department  
4           of Defense to implement section 330 of the National  
5           Defense Authorization Act for Fiscal Year 2020;  
6           and

7           (5) recommendations for the safe storage of  
8           PFAS and PFAS-containing materials prior to de-  
9           struction and disposal.

10          (d) SCOPE.—The prohibition in subsection (a) and  
11          reporting requirements in subsection (c) shall apply not  
12          only to materials sent directly by the Department of De-  
13          fense to an incinerator, but also to materials sent to an-  
14          other entity or entities, including any waste processing fa-  
15          cility, subcontractor, or fuel blending facility, prior to in-  
16          cineration.

17          (e) DEFINITIONS.—In this section:

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

20               (2) The term “covered material” means any  
21               AFFF formulation containing PFAS, material con-  
22               taminated by AFFF release, or spent filter or other  
23               PFAS-contaminated material resulting from site re-  
24               mediation or water filtration that—



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

3 (B) is being discarded for disposal by the  
4 Department of Defense or a military depart-  
5 ment; or

6 (C) is being removed from sites or facilities  
7 owned or operated by the Department of De-  
8 fense.

9 (3) The term “PFAS” means per- or  
10 polyfluoroalkyl substances.

11 **SEC. 344. REVIEW AND GUIDANCE RELATING TO PREVEN-**  
12 **TION AND MITIGATION OF SPILLS OF AQUE-**  
13 **OUS FILM-FORMING FOAM.**

14 (a) REVIEW REQUIRED.—Not later than 180 days of  
15 after the date of the enactment of this Act, the Secretary  
16 of Defense shall complete a review of the efforts of the  
17 Department of Defense to prevent or mitigate spills of  
18 aqueous film-forming foam (in this section referred to as  
19 “AFFF”). Such review shall assess the following:

20 (1) The preventative maintenance guidelines for  
21 fire trucks of the Department and fire suppression  
22 systems in buildings of the Department, to mitigate  
23 the risk of equipment failure that may result in a  
24 spill of AFFF.

1           (2) Any requirements for the use of personal  
2           protective equipment by personnel when conducting  
3           a material transfer or maintenance activity of the  
4           Department that may result in a spill of AFFF, or  
5           when conducting remediation activities for such a  
6           spill, including requirements for side-shield safety  
7           glasses, latex gloves, and respiratory protection  
8           equipment.

9           (3) The methods by which the Secretary en-  
10          sures compliance with guidance specified in material  
11          safety data sheets with respect to the use of such  
12          personal protective equipment.

13          (b) GUIDANCE.—Not later than 90 days after the  
14          date on which the Secretary completes the review under  
15          subsection (a), the Secretary shall issue guidance on the  
16          prevention and mitigation of spills of AFFF based on the  
17          results of such review that includes, at a minimum, best  
18          practices and recommended requirements to ensure the  
19          following:

20                 (1) The supervision by personnel trained in re-  
21                 sponding to spills of AFFF of each material transfer  
22                 or maintenance activity of the Department of De-  
23                 fense that may result in such a spill.

24                 (2) The use of containment berms and the cov-  
25                 ering of storm drains and catch basins by personnel

1 performing maintenance activities for the Depart-  
2 ment in the vicinity of such drains or basins.

3 (3) The storage of materials for the cleanup  
4 and containment of AFFF in close proximity to fire  
5 suppression systems in buildings of the Department  
6 and the presence of such materials during any trans-  
7 fer or activity specified in paragraph (1).

8 (c) BRIEFING.—Not later than 30 days after the date  
9 on which the Secretary issues the guidance under sub-  
10 section (b), the Secretary shall provide to the congres-  
11 sional defense committees a briefing that summarizes the  
12 results of the review conducted under subsection (a) and  
13 the guidance issued under subsection (b).

14 **SEC. 345. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**  
15 **MENT OF DEFENSE TESTING OF WATER FOR**  
16 **PERFLUOROALKYL OR POLYFLUOROALKYL**  
17 **SUBSTANCES.**

18 (a) PUBLIC DISCLOSURE OF RESULTS.—

19 (1) IN GENERAL.—Except as provided in para-  
20 graph (2), not later than 20 days after the receipt  
21 of a final result of testing water for perfluoroalkyl  
22 or polyfluoroalkyl substances (commonly referred to  
23 as “PFAS”) in a covered area, the Secretary of De-  
24 fense shall publicly disclose such final result, includ-  
25 ing—

1 (A) the results of all such testing con-  
2 ducted in the covered area by the Department  
3 of Defense; and

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

10 (2) CONSENT BY PRIVATE PROPERTY OWN-  
11 ERS.—The Secretary of Defense may not publicly  
12 disclose the results of testing for perfluoroalkyl or  
13 polyfluoroalkyl substances conducted on private  
14 property without the consent of the property owner.

15 (b) PUBLIC DISCLOSURE OF PLANNED TESTING OF  
16 WATER.—Not later than 180 days after the date of the  
17 enactment of the Act, and every 90 days thereafter, the  
18 Secretary of Defense shall publicly disclose the anticipated  
19 timeline for, and general location of, any planned testing  
20 for perfluoroalkyl or polyfluoroalkyl substances proposed  
21 to be conducted in a covered area, including—

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

24 (2) all such testing to be conducted by a non-  
25 Department entity (including any Federal agency

1 and any public or private entity) under a contract,  
2 or pursuant to an agreement, with the Department.

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

7 (1) on the publicly available website established  
8 under section 331(b) of the National Defense Au-  
9 thorization Act for Fiscal Year 2020 (Public Law  
10 116–92; 10 U.S.C 2701 note);

11 (2) on another publicly available website of the  
12 Department of Defense; or

13 (3) in the Federal Register.

14 (d) LOCAL NOTIFICATION.—Prior to conducting any  
15 testing of water for perfluoroalkyl or polyfluoroalkyl sub-  
16 stances, including any testing which has not been planned  
17 or publicly disclosed pursuant to subsection (b), the Sec-  
18 retary of Defense shall provide notice of the testing to—

19 (1) the managers of the public water system  
20 serving the covered area where such testing is to  
21 occur;

22 (2) the heads of the municipal government serv-  
23 ing the covered area where such testing is to occur;  
24 and

1           (3) as applicable, the members of the restora-  
2           tion advisory board for the military installation  
3           where such testing is to occur.

4           (e) METHODS FOR TESTING.—In testing water for  
5           perfluoroalkyl or polyfluoroalkyl substances, the Secretary  
6           of Defense shall adhere to methods for measuring the  
7           amount of such substances in drinking water that have  
8           been validated by the Administrator of the Environmental  
9           Protection Agency.

10          (f) DEFINITIONS.—In this section:

11           (1) The term “covered area” means an area in  
12           the United States that is located immediately adja-  
13           cent to and down gradient from a military installa-  
14           tion, a formerly used defense site, or a facility where  
15           military activities are conducted by the National  
16           Guard of a State pursuant to section 2707(e) of title  
17           10, United States Code.

18           (2) The term “formerly used defense site”  
19           means any site formerly used by the Department of  
20           Defense or National Guard eligible for environ-  
21           mental restoration by the Secretary of Defense fund-  
22           ed under the “Environmental Restoration Account,  
23           Formerly Used Defense Sites” account established  
24           under section 2703(a)(5) of title 10, United States  
25           Code.

1           (3) The term “military installation” has the  
2 meaning given such term in section 2801(c)(4) of  
3 title 10, United States Code.

4           (4) The term “perfluoroalkyl or polyfluoroalkyl  
5 substance” means any man-made chemical with at  
6 least one fully fluorinated carbon atom.

7           (5) The term “public water system” has the  
8 meaning given such term under section 1401(4) of  
9 the Safe Drinking Water Act (42 U.S.C. 300f(4)).

10          (6) The term “restoration advisory board”  
11 means a restoration advisory board established pur-  
12 suant to section 2705(d) of title 10, United States  
13 Code.

14 **SEC. 346. REVIEW OF AGREEMENTS WITH NON-DEPART-**  
15 **MENT ENTITIES WITH RESPECT TO PREVEN-**  
16 **TION AND MITIGATION OF SPILLS OF AQUE-**  
17 **OUS FILM-FORMING FOAM.**

18          (a) REVIEW REQUIRED.—Not later than 180 days of  
19 after the date of the enactment of this Act, the Secretary  
20 of Defense shall complete a review of mutual support  
21 agreements entered into with non-Department of Defense  
22 entities (including State and local entities) that involve  
23 fire suppression activities in support of missions of the De-  
24 partment.

1 (b) MATTERS.—The review under subsection (a) shall  
2 assess, with respect to the agreements specified in such  
3 subsection, the following:

4 (1) The preventative maintenance guidelines  
5 specified in such agreements for fire trucks and fire  
6 suppression systems, to mitigate the risk of equip-  
7 ment failure that may result in a spill of aqueous  
8 film-forming foam (in this section referred to as  
9 “AFFF”).

10 (2) Any requirements specified in such agree-  
11 ments for the use of personal protective equipment  
12 by personnel when conducting a material transfer or  
13 maintenance activity pursuant to the agreement that  
14 may result in a spill of AFFF, or when conducting  
15 remediation activities for such a spill, including re-  
16 quirements for side-shield safety glasses, latex  
17 gloves, and respiratory protection equipment.

18 (3) The methods by which the Secretary, or the  
19 non-Department entity with which the Secretary has  
20 entered into the agreement, ensures compliance with  
21 guidance specified in the agreement with respect to  
22 the use of such personal protective equipment.

23 (c) GUIDANCE.—Not later than 90 days after the  
24 date on which the Secretary completes the review under  
25 subsection (a), the Secretary shall issue guidance (based



1 on the results of such review) on requirements to include  
2 under the agreements specified in such subsection, to en-  
3 sure the prevention and mitigation of spills of AFFF.  
4 Such guidance shall include, at a minimum, best practices  
5 and recommended requirements to ensure the following:

6 (1) The supervision by personnel trained in re-  
7 sponding to spills of AFFF of each material transfer  
8 or maintenance activity carried out pursuant to such  
9 an agreement that may result in such a spill.

10 (2) The use of containment berms and the cov-  
11 ering of storm drains and catch basins by personnel  
12 performing maintenance activities pursuant to such  
13 an agreement in the vicinity of such drains or ba-  
14 sins.

15 (3) The storage of materials for the cleanup  
16 and containment of AFFF in close proximity to fire  
17 suppression systems in buildings of the Department  
18 and the presence of such materials during any trans-  
19 fer or activity specified in paragraph (1).

20 (d) BRIEFING.—Not later than 30 days after the date  
21 on which the Secretary issues the guidance under sub-  
22 section (c), the Secretary shall provide to the congressional  
23 defense committees a briefing that summarizes the results  
24 of the review conducted under subsection (a) and the guid-  
25 ance issued under subsection (c).

1 **SEC. 347. COMPTROLLER GENERAL STUDY ON DEPART-**  
2 **MENT OF DEFENSE PROCUREMENT OF CER-**  
3 **TAIN ITEMS CONTAINING CERTAIN PFAS SUB-**  
4 **STANCES.**

5 (a) STUDY.—The Comptroller General of the United  
6 States shall conduct a study on the procurement by the  
7 Department of Defense of certain items that contain cov-  
8 ered PFAS substances.

9 (b) ELEMENTS.—In conducting the study under sub-  
10 section (a), the Comptroller General shall assess the fol-  
11 lowing:

12 (1) The extent to which information is available  
13 to the Department of Defense regarding the pres-  
14 ence of covered PFAS substances in the items pro-  
15 cured by the Department.

16 (2) The challenges, if any, that exist in identi-  
17 fying the presence of covered PFAS substances in  
18 the items the Department procures, including wheth-  
19 er there are certain categories of items that are  
20 more readily identified than others as containing  
21 such substances.

22 (3) The extent to which the Department has ex-  
23 amined the feasibility of prohibiting the procurement  
24 of items containing covered PFAS substances.

25 (4) Such other topics as may be determined  
26 necessary by the Comptroller General.

1 (c) ITEMS.—In conducting the study under sub-  
2 section (a), the Comptroller General shall, to the extent  
3 practicable, examine information relating to the consider-  
4 ation by the Department of Defense of such substances  
5 in the following items:

6 (1) Furniture or floor waxes.

7 (2) Car wax and car window treatments.

8 (3) Cleaning products.

9 (4) Shoes and clothing for which treatment with  
10 a covered PFAS substance is not necessary for an  
11 essential function.

12 (d) BRIEFING AND REPORT.—Not later than 180  
13 days after the date of enactment of this Act, the Comp-  
14 troller General shall provide to the Committees on Armed  
15 Services of the House of Representatives and the Senate  
16 an interim briefing on the study conducted under sub-  
17 section (a), including any preliminary observations. After  
18 such interim briefing, the Comptroller General shall sub-  
19 mit to the committees a report on the study at a date  
20 mutually agreed upon by the Comptroller General and the  
21 committees.

22 (e) COVERED PFAS SUBSTANCE DEFINED.—In this  
23 section, the term “covered PFAS substance” means any  
24 of the following:

25 (1) Perfluorononanoic acid (PFNA).

- 1 (2) Perfluorooctanoic acid (PFOA).
- 2 (3) Perfluorohexanoic acid (PFHxA).
- 3 (4) Perfluorooctane sulfonic acid (PFOS).
- 4 (5) Perfluorohexane sulfonate (PFHxS).
- 5 (6) Perfluorobutane sulfonic acid (PFBS).
- 6 (7) GenX.

7 **SEC. 348. REPORT ON SCHEDULE FOR COMPLETION OF RE-**  
8 **MEDIATION OF PERFLUOROALKYL SUB-**  
9 **STANCES AND POLYFLUOROALKYL SUB-**  
10 **STANCES.**

11 (a) IN GENERAL.—Not later than 270 days after the  
12 date of the enactment of this Act, the Secretary of Defense  
13 shall submit to the Committees on Armed Services of the  
14 Senate and the House of Representatives a report detail-  
15 ing a proposed schedule for the completion of remediation  
16 of perfluoroalkyl substances and polyfluoroalkyl sub-  
17 stances, and the associated cost estimates to perform such  
18 remediation, at military installations, facilities of the Na-  
19 tional Guard, and formerly used defense sites in the  
20 United States that are identified as of March 31, 2021,  
21 as having a release of perfluoroalkyl substances or  
22 polyfluoroalkyl substances.

23 (b) DEFINITIONS.—In this section:

1           (1) The term “military installation” has the  
2 meaning given such term in section 2801(c)(4) of  
3 title 10, United States Code.

4           (2) The term “perfluoroalkyl substance” means  
5 a man-made chemical of which all of the carbon  
6 atoms are fully fluorinated carbon atoms.

7           (3) The term “polyfluoroalkyl substance”  
8 means a man-made chemical containing a mix of  
9 fully fluorinated carbon atoms, partially fluorinated  
10 carbon atoms, and nonfluorinated carbon atoms.

11 **SEC. 349. REPORT ON REMEDIATION OF PERFLUOROALKYL**  
12 **SUBSTANCES AND POLYFLUOROALKYL SUB-**  
13 **STANCES AT CERTAIN MILITARY INSTALLA-**  
14 **TIONS.**

15           (a) IN GENERAL.—Not later than 60 days after the  
16 date of the enactment of this Act, the Secretary of Defense  
17 shall submit to Congress a report identifying the status  
18 of efforts to remediate perfluoroalkyl substances and  
19 polyfluoroalkyl substances at the following locations:

20           (1) England Air Force Base, Louisiana.

21           (2) Naval Air Weapons Station China Lake,  
22 California.

23           (3) Patrick Air Force Base, Florida.

24           (4) Myrtle Beach Air Force Base, South Caro-  
25 lina.

- 1 (5) Langley Air Force Base, Virginia.
- 2 (6) Naval Air Station Jacksonville, Florida.
- 3 (7) Niagara Falls Air Reserve Station, New
- 4 York.
- 5 (8) Grand Prairie Armed Forces Reserve Com-
- 6 plex, Texas.
- 7 (9) Altus Air Force Base, Oklahoma.
- 8 (10) Charleston Air Force Base, South Caro-
- 9 lina.
- 10 (11) Barksdale Air Force Base, Louisiana.
- 11 (12) Plattsburgh Air Force Base, New York.
- 12 (13) Tyndall Air Force Base, Florida.
- 13 (14) Sheppard Air Force Base, Texas.
- 14 (15) Columbus Air Force Base, Mississippi.
- 15 (16) Chanute Air Force Base, Illinois.
- 16 (17) Marine Corps Air Station Tustin, Cali-
- 17 fornia.
- 18 (18) Travis Air Force Base, California.
- 19 (19) Ellsworth Air Force Base, South Dakota.
- 20 (20) Minot Air Force Base, North Dakota.
- 21 (21) Westover Air Reserve Base, Massachu-
- 22 setts.
- 23 (22) Eaker Air Force Base, Arkansas.
- 24 (23) Naval Air Station Alameda, California.
- 25 (24) Eielson Air Force Base, Alaska.

- 1 (25) Horsham Air Guard Station, Pennsyl-
- 2 vania.
- 3 (26) Vance Air Force Base, Oklahoma.
- 4 (27) Dover Air Force Base, Delaware.
- 5 (28) Edwards Air Force Base, California.
- 6 (29) Robins Air Force Base, Georgia.
- 7 (30) Joint Base McGuire–Dix–Lakehurst, New
- 8 Jersey.
- 9 (31) Galena Air Force Base, Alaska.
- 10 (32) Naval Research Laboratory Chesapeake
- 11 Bay Detachment, Maryland.
- 12 (33) Buckley Air Force Base, Colorado.
- 13 (34) Arnold Air Force Base, Tennessee.
- 14 (35) Tinker Air Force Base, Oklahoma.
- 15 (36) Fairchild Air Force Base, Washington.
- 16 (37) Vandenberg Air Force Base, California.
- 17 (38) Hancock Field Air National Guard Base,
- 18 New York.
- 19 (39) F.E. Warren Air Force Base, Wyoming.
- 20 (40) Nevada Air National Guard Base, Nevada.
- 21 (41) K.I. Sawyer Air Force Base, Michigan.
- 22 (42) Pease Air Force Base, New Hampshire.
- 23 (43) Whiteman Air Force Base, Missouri.
- 24 (44) Wurtsmith Air Force Base, Michigan.

1 (45) Shepherd Field Air National Guard Base,  
2 West Virginia.

3 (46) Naval Air Station Whidbey Island–Ault  
4 Field, Washington.

5 (47) Rosecrans Air National Guard Base, Mis-  
6 souri.

7 (48) Joint Base Andrews, Maryland.

8 (49) Iowa Air National Guard Base, Iowa.

9 (50) Stewart Air National Guard Base, New  
10 York.

11 (b) DEFINITIONS.—In this section:

12 (1) The term “perfluoroalkyl substance” means  
13 a man-made chemical of which all of the carbon  
14 atoms are fully fluorinated carbon atoms.

15 (2) The term “polyfluoroalkyl substance”  
16 means a man-made chemical containing a mix of  
17 fully fluorinated carbon atoms, partially fluorinated  
18 carbon atoms, and nonfluorinated carbon atoms.



## 1                   **Subtitle E—Logistics and** 2                   **Sustainment**

### 3   **SEC. 351. MITIGATION OF CONTESTED LOGISTICS CHAL-** 4                   **LENGES OF THE DEPARTMENT OF DEFENSE** 5                   **THROUGH REDUCTION OF OPERATIONAL EN-** 6                   **ERGY DEMAND.**

7           (a) CLARIFICATION OF OPERATIONAL ENERGY RE-  
8   SPONSIBILITIES.—Section 2926 of title 10, United States  
9   Code, is amended—

10           (1) in subsection (a), by inserting “in contested  
11   logistics environments” after “missions”; and

12           (2) in subsection (b)—

13           (A) in the heading, by striking “AUTHORI-  
14   TIES” and inserting “RESPONSIBILITIES”;

15           (B) in the matter preceding paragraph (1),  
16   by striking “may” and inserting “shall”;

17           (C) by amending paragraph (1) to read as  
18   follows:

19           “(1) require the Secretaries concerned and the  
20   commanders of the combatant commands to assess  
21   the energy supportability in contested logistics envi-  
22   ronments of systems, capabilities, and plans;”;

23           (D) in paragraph (2), by inserting “  
24   supportability in contested logistics environ-  
25   ments,” after “power,”; and

1 (E) in paragraph (3), by inserting “in con-  
2 tested logistics environments” after  
3 “vulnerabilities”.

4 (b) ESTABLISHMENT OF WORKING GROUP.—Such  
5 section is further amended—

6 (1) in subsection (c)—

7 (A) in the matter preceding paragraph (1),  
8 by inserting “ and in coordination with the  
9 working group under subsection (d)” after  
10 “components”;

11 (B) in paragraph (1), by striking “Defense  
12 and oversee” and inserting “Defense, including  
13 the activities of the working group established  
14 under subsection (d), and oversee”;

15 (C) in paragraph (2), by inserting “, tak-  
16 ing into account the findings of the working  
17 group under subsection (d)” after “Defense”;  
18 and

19 (D) in paragraph (3), by inserting “, tak-  
20 ing into account the findings of the working  
21 group under subsection (d)” after “resilience”;

22 (2) by redesignating subsections (d) through (f)  
23 as subsections (e) through (g), respectively;

24 (3) by inserting after subsection (c), as amend-  
25 ed by paragraph (1), the following new subsection:

1           “(d) WORKING GROUP.—(1) The Secretary of De-  
2 fense shall establish a working group to integrate efforts  
3 to mitigate contested logistics challenges through the re-  
4 duction of operational energy demand that are carried out  
5 within each armed force, across the armed forces, and with  
6 the Office of the Secretary of Defense and to conduct  
7 other coordinated functions relating to such efforts.

8           “(2) The head of the working group under paragraph  
9 (1) shall be the Assistant Secretary of Defense for Energy,  
10 Installations, and Environment. The Assistant Secretary  
11 shall supervise the members of the working group and pro-  
12 vide guidance to such members with respect to specific  
13 operational energy plans and programs to be carried out  
14 pursuant to the strategy under subsection (e).

15           “(3) The members of the working group under para-  
16 graph (1) shall be appointed as follows:

17                   “(A) A senior official of each armed force, who  
18 shall be nominated by the Secretary concerned and  
19 confirmed by the Senate to represent such armed  
20 force.

21                   “(B) A senior official from each geographic and  
22 functional combatant command, who shall be ap-  
23 pointed by the commander of the respective combat-  
24 ant command to represent such combatant com-  
25 mand.

1           “(C) A senior official under the jurisdiction of  
2           the Chairman of the Joint Chiefs of Staff, who shall  
3           be appointed by the Chairman to represent the Joint  
4           Chiefs of Staff and the Joint Staff.

5           “(4) Each member of the working group shall be re-  
6           sponsible for carrying out operational energy plans and  
7           programs and implementing coordinated initiatives pursu-  
8           ant to the strategy under subsection (e) for the respective  
9           component of the Department that the member rep-  
10          resents.

11          “(5) The duties of the working group under para-  
12          graph (1) shall be as follows:

13                 “(A) Planning for the integration of efforts to  
14                 mitigate contested logistics challenges through the  
15                 reduction of operational energy demand carried out  
16                 within each armed force, across the armed forces,  
17                 and with the Office of the Secretary of Defense.

18                 “(B) Developing recommendations regarding  
19                 the strategy for operational energy under subsection  
20                 (e).

21                 “(C) Developing recommendations relating to  
22                 the development of, and modernization efforts for,  
23                 platforms and weapons systems of the armed forces.

24                 “(D) Developing recommendations to ensure  
25                 that such development and modernization efforts

1 lead to increased lethality, extended range, and ex-  
2 tended on-station time for tactical assets.

3 “(E) Developing recommendations to mitigate  
4 the effects of hostile action by a near-peer adversary  
5 targeting operational energy storage and operations  
6 of the armed forces, including through the use of in-  
7 novative delivery systems, distributed storage, flexi-  
8 ble contracting, and improved automation.”; and

9 (4) in subsection (g), as redesignated by para-  
10 graph (2)—

11 (A) in paragraph (1)—

12 (i) by striking “The Secretary of a  
13 military department” and inserting “Each  
14 member of the working group under sub-  
15 section (d)”;

16 (ii) by striking “conducted by the  
17 military department” and inserting “con-  
18 ducted by the respective component of the  
19 Department that the member represents  
20 for purposes of the working group”;

21 (B) in paragraph (2), by striking “military  
22 department” and inserting “armed force”.

23 (c) MODIFICATIONS TO OPERATIONAL ENERGY  
24 STRATEGY.—Subsection (e) of such section, as redesign-  
25 nated by subsection (b)(2), is amended to read as follows:

1           “(1) The Assistant Secretary of Defense for Energy,  
2 Installations, and Environment, in coordination with the  
3 working group under subsection (d), shall be responsible  
4 for the establishment and maintenance of a department-  
5 wide transformational strategy for operational energy. The  
6 strategy shall be updated every five years and shall estab-  
7 lish near-term, mid-term, and long-term goals, perform-  
8 ance metrics to measure progress in meeting the goals,  
9 and a plan for implementation of the strategy within each  
10 armed force, across the armed forces, and with the Office  
11 of the Secretary of Defense.

12           “(2) The strategy required under paragraph (1) shall  
13 include the following:

14                   “(A) A plan to integrate efforts to mitigate con-  
15 tested logistics challenges through the reduction of  
16 operational energy demand within each armed force.

17                   “(B) An assessment of how industry trends  
18 transitioning from the production of internal com-  
19 bustion engines to the development and production  
20 of alternative propulsion systems may affect the  
21 long-term availability of parts for military equip-  
22 ment, the fuel costs for such equipment, and the  
23 sustainability of such equipment.

24                   “(C) An assessment of any technologies, includ-  
25 ing electric, hydrogen, or other sustainable fuel tech-

1 nologies, that may reduce operational energy de-  
2 mand in the near-term or long-term.

3 “(D) An assessment of how the Secretaries con-  
4 cerned and the commanders of the combatant com-  
5 mands can better plan for challenges presented by  
6 near-peer adversaries in a contested logistics envi-  
7 ronment, including through innovative delivery sys-  
8 tems, distributed storage, flexible contracting, and  
9 improved automation.

10 “(E) An assessment of any infrastructure in-  
11 vestments of allied and partner countries that may  
12 affect operational energy availability in the event of  
13 a conflict with a near-peer adversary.

14 “(3) By authority of the Secretary of Defense, and  
15 taking into consideration the findings of the working  
16 group, the Assistant Secretary shall prescribe policies and  
17 procedures for the implementation of the strategy and  
18 make recommendations to the Secretary of Defense and  
19 Deputy Secretary of Defense with respect to specific oper-  
20 ational energy plans and programs to be carried out pur-  
21 suant to the strategy.

22 “(4) Not later than 30 days after the date on which  
23 the budget for fiscal year 2024 is submitted to Congress  
24 pursuant to section 1105 of title 31, and every five years  
25 thereafter, the Assistant Secretary shall submit to the con-

1 gressional defense committees the strategy required under  
2 paragraph (1).”.

3 (d) DEFINITION.—Such section is further amended  
4 by adding at the end the following new subsection:

5 “(h) CONTESTED LOGISTICS ENVIRONMENT DE-  
6 FINED.—In this section, the term ‘contested logistics envi-  
7 ronment’ means an environment in which the armed forces  
8 engage in conflict with an adversary that presents chal-  
9 lenges in all domains and directly targets logistics oper-  
10 ations, facilities, and activities in the United States,  
11 abroad, or in transit from one location to the other.”.

12 (e) CONFORMING AMENDMENT.—Section 2926(c)(5)  
13 of title 10, United States Code, is amended by striking  
14 “subsection (e)(4)” and inserting “subsection (f)(4)”.

15 (f) INTERIM REPORT.—Not later than 180 days after  
16 the date of the enactment of this Act, the Assistant Sec-  
17 retary of Defense for Energy, Installations, and Environ-  
18 ment shall submit to the congressional defense committees  
19 an interim report on any actions taken pursuant to the  
20 amendments made by this section. Such report shall in-  
21 clude an update regarding the establishment of the work-  
22 ing group under section 2926(d) of title 10, United States  
23 Code, as amended by subsection (b).

24 (g) BRIEFING ON ASSISTANT SECRETARY OF DE-  
25 FENSE FOR ENERGY, INSTALLATIONS, AND ENVIRON-



1 MENT.—Not later than 60 days after the date of the en-  
2 actment of this Act, the Secretary of Defense shall provide  
3 to the Committees on Armed Services of the House of  
4 Representatives and the Senate a briefing on the status  
5 of the following:

6 (1) The planned division of responsibilities be-  
7 tween the Assistant Secretary of Defense for  
8 Sustainment and the Assistant Secretary of Defense  
9 for Energy, Installations, and Environment.

10 (2) A personnel plan to ensure the adequate  
11 manning of support personnel for the Assistant Sec-  
12 retary of Defense for Energy, Installations, and En-  
13 vironment.

14 (3) Any additional resources necessary to en-  
15 sure the ability of the Assistant Secretary of De-  
16 fense for Energy, Installations, and Environment to  
17 fulfill the duty required under section 138(b)(7) of  
18 title 10, United States Code, and any other duties  
19 required of such Assistant Secretary by law.

20 **SEC. 352. GLOBAL BULK FUEL MANAGEMENT AND DELIV-**  
21 **ERY.**

22 (a) **RESPONSIBILITY OF UNITED STATES TRANSPOR-**  
23 **TATION COMMAND.—**

1           (1) IN GENERAL.—Subchapter III of chapter  
2           173 of title 10, United States Code, is amended by  
3           adding at the end the following new section:

4   **“§ 2927. Global bulk fuel management and delivery**

5           “(a) RESPONSIBLE ELEMENT.—(1) Beginning dur-  
6           ing the period described in paragraph (2) and permanently  
7           thereafter, the United States Transportation Command  
8           shall be the element responsible for bulk fuel management  
9           and delivery of the Department of Defense on a global  
10          basis.

11          “(2) The period described in this paragraph is the  
12          period beginning on January 1, 2023, and ending on Feb-  
13          ruary 1, 2023.

14          “(b) COORDINATION WITH DEFENSE LOGISTICS  
15          AGENCY.—In carrying out the responsibilities specified in  
16          subsection (a), the Commander of the United States  
17          Transportation Command shall coordinate with the Direc-  
18          tor of the Defense Logistics Agency.

19          “(c) RULE OF CONSTRUCTION.—Except to the extent  
20          that, prior to January 1, 2023, a responsibility specified  
21          in subsection (a) was a specific function of the Defense  
22          Logistics Agency Energy, nothing under this section shall  
23          be construed as—

24                  “(1) limiting any other function of the Defense  
25          Logistics Agency Energy; or

1           “(2) requiring the transfer of any function, per-  
2           sonnel, or asset from the Defense Logistics Agency  
3           Energy to the United States Transportation Com-  
4           mand.”.

5           (2) CLERICAL AMENDMENT.—The table of con-  
6           tents for such subchapter is amended by adding at  
7           the end the following new item:

“2927. Global bulk fuel management and delivery.”.

8           (b) BRIEFING.—Not later than July 1, 2022, the  
9           Commander of United States Transportation Command  
10          shall provide to the Committees on Armed Services of the  
11          House of Representatives and the Senate a briefing on  
12          progress made to carry out the transfer of responsibilities  
13          to the United States Transportation Command pursuant  
14          to section 2927 of title 10, United States Code (as added  
15          by subsection (a)), including—

16                 (1) a review of the plan of action for such  
17                 transfer;

18                 (2) a review of milestones completed and yet to  
19                 be completed with respect to such transfer; and

20                 (3) an identification of any legislative changes  
21                 or additional resources the Commander determines  
22                 are necessary to implement such section 2927.

23           (c) GLOBAL BULK FUEL MANAGEMENT STRAT-  
24           EGY.—

1           (1) STRATEGY REQUIRED.—Not later than Oc-  
2           tober 1, 2022, the Commander of United States  
3           Transportation Command shall prepare and submit  
4           to the Committees on Armed Services of the House  
5           of Representatives and the Senate a strategy to de-  
6           velop the infrastructure and programs necessary to  
7           optimally support global bulk fuel management of  
8           the Department of Defense.

9           (2) ADDITIONAL ELEMENTS.—The strategy  
10          under paragraph (1) shall include the following addi-  
11          tional elements:

12                 (A) A description of the current organiza-  
13                 tional responsibility for bulk fuel management  
14                 of the Department, organized by geographic  
15                 combatant command, including with respect to  
16                 ordering, storage, and strategic and tactical  
17                 transportation.

18                 (B) A description of any legacy bulk fuel  
19                 management assets of each of the geographic  
20                 combatant commands.

21                 (C) A description of the operational plan to  
22                 exercise such assets to ensure full functionality  
23                 and to repair, upgrade, or replace such assets  
24                 as necessary.

1 (D) An identification of the resources re-  
2 quired for any such repairs, upgrades, or re-  
3 placements.

4 (E) A description of the current programs  
5 relating to platforms, weapon systems, or re-  
6 search and development, that are aimed at  
7 managing fuel constraints by decreasing de-  
8 mand for fuel.

9 (F) An assessment of current and pro-  
10 jected threats to forward-based bulk fuel deliv-  
11 ery, storage, and distribution systems, and an  
12 assessment, based on such current and pro-  
13 jected threats, of attrition to bulk fuel infra-  
14 structure, including storage and distribution  
15 systems, in a conflict involving near-peer for-  
16 eign countries.

17 (G) An assessment of current days of sup-  
18 ply guidance, petroleum war reserve require-  
19 ments, and prepositioned war reserve stocks,  
20 based on operational tempo associated with dis-  
21 tributed operations in a contested environment.

22 (H) An identification of the resources re-  
23 quired to address any changes to such guid-  
24 ance, requirements, or stocks recommended as  
25 the result of such assessment.

1 (I) An identification of any global shortfall  
2 with respect to bulk fuel management, orga-  
3 nized by geographic combatant command, and a  
4 prioritized list of investment recommendations  
5 to address each shortfall identified.

6 (3) COORDINATION.—In preparing the strategy  
7 under paragraph (1), the Commander of United  
8 States Transportation Command shall coordinate  
9 with subject matter experts of the Joint Staff, the  
10 geographic combatant commands, the Defense Lo-  
11 gistics Agency, and the military departments.

12 (4) FORM.—The strategy under paragraph (1)  
13 may be submitted in classified form, but if so sub-  
14 mitted shall include an unclassified executive sum-  
15 mary.

16 (d) CONFORMING AMENDMENTS.—Section 2854 of  
17 the Military Construction Authorization Act for Fiscal  
18 Year 2021 (division B of Public Law 116–283) is amend-  
19 ed—

20 (1) in subsection (b), by striking “The organi-  
21 zational element designated pursuant to subsection  
22 (a)” and inserting “The Secretary of Defense”;

23 (2) in subsection (c), by striking “subsection  
24 (b)” and inserting “subsection (a)”;

25 (3) by striking subsections (a) and (d); and

1 (4) by redesignating subsections (b) and (c), as  
2 amended by paragraphs (1) and (2), as subsections  
3 (a) and (b), respectively.

4 **SEC. 353. TEST AND EVALUATION OF POTENTIAL BIOBASED**  
5 **SOLUTION FOR CORROSION CONTROL AND**  
6 **MITIGATION.**

7 (a) TEST AND EVALUATION.—Not later than 120  
8 days after the date of the enactment of this Act, the Direc-  
9 tor of the Strategic Environmental Research and Develop-  
10 ment Program and the Environmental Security Tech-  
11 nology Certification Program shall test and evaluate at  
12 least one existing covered biobased solution for use as an  
13 alternative to current solutions of the Department of De-  
14 fense for the control and mitigation of corrosion.

15 (b) DETERMINATION.—Following the test and eval-  
16 uation of a covered biobased solution under subsection (a),  
17 the Director shall determine, based on such test and eval-  
18 uation, whether the solution meets the following require-  
19 ments:

20 (1) The solution is capable of being produced  
21 domestically in sufficient quantities.

22 (2) The solution is at least as effective at the  
23 control and mitigation of corrosion as current alter-  
24 native solutions.

1           (3) The solution reduces environmental expo-  
2           sures.

3           (c) RECOMMENDATIONS.—The Director shall develop  
4           recommendations for the Department of Defense-wide de-  
5           ployment of covered biobased solutions that the Director  
6           has determined meet the requirements under subsection  
7           (b).

8           (d) COVERED BIOBASED SOLUTION DEFINED.—In  
9           this section, the term “covered biobased solution” means  
10          a solution for the control and mitigation of corrosion that  
11          is domestically produced, commercial, and biobased.

12       **SEC. 354. PILOT PROGRAM ON DIGITAL OPTIMIZATION OF**  
13                               **ORGANIC INDUSTRIAL BASE MAINTENANCE**  
14                               **AND REPAIR OPERATIONS.**

15          (a) IN GENERAL.—Beginning not later than 180  
16          days after the date of the enactment of this Act, the As-  
17          sistant Secretary of Defense for Sustainment, in coordina-  
18          tion with the Secretaries of the military departments, shall  
19          undertake a pilot program under which the digitization of  
20          the facilities and operations of at least one covered depot  
21          shall be provided for by the Secretary concerned.

22          (b) ELEMENTS OF PILOT PROGRAM.—In carrying  
23          out the pilot program under this section, the Secretary  
24          concerned shall provide for each of the following at the



1 covered depot or depots at which the program is carried  
2 out:

3 (1) The creation of a digital twin model of the  
4 maintenance, repair, and remanufacturing infra-  
5 structure and activities.

6 (2) The modeling and simulation of optimized  
7 facility configuration, logistics systems, and proc-  
8 esses.

9 (3) The analysis of material flow and resource  
10 use to achieve key performance metrics for all levels  
11 of maintenance and repair.

12 (4) An assessment of automated, advanced, and  
13 additive manufacturing technologies that could im-  
14 prove maintenance, repair, and remanufacturing op-  
15 erations.

16 (c) REPORT.—Not later than 60 days after the com-  
17 pletion of the digital twin model and associated analysis,  
18 the Assistant Secretary of Defense for Sustainment shall  
19 submit to the Committees on Armed Services of the Sen-  
20 ate and the House of Representatives a report on the pilot  
21 program. Such report shall include—

22 (1) a summary of the cost of the pilot program;

23 (2) a description of the efficiencies identified  
24 under the pilot program;

1 (3) a description of the infrastructure, work-  
2 force, and capital equipment investments necessary  
3 to achieve such efficiencies;

4 (4) any plans to undertake such investments;  
5 and

6 (5) the assessment of the Assistant Secretary of  
7 the value of the pilot program and the potential ap-  
8 plicability of the findings of the pilot program to  
9 other covered depots.

10 (d) DEFINITIONS.—In this section:

11 (1) The term “covered depot” includes any  
12 depot covered under section 2476(e) of title 10,  
13 United States Code, except for the following:

14 (A) Portsmouth Naval Shipyard, Maine.

15 (B) Pearl Harbor Naval Shipyard, Hawaii.

16 (C) Puget Sound Naval Shipyard, Wash-  
17 ington.

18 (D) Norfolk Naval Shipyard, Virginia.

19 (2) The terms “military departments” and  
20 “Secretary concerned” have the meanings given such  
21 terms in section 101 of title 10, United States Code.

22 **SEC. 355. IMPROVED OVERSIGHT FOR IMPLEMENTATION**  
23 **OF SHIPYARD INFRASTRUCTURE OPTIMIZA-**  
24 **TION PROGRAM OF THE NAVY.**

25 (a) UPDATED PLAN.—

1           (1) IN GENERAL.—Not later than September  
2           30, 2022, the Secretary of the Navy shall submit to  
3           the congressional defense committees an update to  
4           the plan of the Secretary for implementation of the  
5           Shipyard Infrastructure Optimization Program of  
6           the Department of the Navy, with the objective of  
7           providing increased transparency for the actual costs  
8           and schedules associated with infrastructure optimi-  
9           zation activities for shipyards covered by such pro-  
10          gram.

11          (2) UPDATED COST ESTIMATES.—The updated  
12          plan required under paragraph (1) shall include up-  
13          dated cost estimates comprising the most recent  
14          costs of capital improvement projects for each of the  
15          four public shipyards covered by the Shipyard Infra-  
16          structure Optimization Program.

17          (b) BRIEFING REQUIREMENT.—

18           (1) IN GENERAL.—Before the start of physical  
19           construction with respect to a covered project, the  
20           Secretary of the Navy or a designee of the Secretary  
21           shall brief each of the congressional defense commit-  
22           tees on such project, regardless of the source of  
23           funding for such project.

24           (2) WRITTEN INFORMATION.—Before con-  
25           ducting a briefing under paragraph (1) with respect

1 to a covered project, the Secretary of the Navy or  
2 a designee of the Secretary shall submit to the con-  
3 gressional defense committees in writing the fol-  
4 lowing information:

5 (A) An updated cost estimate for such  
6 project that—

7 (i) meets the standards of the Asso-  
8 ciation for the Advancement of Cost Engi-  
9 neering for a Level 1 or Level 2 cost esti-  
10 mate; or

11 (ii) is an independent cost estimate.

12 (B) A schedule for such project that is  
13 comprehensive, well-constructed, credible, and  
14 controlled pursuant to the Schedule Assessment  
15 Guide: Best Practices for Project Schedules  
16 (GAO–16–89G) set forth by the Comptroller  
17 General of the United States in December  
18 2015, or successor guide.

19 (C) An estimate of the likelihood that pro-  
20 grammed and planned funds for such project  
21 will be sufficient for the completion of the  
22 project.

23 (3) COVERED PROJECT DEFINED.—In this sub-  
24 section, the term “covered project” means a ship-

1 yard project under the Shipyard Infrastructure Opti-  
2 mization Program—

3 (A) with a contract awarded on or after  
4 October 1, 2024; and

5 (B) valued at \$250,000,000 or more.

6 (c) ANNUAL REPORT.—

7 (1) IN GENERAL.—Not later than December 31,  
8 2022, and not later than December 31 of each year  
9 thereafter, the Commander of the Naval Sea Sys-  
10 tems Command, in coordination with the Program  
11 Manager Ships 555, shall submit to the congres-  
12 sional defense committees a report detailing the use  
13 by the Department of the Navy of funding for all ef-  
14 forts associated with the Shipyard Infrastructure  
15 Optimization Program, including the use of amounts  
16 made available by law to support the projects identi-  
17 fied in the plan to implement such program, includ-  
18 ing any update to such plan under subsection (a).

19 (2) ELEMENTS.—Each report required by para-  
20 graph (1) shall include updated cost and schedule  
21 estimates—

22 (A) for the plan to implement the Shipyard  
23 Optimization Program, including any update to  
24 such plan under subsection (a); and

1 (B) for each dry dock, major facility, and  
2 infrastructure project valued at \$250,000,000  
3 or more under such program.

4 (d) COMPTROLLER GENERAL REPORT.—

5 (1) REPORT.—

6 (A) IN GENERAL.—Not later than May 1,  
7 2023, the Comptroller General of the United  
8 States shall submit to the Committees on  
9 Armed Services of the Senate and the House of  
10 Representatives a report on the progress of the  
11 Secretary of the Navy in implementing the  
12 Shipyard Infrastructure Optimization Program,  
13 including—

14 (i) the progress of the Secretary in  
15 completing the first annual report required  
16 under such program; and

17 (ii) the cost and schedule estimates  
18 for full implementation of such program.

19 (B) ELEMENTS.—The report required by  
20 subparagraph (A) shall include the following:

21 (i) An assessment of the extent to  
22 which the cost estimate for the updated op-  
23 timization plan for the Shipyard Infra-  
24 structure Optimization Program is con-

1                   sistent with leading practices for cost esti-  
2                   mation.

3                   (ii) An assessment of the extent to  
4                   which the project schedule for such pro-  
5                   gram is comprehensive, well-constructed,  
6                   credible, and controlled.

7                   (iii) An assessment of whether pro-  
8                   grammed and planned funds for a project  
9                   under such program will be sufficient for  
10                  the completion of the project.

11                  (iv) Such other related matters as the  
12                  Comptroller General considers appropriate.

13                  (2) INITIAL BRIEFING.—Not later than April 1,  
14                  2023, the Comptroller General shall brief the Com-  
15                  mittees on Armed Services of the Senate and the  
16                  House of Representatives on the preliminary find-  
17                  ings of the report under paragraph (1).

18   **SEC. 356. REPORT AND CERTIFICATION REQUIREMENTS**  
19                   **REGARDING SUSTAINMENT COSTS FOR**  
20                   **FIGHTER AIRCRAFT PROGRAMS.**

21                  (a) REPORT.—Not later than 180 days after the date  
22                  of the enactment of this Act, the Secretary of Defense  
23                  shall submit to the congressional defense committees a re-  
24                  port on individual aircraft fleet sustainment costs for the  
25                  F-35 A/B/C, F/A-18 C/D/E/F/G, AV-8B, A-10C, F-16

1 C/D, F-22, and F-15 C/E/EX aircraft fleets. Such report  
2 shall include the following:

3 (1) A detailed description and explanation of,  
4 and the actual cost data related to, current  
5 sustainment costs for the aircraft fleets specified in  
6 this subsection, including an identification and as-  
7 sessment of cost elements attributable to the Federal  
8 Government or to contractors (disaggregated by the  
9 entity responsible for each portion of the cost ele-  
10 ment, including for a prime contractor and any first-  
11 tier subcontractor) with respect to such sustainment  
12 costs.

13 (2) An identification of sustainment cost  
14 metrics for each aircraft fleet specified in this sub-  
15 section for each of fiscal years 2022 through 2026,  
16 expressed in cost-per-tail-per-year format.

17 (b) LIMITATION ON CERTAIN F-35 CONTRACTS.—

18 (1) IN GENERAL.—The Secretary of Defense  
19 may not enter into a performance-based logistics  
20 sustainment contract for the F-35 airframe or en-  
21 gine programs, or modify an existing contract for  
22 the F-35 airframe or engine programs to require  
23 the use of a performance-based logistics sustainment  
24 contract, unless the Secretary submits to the con-  
25 gressional defense committees a certification that



1 the Secretary has determined such a performance-  
2 based logistics contract will—

3 (A) reduce sustainment or operating costs  
4 for the F-35 airframe or engine programs; or

5 (B) increase readiness rates, full and par-  
6 tial mission capability rates, or airframe and  
7 engine availability rates of the F-35 weapon  
8 system.

9 (2) CERTIFICATION.—Any certification sub-  
10 mitted pursuant to paragraph (1) shall include a  
11 cost-benefit analysis comparing an existing contract  
12 for the F-35 airframe or engine programs with a  
13 performance-based logistics sustainment contract for  
14 the F-35 airframe or engine programs.

15 (3) APPLICABILITY.—The limitation under  
16 paragraph (1) shall not apply with respect to the  
17 termination, modification, exercise of a contract op-  
18 tion for, or other action relating to, a contract for  
19 the F-35 program entered into prior to the date of  
20 the enactment of this Act unless such termination,  
21 modification, exercise, or other action would require  
22 the use of a performance-based logistics sustainment  
23 contract as specified in paragraph (1).

24 (c) COST-PER-TAIL-PER-YEAR CALCULATION.—For  
25 purposes of this section, the average cost-per-tail of a vari-

1 ant of an aircraft of an Armed Force shall be determined  
2 by—

3 (1) adding the total amount expended for a fis-  
4 cal year (in base year fiscal 2012 dollars) for all  
5 such aircraft in the inventory of an Armed Force  
6 for—

7 (A) unit level manpower;

8 (B) unit operations;

9 (C) maintenance;

10 (D) sustaining support;

11 (E) continuing system support; and

12 (F) modifications; and

13 (2) dividing the sum resulting under paragraph

14 (1) by the average number of such aircraft in the in-

15 ventory of an Armed Force during such fiscal year.

16 **SEC. 357. COMPTROLLER GENERAL ANNUAL REVIEWS OF**

17 **F-35 SUSTAINMENT EFFORTS.**

18 (a) ANNUAL REVIEWS AND BRIEFINGS.—Not later

19 than March 1 of each year of 2022, 2023, 2024, and

20 2025, the Comptroller General of the United States

21 shall—

22 (1) conduct an annual review of the

23 sustainment efforts of the Department of Defense

24 with respect to the F-35 aircraft program (including

1 the air vehicle and propulsion elements of such pro-  
2 gram); and

3 (2) provide to the Committees on Armed Serv-  
4 ices of the House of Representatives and the Senate  
5 a briefing on such review, including any findings of  
6 the Comptroller General as a result of such review.

7 (b) ELEMENTS.—Each review under subsection  
8 (a)(1) shall include an assessment of the following:

9 (1) The status of the sustainment strategy of  
10 the Department for the F-35 Lightning II aircraft  
11 program.

12 (2) The Department oversight and prime con-  
13 tractor management of key sustainment functions  
14 with respect to the F-35 aircraft program.

15 (3) The ability of the Department to reduce the  
16 costs, or otherwise maintain the affordability, of the  
17 sustainment of the F-35 fleet.

18 (4) Any other matters regarding the  
19 sustainment or affordability of the F-35 aircraft  
20 program that the Comptroller General determines to  
21 be of critical importance to the long-term viability of  
22 such program.

23 (c) REPORTS.—Following the provision of each brief-  
24 ing under subsection (a)(2), at such time as is mutually  
25 agreed upon by the Committees on Armed Services of the

1 House of Representatives and the Senate and the Comp-  
2 troller General, the Comptroller General shall submit to  
3 such committees a report on the matters covered by the  
4 briefing.

## 5 **Subtitle F—Reports**

### 6 **SEC. 361. INCLUSION OF INFORMATION REGARDING BOR-** 7 **ROWED MILITARY MANPOWER IN READINESS** 8 **REPORTS.**

9 Section 482(b) of title 10, United States Code, is  
10 amended—

11 (1) by redesignating paragraph (10) as para-  
12 graph (11); and

13 (2) by inserting after paragraph (9) the fol-  
14 lowing new paragraph:

15 “(10) Information regarding the extent to  
16 which any member of the armed forces is assigned  
17 or detailed outside the member’s unit or away from  
18 training in order to perform any function that had  
19 previously been performed by civilian employees of  
20 the Federal Government.”.

### 21 **SEC. 362. ANNUAL REPORT ON MATERIAL READINESS OF** 22 **NAVY SHIPS.**

23 Section 8674(d) of title 10, United States Code, is  
24 amended—

25 (1) in paragraph (1)—

1 (A) by striking “submit to the” and insert-  
2 ing “provide to the”;

3 (B) by inserting “a briefing and submit to  
4 such committees” after “congressional defense  
5 committees”; and

6 (C) by striking “setting forth” and insert-  
7 ing “regarding”;

8 (2) in paragraph (2)—

9 (A) by striking “in an unclassified form  
10 that is releasable to the public without further  
11 redaction.” and inserting “in—”; and

12 (B) by adding at the end the following new  
13 subparagraphs:

14 “(A) a classified form; and

15 “(B) an unclassified form that is releasable to  
16 the public without further redaction.”; and

17 (3) by striking paragraph (3).

18 **SEC. 363. INCIDENT REPORTING REQUIREMENTS FOR DE-**  
19 **PARTMENT OF DEFENSE REGARDING LOST**  
20 **OR STOLEN WEAPONS.**

21 (a) IN GENERAL.—For each of fiscal years 2022,  
22 2023, and 2024, the Secretary of Defense shall submit  
23 to the Committees on Armed Services of the Senate and  
24 the House of Representatives a report on security, control,  
25 thefts, losses, and recoveries of sensitive conventional

1 arms, ammunition, and explosives (commonly referred to  
2 as “AA&E”) of the Department of Defense during such  
3 year, including the following:

4 (1) M-16 or M4s.

5 (2) Light automatic weapons up to and includ-  
6 ing M249, M2, and 40mm MK19 machine guns.

7 (3) Functional launch tube with umbilical squib  
8 installed and grip stock for the Stinger missile.

9 (4) Launch tube, sight assembly, and grip stock  
10 for missiles.

11 (5) Tracker for the Dragon missile.

12 (6) Mortar tubes up to and including 81mm.

13 (7) Grenade launchers.

14 (8) Rocket and missile launchers with an un-  
15 packed weight of 100 pounds or less.

16 (9) Flame throwers.

17 (10) The launcher, missile guidance se, or the  
18 optical sight for the TOW and the Javelin Command  
19 Launch Unit.

20 (11) Single shot and semi-automatic (non-auto-  
21 matic) shoulder-fired weapons such as shotguns and  
22 bolt action rifles and weapons barrels.

23 (12) Handguns.

24 (13) Recoil-less rifles up to and including  
25 106mm.

1           (14) Man-portable missiles and rockets in a  
2 ready-to-fire configuration or when jointly stored or  
3 transported with the launcher tube or grip-stock and  
4 the explosive round.

5           (15) Stinger missiles.

6           (16) Dragon, Javelin, light antitank weapon  
7 (66mm), shoulder-launched multi-purpose assault  
8 weapon rocket (83mm), M136 (AT4) anti-armor  
9 launcher and cartridge (84mm).

10          (17) Missiles and rockets that are crew-served  
11 or require platform-mounted launchers and other  
12 equipment to function, including HYDRA-70 rock-  
13 ets and tube-launched optically wire guided (TOW)  
14 missiles.

15          (18) Missiles and rockets that require platform-  
16 mounted launchers and complex hardware equipment  
17 to function including the HELLFIRE missile.

18          (19) Explosive rounds of any missile or rocket  
19 listed in paragraphs (1) through (18).

20          (20) Hand or rifle grenades (high-explosive and  
21 white phosphorous).

22          (21) Antitank or antipersonnel mines.

23          (22) Explosives used in demolition operations,  
24 C-4, military dynamite, and trinitrotoluene (TNT).





1 ations and Low-Intensity Conflict, in coordination  
2 with the Secretaries of the military departments,  
3 shall submit to the congressional defense committees  
4 a strategy to improve the language proficiency of the  
5 special operations forces of the Armed Forces, in-  
6 cluding by identifying individuals who have pro-  
7 ficiency in a critical language and recruiting and re-  
8 taining such individuals in the special operations  
9 forces.

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

12 (A) A baseline of foreign language pro-  
13 ficiency requirements to be implemented within  
14 the special operations forces, disaggregated by  
15 Armed Force and by critical language.

16 (B) Annual recruitment targets for the  
17 number of candidates with demonstrated pro-  
18 ficiency in a critical language to be selected for  
19 participation in the initial assessment and qual-  
20 ification programs of the special operations  
21 forces.

22 (C) A description of current and planned  
23 efforts of the Secretaries concerned and the As-  
24 sistant Secretary to meet such annual recruit-  
25 ment targets.

1 (D) A description of any training programs  
2 used to enhance or maintain foreign language  
3 proficiency within the special operations forces,  
4 including any nongovernmental programs used.

5 (E) An annual plan to enhance and main-  
6 tain foreign language proficiency within the  
7 special operations forces of each Armed Force.

8 (F) An annual plan to retain members of  
9 the special operation forces of each Armed  
10 Force who have proficiency in a foreign lan-  
11 guage.

12 (G) A description of current and projected  
13 capabilities and activities that the Assistant  
14 Secretary determines are necessary to maintain  
15 proficiency in critical languages within the spe-  
16 cial operations forces.

17 (H) A plan to implement a training pro-  
18 gram for members of the special operations  
19 forces who serve in positions that the Assistant  
20 Secretary determines require proficiency in a  
21 critical language to support the Department of  
22 Defense in strategic competition.

23 (b) REPORTS REQUIRED.—Not later than December  
24 31, 2022, and annually thereafter until December 31,  
25 2025, the Assistant Secretary of Defense for Special Oper-

1 ations and Low-Intensity Conflict, in coordination with the  
2 Secretaries of the military departments, shall submit to  
3 the congressional defense committees a report on the  
4 strategy required under subsection (a), including progress  
5 in achieving the objectives of the strategy with respect to  
6 the recruitment, training, and retention of members of the  
7 special operations forces who have proficiency in a critical  
8 language.

9 (c) DEFINITIONS.—In this section:

10 (1) The term “critical language” means a lan-  
11 guage identified by the Director of the National Se-  
12 curity Education Program as critical to national se-  
13 curity.

14 (2) The terms “military departments” and  
15 “Secretary concerned” have the meanings given such  
16 terms in section 101 of title 10, United States Code.

17 (3) The term “proficiency” means proficiency  
18 in a language, as assessed by the Defense Language  
19 Proficiency Test.

20 (4) The term “special operations forces” means  
21 forces described under section 167(j) of title 10,  
22 United States Code.

1                   **Subtitle G—Other Matters**

2   **SEC. 371. MILITARY AVIATION AND INSTALLATION ASSUR-**  
3                   **ANCE CLEARINGHOUSE MATTERS.**

4           (a) STRATEGY TO TEST AND INTEGRATE WIND TUR-  
5   BINE INTERFERENCE MITIGATION STRATEGIES.—The  
6   Secretary of Defense and the Secretary of the Air Force,  
7   in coordination with the Commander of United States  
8   Northern Command and the Commander of North Amer-  
9   ican Aerospace Defense Command, shall develop a strat-  
10   egy to test and integrate wind turbine interference mitiga-  
11   tion technologies into radars and the air surveillance com-  
12   mand and control architecture of the Department of De-  
13   fense.

14           (b) MODIFICATION OF CLEARINGHOUSE REQUIRE-  
15   MENTS.—Section 183a(c) of title 10, United States Code,  
16   is amended—

17                   (1) in paragraph (2), by adding at the end the  
18           following new subparagraph:

19           “(C) A notice of presumed risk issued under subpara-  
20   graph (A) is a preliminary assessment only and does not  
21   represent a formal objection pursuant to subsection (e).  
22   Discussions of possible mitigation actions under such sub-  
23   paragraph could favorably resolve any concerns identified  
24   in the notice of presumed risk.”; and

1           (2) by adding at the end the following new  
2       paragraph:

3       “(8) If, in reviewing an application for an energy  
4       project pursuant to paragraph (1), the Clearinghouse  
5       finds no adverse impact on military operations under sec-  
6       tion 44718(b)(1) of title 49, the Clearinghouse shall com-  
7       municate to the Secretary of Transportation in writing,  
8       not later than five business days after making such find-  
9       ing, the following: ‘No Part 77 concerns, national security  
10      review ongoing.’”.

11   **SEC. 372. ESTABLISHMENT OF JOINT SAFETY COUNCIL.**

12       (a) IN GENERAL.—Chapter 7 of title 10, United  
13      States Code, is amended by inserting after section 183a  
14      the following new section:

15   **“§ 184. Joint Safety Council**

16       “(a) IN GENERAL.—There is established, within the  
17      Office of the Deputy Secretary of Defense, a Joint Safety  
18      Council (in this section referred to as the ‘Council’).

19       “(b) MEMBERSHIP; APPOINTMENT; COMPENSA-  
20      TION.—(1) The Council shall be composed of voting mem-  
21      bers as follows:

22           “(A) The Director of Safety for each military  
23      department.

24           “(B) An employee of the Department of De-  
25      fense who is a career member of the Senior Execu-

1       tive Service and has a demonstrated record of suc-  
2       cess in the implementation of programs within the  
3       Department of Defense (as determined by the Dep-  
4       uty Secretary of Defense), appointed by the Deputy  
5       Secretary of Defense.

6           “(C) One member of the armed forces or civil-  
7       ian employee from each military department, ap-  
8       pointed by the Secretary concerned.

9           “(D) Such additional members as may be deter-  
10      mined by the Deputy Secretary of Defense.

11      “(2)(A) Each member of the Council shall serve at  
12      the will of the official who appointed that member.

13      “(B) Any vacancy on the Council shall be filled in  
14      the same manner as the original appointment.

15      “(3) Members of the Council may not receive addi-  
16      tional pay, allowances, or benefits by reason of their serv-  
17      ice on the Council.

18      “(c) CHAIRPERSON AND VICE CHAIRPERSON.—

19      (1)(A) The Secretary of Defense, or the designee of the  
20      Secretary, shall select one of the members of the Council  
21      who is a member of the armed forces to serve as the Chair-  
22      person of the Council.

23      “(B) The Chairperson shall serve for a term of two  
24      years and shall be responsible for—

1           “(i) serving as the Director of Safety for the  
2 Department of Defense;

3           “(ii) serving as principal advisor to the Sec-  
4 retary of Defense regarding military safety and re-  
5 lated regulations and policy reforms, including issues  
6 regarding maintenance, supply chains, personnel  
7 management, and training;

8           “(iii) overseeing all duties and activities of the  
9 Council, including the conduct of military safety  
10 studies and the issuance of safety guidance to the  
11 military departments;

12           “(iv) working with, and advising, the Secre-  
13 taries of the military departments through appointed  
14 safety chiefs to implement standardized safety guid-  
15 ance across the military departments;

16           “(v) submitting to the Secretary of Defense and  
17 Congress an annual report reviewing the compliance  
18 of each military department with the guidance de-  
19 scribed in clause (iv);

20           “(vi) advising Congress on issues relating to  
21 military safety and reforms; and

22           “(vii) overseeing coordination with other Fed-  
23 eral agencies, including the Federal Aviation Admin-  
24 istration, to inform military aviation safety guidance  
25 and reforms.

1           “(2) The individual appointed under subsection  
2 (b)(1)(B) shall serve as the Vice Chairperson. The Vice  
3 Chairperson shall report to the Chairperson and shall  
4 serve as Chairperson in the absence of the Chairperson.

5           “(d) RESPONSIBILITIES.—The Council shall carry  
6 out the following responsibilities:

7                   “(1) Subject to subsection (e), issuing, pub-  
8 lishing, and updating regulations related to joint  
9 safety, including regulations on the reporting and in-  
10 vestigation of mishaps.

11                   “(2) With respect to mishap data—

12                           “(A) establishing uniform data collection  
13 standards and a repository, that is accessible  
14 Department-wide, of data for mishaps in the  
15 Department of Defense;

16                           “(B) reviewing the compliance of each mili-  
17 tary department in adopting and using the uni-  
18 form data collection standards established  
19 under subparagraph (A); and

20                           “(C) reviewing mishap data to assess,  
21 identify, and prioritize risk mitigation efforts  
22 and safety improvement efforts across the De-  
23 partment.

24                   “(3) With respect to non-mishap data—



1           “(A) establishing standards and require-  
2           ments for the collection of aircraft, equipment,  
3           simulator, airfield, range, pilot, and operator  
4           data;

5           “(B) establishing standards and require-  
6           ments for the collection of ground vehicle equip-  
7           ment and crew data; and

8           “(C) establishing requirements for each  
9           military department to collect and analyze any  
10          waivers issued relating to pilot or operator  
11          qualifications or standards.

12          “(4) Reviewing and assessing civil and commer-  
13          cial aviation safety programs and practices to deter-  
14          mine the suitability of such programs and practices  
15          for implementation in the military departments.

16          “(5) Establishing, in consultation with the Ad-  
17          ministrator of the Federal Aviation Administration,  
18          a requirement for each military department to im-  
19          plement an aviation safety management system.

20          “(6) Establishing, in consultation with the  
21          heads of appropriate Federal departments and agen-  
22          cies, a requirement for each military department to  
23          implement a separate safety management program  
24          for ground vehicles and ships.

1           “(7) Reviewing the proposal of each military de-  
2           partment for the safety management systems de-  
3           scribed in paragraphs (9) and (10).

4           “(8) Reviewing the implementation of such sys-  
5           tems by each military department.

6           “(9) Ensuring each military department has in  
7           place a system to monitor the implementation of rec-  
8           ommendations made in safety and legal investigation  
9           reports of mishap incidents.

10          “(e) OVERSIGHT.—The decisions and recommenda-  
11         tions of the Council are subject to review and approval  
12         by the Deputy Secretary of Defense.

13          “(f) STAFF.—(1) The Council may appoint staff in  
14         accordance with section 3101 of title 5.

15          “(2) The Council may accept persons on detail from  
16         within the Department of Defense and from other Federal  
17         departments or agencies on a reimbursable or non-reim-  
18         bursable basis.

19          “(g) CONTRACT AUTHORITY.—The Council may  
20         enter into contracts for the acquisition of administrative  
21         supplies, equipment, and personnel services for use by the  
22         Council, to the extent that funds are available for such  
23         purposes.

24          “(h) PROCUREMENT OF TEMPORARY AND INTERMIT-  
25         TENT SERVICES.—The Chairperson may procure tem-

1 porary and intermittent services under section 3109(b) of  
2 title 5 at rates for individuals which do not exceed the  
3 daily equivalent of the annual rate of basic pay prescribed  
4 for level V of the Executive Schedule under section 5316  
5 of such title.

6 “(i) DATA COLLECTION.—(1) Under regulations  
7 issued by the Secretary of Defense, the Council shall have  
8 access to Department of Defense databases necessary to  
9 carry out its responsibilities, including causal factors to  
10 be used for mishap reduction purposes.

11 “(2) Under regulations issued by the Secretary of De-  
12 fense, the Council may enter into agreements with the  
13 Federal Aviation Administration, the National Transpor-  
14 tation Safety Board, and any other Federal agency re-  
15 garding the sharing of safety data.

16 “(3) Data collected by the Council pursuant to this  
17 subsection may include privileged safety information that  
18 is protected from disclosure or discovery to any person.

19 “(j) MEETINGS.—The Council shall meet quarterly  
20 and at the call of the Chairperson.

21 “(k) REPORT.—The Chair of the Council shall sub-  
22 mit to the congressional defense committees semi-annual  
23 reports on the activities of the Council.”.

24 (b) CLERICAL AMENDMENT.—The table of sections  
25 at the beginning of such chapter is amended by inserting

1 after the item relating to section 183a the following new  
2 item:

“184. Joint Safety Council.”.

3 (c) DEADLINES.—

4 (1) ESTABLISHMENT.—The Secretary of De-  
5 fense shall ensure the establishment of the Joint  
6 Safety Council under section 184 of title 10, United  
7 States Code (as added by subsection (a)), by not  
8 later than the date that is 120 days after the date  
9 of the enactment of this Act.

10 (2) APPOINTMENT OF FIRST MEMBERS.—The  
11 initial members of the Joint Safety Council estab-  
12 lished under such section 184 shall be appointed by  
13 not later than the date that is 120 days after the  
14 date of the enactment of this Act.

15 (3) DIRECTORS OF SAFETY.—Not later than 30  
16 days after the date of the enactment of this Act, the  
17 Secretary of each military department shall ensure  
18 there is appointed as the Director of Safety for the  
19 military department concerned an officer of that  
20 military department in pay grade O–8 or above.

21 (d) REPORT.—Not later than 120 days after the date  
22 of the enactment of this Act, the Secretary of Defense  
23 shall submit to the congressional defense committees a re-  
24 port that includes the following:

1           (1) A description of the measures the Secretary  
2           plans to take to correct the issues identified in the  
3           report of the National Commission on Military Avia-  
4           tion Safety submitted to the President and Congress  
5           and dated December 1, 2020.

6           (2) A statement as to whether the Secretary  
7           concurs or disagrees with the findings of such re-  
8           port.

9           (3) A detailed plan of action for the implemen-  
10          tation of each recommendation included in such re-  
11          port.

12          (4) Any additional recommendations the Sec-  
13          retary determines are necessary to apply the find-  
14          ings of the National Commission on Military Avia-  
15          tion Safety in such report to all aspects of military  
16          safety.

17          (e) AUTHORIZATION OF APPROPRIATIONS.—Of the  
18          amounts authorized to be appropriated or otherwise made  
19          available by this Act for Military Personnel Appropriations  
20          for fiscal year 2022, \$4,000,000 shall be made available  
21          for the Joint Safety Council established under section 184  
22          of title 10, United States Code, as added by subsection  
23          (a).

1 **SEC. 373. IMPROVEMENTS AND CLARIFICATIONS RELATED**  
2 **TO MILITARY WORKING DOGS.**

3 (a) PROHIBITION ON CHARGE FOR TRANSFER OF  
4 MILITARY ANIMALS.—Section 2583(d) of title 10, United  
5 States Code, is amended by striking “may” and inserting  
6 “shall”.

7 (b) INCLUSION OF MILITARY WORKING DOGS IN  
8 CERTAIN RESEARCH.—Section 708(b) of the National De-  
9 fense Authorization Act for Fiscal Year 2017 (Public Law  
10 114–328; 10 U.S.C. 1071 note) is amended—

11 (1) in paragraph (7), by striking “of members  
12 of the Armed Forces” and inserting “with respect to  
13 both members of the Armed Forces and military  
14 working dogs”; and

15 (2) by striking paragraph (9) and inserting the  
16 following new paragraph:

17 “(9) To inform and advise the conduct of re-  
18 search on the leading causes of morbidity and mor-  
19 tality of members of the Armed Forces and military  
20 working dogs in combat.”.

21 **SEC. 374. EXTENSION OF TEMPORARY AUTHORITY TO EX-**  
22 **TEND CONTRACTS AND LEASES UNDER THE**  
23 **ARMS INITIATIVE.**

24 Section 343 of the National Defense Authorization  
25 Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C.  
26 7554 note) is amended by striking “the date that is five

1 years after the date of the enactment of this Act” and  
2 inserting “November 25, 2025,”.

3 **SEC. 375. AUTHORITY TO MAINTAIN ACCESS TO CATEGORY**  
4 **3 SUBTERRANEAN TRAINING FACILITY.**

5 (a) IN GENERAL.—The Secretary of Defense may en-  
6 sure that the Department of Defense maintains access to  
7 a covered category 3 subterranean training facility on a  
8 continuing basis.

9 (b) AUTHORITY TO ENTER INTO LEASE.—The Sec-  
10 retary of Defense is authorized to enter into a short-term  
11 lease with a provider of a covered category 3 subterranean  
12 training facility for purposes of carrying out subsection  
13 (a).

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

18 (1) operational as of the date of the enactment  
19 of this Act; and

20 (2) deemed safe for use as of such date.

21 **SEC. 376. ACCIDENT INVESTIGATION REVIEW BOARD.**

22 (a) PROPOSAL FOR ESTABLISHMENT OF BOARD.—  
23 The Deputy Secretary of Defense shall develop a proposal  
24 for the establishment of an Accident Investigation Review  
25 Board (in this section referred to as the “Board”) to pro-

1 vide independent oversight and review of the legal inves-  
2 tigations conducted by the Department of Defense outside  
3 of the safety process into the facts and circumstances sur-  
4 rounding operational and training accidents. The proposal  
5 shall include recommendations relating to—

6 (1) the size and composition of the Board;

7 (2) the process by which the Board would  
8 screen accident investigations to identify unsatisfac-  
9 tory, biased, incomplete, or insufficient investiga-  
10 tions requiring subsequent review by the Board, in-  
11 cluding whether the Board should review investiga-  
12 tions meeting a predetermined threshold (such as all  
13 fatal accidents or all Class A mishaps);

14 (3) the process by which the military depart-  
15 ments and other components of the Department of  
16 Defense could refer pending or completed accident  
17 investigations to the Board for review;

18 (4) the process by which the Board would  
19 evaluate a particular accident investigation for accu-  
20 racy, thoroughness, and objectivity;

21 (5) the requirements for and process by which  
22 the convening component of an investigation re-  
23 viewed by the Board should address the findings of  
24 the Board's review of that particular investigation;





1 such plan shall include, with respect to each recommenda-  
2 tion in such report that the Secretary concerned has im-  
3 plemented or intends to implement—

4 (1) a summary of actions that have been or will  
5 be taken to implement the recommendation; and

6 (2) a schedule, with specific milestones, for  
7 completing implementation of the recommendation.

8 (b) DEADLINE FOR IMPLEMENTATION.—

9 (1) IN GENERAL.—Except as provided in para-  
10 graph (2), not later than 18 months after the date  
11 of the enactment of this Act, each Secretary con-  
12 cerned shall carry out activities to implement the  
13 plan of the Secretary developed under subsection  
14 (a).

15 (2) EXCEPTION FOR IMPLEMENTATION OF CER-  
16 TAIN RECOMMENDATIONS.—

17 (A) DELAYED IMPLEMENTATION.—A Sec-  
18 retary concerned may initiate implementation of  
19 a recommendation in the report referred to in  
20 subsection (a) after the date specified in para-  
21 graph (1) if, on or before such date, the Sec-  
22 retary provides to the congressional defense  
23 committees a specific justification for the delay  
24 in implementation of such recommendation.

1 (B) NONIMPLEMENTATION.—A Secretary  
2 concerned may decide not to implement a rec-  
3 ommendation in the report referred to in sub-  
4 section (a) if, on or before the date specified in  
5 paragraph (1), the Secretary provides to the  
6 congressional defense committees—

7 (i) a specific justification for the deci-  
8 sion not to implement the recommendation;  
9 and

10 (ii) a summary of alternative actions  
11 the Secretary plans to take to address the  
12 conditions underlying the recommendation.

13 (c) SECRETARY CONCERNED.—In this section, the  
14 term “Secretary concerned” means—

15 (1) the Secretary of the Army, with respect to  
16 the Army; and

17 (2) the Secretary of the Navy, with respect to  
18 the Navy.

19 **SEC. 378. REQUIREMENTS RELATING TO EMISSIONS CON-**  
20 **TROL TACTICS, TECHNIQUES, AND PROCE-**  
21 **DURES.**

22 (a) REVIEW.—Not later than 180 days after the date  
23 of the enactment of this Act, the Secretary of Defense  
24 shall conduct a review of current electromagnetic spectrum

1 emissions control tactics, techniques, and procedures  
2 across the joint force.

3 (b) REQUIREMENTS.—Not later than 60 days after  
4 completing the review under subsection (a), the Secretary  
5 of Defense shall direct each Secretary of a military depart-  
6 ment to update or establish, as applicable, standard tac-  
7 tics, techniques, and procedures, including down to the  
8 operational level, pertaining to emissions control discipline  
9 during all phases of operations.

10 (c) REPORT.—Not later than one year after the date  
11 of the enactment of this Act, the Secretary of Defense  
12 shall submit to the Committees on Armed Services of the  
13 Senate and the House of Representatives a report on the  
14 implementation status of the tactics, techniques, and pro-  
15 cedures updated or established, as applicable, under sub-  
16 section (b) by each of the military departments, includ-  
17 ing—

18 (1) incorporation into doctrine of the military  
19 departments;

20 (2) integration into training of the military de-  
21 partments; and

22 (3) efforts to coordinate with the militaries of  
23 partner countries and allies to develop similar stand-  
24 ards and associated protocols, including through the  
25 use of working groups.

1 **SEC. 379. MANAGEMENT OF FATIGUE AMONG CREW OF**  
2 **NAVAL SURFACE SHIPS AND RELATED IM-**  
3 **PROVEMENTS.**

4 (a) REQUIREMENT.—The Secretary of the Navy shall  
5 implement each recommendation for executive action set  
6 forth in the report of the Government Accountability Of-  
7 fice titled “Navy Readiness: Additional Efforts Are Need-  
8 ed to Manage Fatigue, Reduce Crewing Shortfalls, and  
9 Implement Training” (GAO–21–366).

10 (b) REPORT.—Not later than one year after the date  
11 of the enactment of this Act, the Secretary of the Navy  
12 shall submit to the congressional defense committees and  
13 the Comptroller General a report on the status of actions  
14 taken by the Secretary to monitor crew fatigue and ensure  
15 equitable fatigue management throughout the naval sur-  
16 face ship fleet in accordance with subsection (a). Such re-  
17 port shall include the following:

18 (1) An assessment of the extent of crew fatigue  
19 throughout the naval surface ship fleet.

20 (2) A description of the metrics used to assess  
21 the extent of fatigue pursuant to paragraph (1).

22 (3) An identification of results-oriented goals  
23 for effective fatigue management.

24 (4) An identification of timeframes for achiev-  
25 ing the goals identified pursuant to paragraph (3).

1 (c) COMPTROLLER GENERAL BRIEFING.—Not later  
2 than 90 days after the date on which the Comptroller Gen-  
3 eral receives the report under subsection (b), the Comp-  
4 troller General shall provide to the congressional defense  
5 committees a briefing on the extent to which the actions  
6 and goals described in the report meet the requirements  
7 of subsection (a).

8 **SEC. 380. AUTHORITY FOR ACTIVITIES TO IMPROVE NEXT**  
9 **GENERATION RADAR SYSTEMS CAPABILI-**  
10 **TIES.**

11 (a) AUTHORITY.—The Secretary of Defense may un-  
12 dertake activities to enhance future radar systems capa-  
13 bilities, including the following:

14 (1) Designating specific industry, academic,  
15 government, or public-private partnership entities to  
16 provide expertise in the repair, sustainment, and  
17 support of radar systems to meet current and future  
18 defense requirements, as appropriate.

19 (2) Facilitating collaboration among academia,  
20 the Federal Government, the defense industry, and  
21 the commercial sector, including with respect to  
22 radar system repair and sustainment activities.

23 (3) Establishing advanced research and work-  
24 force training and educational programs to enhance  
25 future radar systems capabilities.

1           (4) Establishing goals for research in areas of  
2 study relevant to advancing technology and facili-  
3 tating better understanding of radar systems in de-  
4 fense systems and operational activities, including  
5 continuing education and training goals.

6           (5) Increasing communications and personnel  
7 exchanges with radar systems experts in industry to  
8 support adoption of state-of-the-art technologies and  
9 operational practices, especially to support meeting  
10 future defense needs related to radar systems in au-  
11 tonomous systems.

12           (6) Establishing agreements with one or more  
13 institutions of higher education or other organiza-  
14 tions in academia or industry to provide for activi-  
15 ties authorized under this section.

16           (7) Partnering with nonprofit institutions and  
17 private industry with expertise in radar systems to  
18 support activities authorized under this section.

19           (8) Establishing research centers and facilities,  
20 including centers of excellence, as appropriate to  
21 support activities authorized under this section, es-  
22 pecially to promote partnerships between govern-  
23 ment, industry, and academia.

24           (b) INSTITUTION OF HIGHER EDUCATION DE-  
25 FINED.—The term “institution of higher education” has

1 the meaning given that term in section 101 of the Higher  
2 Education Act of 1965 (20 U.S.C. 1001).

3 **SEC. 381. PILOT PROGRAM ON MILITARY WORKING DOG**  
4 **AND EXPLOSIVES DETECTION CANINE**  
5 **HEALTH AND EXCELLENCE.**

6 (a) PILOT PROGRAM.—Not later than September 31,  
7 2022, the Secretary of Defense shall carry out a pilot pro-  
8 gram to ensure the health and excellence of explosives de-  
9 tection military working dogs. Under such pilot program,  
10 the Secretary shall consult with domestic breeders of  
11 working dog lines, covered institutions of higher education,  
12 and covered national domestic canine associations, to—

13 (1) facilitate the presentation, both in a central  
14 location and at regional field evaluations in the  
15 United States, of domestically-bred explosives detec-  
16 tion military working dogs for assessment for pro-  
17 curement by the Department of Defense, at a rate  
18 of at least 250 canines presented per fiscal year;

19 (2) facilitate the delivery and communication to  
20 domestic breeders, covered institutions of higher  
21 education, and covered national domestic canine as-  
22 sociations, of information regarding—

23 (A) any specific needs or requirements for  
24 the future acquisition by the Department of ex-  
25 plosives detection military working dogs; and



1 (B) any factors identified as relevant to  
2 the success or failure of explosives detection  
3 military working dogs presented for assessment  
4 pursuant to this section;

5 (3) collect information on the biological and  
6 health factors of explosives detection military work-  
7 ing dogs procured by the Department, and make  
8 such information available for academic research  
9 and to domestic breeders;

10 (4) collect and make available genetic and  
11 phenotypic information, including canine rearing and  
12 training data for study by domestic breeders and  
13 covered institutions of higher education, for the fur-  
14 ther development of working canines that are bred,  
15 raised, and trained domestically; and

16 (5) evaluate current Department guidance for  
17 the procurement of military working dogs to ensure  
18 that pricing structures and procurement require-  
19 ments for foreign and domestic canine procurements  
20 accurately account for input cost differences between  
21 foreign and domestic canines.

22 (b) TERMINATION.—The authority to carry out the  
23 pilot program under subsection (a) shall terminate on Oc-  
24 tober 1, 2024.

25 (c) DEFINITIONS.—In this section:

1           (1) The term “covered institution of higher  
2           education” means an institution of higher education,  
3           as such term is defined in section 101 of the Higher  
4           Education Act of 1965 (20 U.S.C. 1001), with dem-  
5           onstrated expertise in veterinary medicine for work-  
6           ing canines.

7           (2) The term “covered national domestic canine  
8           association” means a national domestic canine asso-  
9           ciation with demonstrated expertise in the breeding  
10          and pedigree of working canine lines.

11          (3) The term “explosives detection military  
12          working dog” means a canine that, in connection  
13          with the work duties of the canine performed for the  
14          Department of Defense, is certified and trained to  
15          detect odors indicating the presence of explosives in  
16          a given object or area, in addition to the perform-  
17          ance of such other duties for the Department as  
18          may be assigned.

19 **SEC. 382. DEPARTMENT OF DEFENSE RESPONSE TO MILI-**  
20 **TARY LAZING INCIDENTS.**

21          (a) INVESTIGATION INTO LAZING OF MILITARY AIR-  
22          CRAFT.—

23                (1) INVESTIGATION REQUIRED.—The Secretary  
24                of Defense shall conduct a formal investigation into  
25                all incidents of lazing of military aircraft that oc-

1 curred during fiscal year 2021. The Secretary shall  
2 carry out such investigation in coordination and col-  
3 laboration with appropriate non-Department of De-  
4 fense entities.

5 (2) REPORT TO CONGRESS.—Not later than  
6 March 31, 2022, the Secretary shall submit to the  
7 congressional defense committees a report on the  
8 findings of the investigation conducted pursuant to  
9 paragraph (1).

10 (b) INFORMATION SHARING.—The Secretary shall  
11 seek to increase information sharing between the Depart-  
12 ment of Defense and the States with respect to incidents  
13 of lazing of military aircraft, including by entering into  
14 memoranda of understanding with State law enforcement  
15 agencies on information sharing in connection with such  
16 incidents to provide for procedures for closer cooperation  
17 with local law enforcement in responding to such incidents  
18 as soon as they are reported.

19 (c) DATA COLLECTION AND TRACKING.—The Sec-  
20 retary shall collect such data as may be necessary to track  
21 the correlation between noise complaints and incidents of  
22 military aircraft lazing.

23 (d) OPERATING PROCEDURES.—The Secretary shall  
24 give consideration to adapting local operating procedures

1 in areas with high incidence of military aircraft lasing inci-  
2 dents to reduce potential injury to aircrew.

3 (e) EYE PROTECTION.—The Secretary shall examine  
4 the availability of commercial off-the-shelf laser eye pro-  
5 tection equipment that protects against the most com-  
6 monly available green light lasers that are available to the  
7 public. If the Secretary determines that no such laser eye  
8 protection equipment is available, the Secretary shall con-  
9 duct research and develop such equipment.

## 10 **TITLE IV—MILITARY** 11 **PERSONNEL AUTHORIZATIONS**

### Subtitle A—Active Forces

Sec. 401. End strengths for active forces.

Sec. 402. Revisions in permanent active duty end strength minimum levels.

Sec. 403. Additional authority to vary Space Force end strength.

### Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.

Sec. 412. End strengths for Reserves on active duty in support of the reserves.

Sec. 413. End strengths for military technicians (dual status).

Sec. 414. Maximum number of reserve personnel authorized to be on active  
duty for operational support.

Sec. 415. Accounting of reserve component members performing active duty or  
full-time National Guard duty towards authorized end  
strengths.

### Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

## 12 **Subtitle A—Active Forces**

### 13 **SEC. 401. END STRENGTHS FOR ACTIVE FORCES.**

14 The Armed Forces are authorized strengths for active  
15 duty personnel as of September 30, 2022, as follows:

16 (1) The Army, 485,000.

1 (2) The Navy, 346,920.

2 (3) The Marine Corps, 178,500.

3 (4) The Air Force, 329,220.

4 (5) The Space Force, 8,400.

5 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**  
6 **STRENGTH MINIMUM LEVELS.**

7 Section 691(b) of title 10, United States Code, is  
8 amended by striking paragraphs (1) through (5) and in-  
9 serting the following new paragraphs:

10 “(1) For the Army, 485,000.

11 “(2) For the Navy, 346,920.

12 “(3) For the Marine Corps, 178,500.

13 “(4) For the Air Force, 329,220.

14 “(5) For the Space Force, 8,400.”.

15 **SEC. 403. ADDITIONAL AUTHORITY TO VARY SPACE FORCE**  
16 **END STRENGTH.**

17 (a) IN GENERAL.—Notwithstanding section 115(g)  
18 of title 10, United States Code, upon determination by the  
19 Secretary of the Air Force that such action would enhance  
20 manning and readiness in essential units or in critical spe-  
21 cialties, the Secretary may vary the end strength author-  
22 ized by Congress for each fiscal year as follows:

23 (1) Increase the end strength authorized pursu-  
24 ant to section 115(a)(1)(A) for a fiscal year for the

1       Space Force by a number equal to not more than 5  
2       percent of such authorized end strength.

3           (2) Decrease the end strength authorized pur-  
4       suant to section 115(a)(1)(A) for a fiscal year for  
5       the Space Force by a number equal to not more  
6       than 10 percent of such authorized end strength.

7       (b) TERMINATION.—The authority provided under  
8       subsection (a) shall terminate on December 31, 2022.

## 9           **Subtitle B—Reserve Forces**

### 10       **SEC. 411. END STRENGTHS FOR SELECTED RESERVE.**

11       (a) IN GENERAL.—The Armed Forces are authorized  
12       strengths for Selected Reserve personnel of the reserve  
13       components as of September 30, 2022, as follows:

14           (1) The Army National Guard of the United  
15       States, 336,000.

16           (2) The Army Reserve, 189,500.

17           (3) The Navy Reserve, 58,600.

18           (4) The Marine Corps Reserve, 36,800.

19           (5) The Air National Guard of the United  
20       States, 108,300.

21           (6) The Air Force Reserve, 70,300.

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

23       (b) END STRENGTH REDUCTIONS.—The end  
24       strengths prescribed by subsection (a) for the Selected Re-

1 serve of any reserve component shall be proportionately  
2 reduced by—

3 (1) the total authorized strength of units orga-  
4 nized to serve as units of the Selected Reserve of  
5 such component which are on active duty (other  
6 than for training) at the end of the fiscal year; and

7 (2) the total number of individual members not  
8 in units organized to serve as units of the Selected  
9 Reserve of such component who are on active duty  
10 (other than for training or for unsatisfactory partici-  
11 pation in training) without their consent at the end  
12 of the fiscal year.

13 (c) **END STRENGTH INCREASES.**—Whenever units or  
14 individual members of the Selected Reserve of any reserve  
15 component are released from active duty during any fiscal  
16 year, the end strength prescribed for such fiscal year for  
17 the Selected Reserve of such reserve component shall be  
18 increased proportionately by the total authorized strengths  
19 of such units and by the total number of such individual  
20 members.

21 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
22 **DUTY IN SUPPORT OF THE RESERVES.**

23 Within the end strengths prescribed in section  
24 411(a), the reserve components of the Armed Forces are  
25 authorized, as of September 30, 2022, the following num-

1 ber of Reserves to be serving on full-time active duty or  
2 full-time duty, in the case of members of the National  
3 Guard, for the purpose of organizing, administering, re-  
4 cruiting, instructing, or training the reserve components:

5 (1) The Army National Guard of the United  
6 States, 30,845.

7 (2) The Army Reserve, 16,511.

8 (3) The Navy Reserve, 10,293.

9 (4) The Marine Corps Reserve, 2,386.

10 (5) The Air National Guard of the United  
11 States, 25,333.

12 (6) The Air Force Reserve, 6,003.

13 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**  
14 **(DUAL STATUS).**

15 (a) IN GENERAL.—The minimum authorized number  
16 of military technicians (dual status) as of the last day of  
17 fiscal year 2022 for the reserve components of the Army  
18 and the Air Force (notwithstanding section 129 of title  
19 10, United States Code) shall be the following:

20 (1) For the Army National Guard of the United  
21 States, 22,294.

22 (2) For the Army Reserve, 6,492.

23 (3) For the Air National Guard of the United  
24 States, 10,994.

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



1 (b) LIMITATION ON NUMBER OF TEMPORARY MILI-  
2 TARY TECHNICIANS (DUAL STATUS).—The number of  
3 temporary military technicians (dual-status) employed  
4 under the authority of subsection (a) may not exceed 25  
5 percent of the total authorized number specified in such  
6 subsection.

7 (c) LIMITATION.—Under no circumstances may a  
8 military technician (dual status) employed under the au-  
9 thority of this section be coerced by a State into accepting  
10 an offer of realignment or conversion to any other military  
11 status, including as a member of the Active Guard and  
12 Reserve program of a reserve component. If a military  
13 technician (dual status) declines to participate in such re-  
14 alignment or conversion, no further action will be taken  
15 against the individual or the individual’s position.

16 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**  
17 **THORIZED TO BE ON ACTIVE DUTY FOR**  
18 **OPERATIONAL SUPPORT.**

19 During fiscal year 2022, the maximum number of  
20 members of the reserve components of the Armed Forces  
21 who may be serving at any time on full-time operational  
22 support duty under section 115(b) of title 10, United  
23 States Code, is the following:

24 (1) The Army National Guard of the United  
25 States, 17,000.

1 (2) The Army Reserve, 13,000.

2 (3) The Navy Reserve, 6,200.

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

4 (5) The Air National Guard of the United  
5 States, 16,000.

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

7 **SEC. 415. ACCOUNTING OF RESERVE COMPONENT MEM-**  
8 **BERS PERFORMING ACTIVE DUTY OR FULL-**  
9 **TIME NATIONAL GUARD DUTY TOWARDS AU-**  
10 **THORIZED END STRENGTHS.**

11 Section 115(b)(2)(B) of title 10, United States Code,  
12 is amended by striking “1095 days in the previous 1460  
13 days” and inserting “1825 days in the previous 2190  
14 days”.

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

17 **SEC. 421. MILITARY PERSONNEL.**

18 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
19 are hereby authorized to be appropriated for fiscal year  
20 2022 for the use of the Armed Forces and other activities  
21 and agencies of the Department of Defense for expenses,  
22 not otherwise provided for, for military personnel, as spec-  
23 ified in the funding table in section 4401.

24 (b) **CONSTRUCTION OF AUTHORIZATION.**—The au-  
25 thorization of appropriations in the subsection (a) super-

1 sedes any other authorization of appropriations (definite  
2 or indefinite) for such purpose for fiscal year 2022.

3 **TITLE V—MILITARY PERSONNEL**  
4 **POLICY**

Subtitle A— Officer Personnel Policy

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

Subtitle B—Reserve Component Management

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

Subtitle C—General Service Authorities and Military Records

- Sec. 521. Reduction in service commitment required for participation in career intermission program of a military department.
- Sec. 522. Improvements to military accessions in Armed Forces under the jurisdiction of the Secretaries of the military departments.
- Sec. 523. Notice program relating to options for naturalization.
- Sec. 524. Appeals to Physical Evaluation Board determinations of fitness for duty.
- Sec. 525. Command oversight of military privatized housing as element of performance evaluations.
- Sec. 526. Feasibility study on establishment of housing history for members of the Armed Forces who reside in housing provided by the United States.
- Sec. 527. Enhancements to national mobilization exercises.

- Sec. 528. Temporary exemption from end strength grade restrictions for the Space Force.
- Sec. 529. Report on exemptions and deferments for a possible military draft.
- Sec. 529A. Report on processes and procedures for appeal of denial of status or benefits for failure to register for Selective Service.
- Sec. 529B. Study and report on administrative separation boards.

#### Subtitle D—Military Justice Reform

##### PART 1—SPECIAL TRIAL COUNSEL

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

##### PART 2—SEXUAL HARASSMENT; SENTENCING REFORM

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

##### PART 3—REPORTS AND OTHER MATTERS

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

#### Subtitle E—Other Military Justice and Legal Matters

- Sec. 541. Rights of the victim of an offense under the Uniform Code of Military Justice.
- Sec. 542. Conduct unbecoming an officer.
- Sec. 543. Independent investigation of complaints of sexual harassment.
- Sec. 544. Department of Defense tracking of allegations of retaliation by victims of sexual assault or sexual harassment and related persons.
- Sec. 545. Modification of notice to victims of pendency of further administrative action following a determination not to refer to trial by court-martial.
- Sec. 546. Civilian positions to support Special Victims' Counsel.
- Sec. 547. Plans for uniform document management system, tracking pretrial information, and assessing changes in law.
- Sec. 548. Determination and reporting of members missing, absent unknown, absent without leave, and duty status-whereabouts unknown.
- Sec. 549. Activities to improve family violence prevention and response.
- Sec. 549A. Annual primary prevention research agenda.
- Sec. 549B. Primary prevention workforce.

- Sec. 549C. Reform and improvement of military criminal investigative organizations.
- Sec. 549D. Military defense counsel.
- Sec. 549E. Full functionality of Military Justice Review Panel.
- Sec. 549F. Military service independent racial disparity review.
- Sec. 549G. Inclusion of race and ethnicity in annual reports on sexual assaults; reporting on racial and ethnic demographics in the military justice system.
- Sec. 549H. DoD Safe Helpline authorization to perform intake of official restricted and unrestricted reports for eligible adult sexual assault victims.
- Sec. 549I. Extension of annual report regarding sexual assaults involving members of the Armed Forces.
- Sec. 549J. Study and report on Sexual Assault Response Coordinator military occupational specialty.
- Sec. 549K. Amendments to additional Deputy Inspector General of the Department of Defense.
- Sec. 549L. Improved Department of Defense prevention of, and response to, bullying in the Armed Forces.
- Sec. 549M. Recommendations on separate punitive article in the Uniform Code of Military Justice on violent extremism.
- Sec. 549N. Combating foreign malign influence.

#### Subtitle F—Member Education, Training, and Transition

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

#### Subtitle G—Military Family Readiness and Dependents' Education

- Sec. 561. Expansion of support programs for special operations forces personnel and immediate family members.
- Sec. 562. Improvements to the Exceptional Family Member Program.
- Sec. 563. Certain assistance to local educational agencies that benefit dependents of military and civilian personnel.
- Sec. 564. Pilot program to establish employment fellowship opportunities for military spouses.
- Sec. 565. Policy regarding remote military installations.
- Sec. 566. Implementation of GAO recommendation on improved communication of best practices to engage military spouses with career assistance resources.
- Sec. 567. Study on employment of military spouses.
- Sec. 568. Briefing on efforts of commanders of military installations to connect military families with local entities that provide services to military families.
- Sec. 569. Briefing on process to certify reporting of eligible federally connected children for purposes of Federal impact aid programs.
- Sec. 569A. Briefing on legal services for families enrolled in the Exceptional Family Member Program.
- Sec. 569B. GAO review of Preservation of the Force and Family Program of United States Special Operations Command: briefing; report.

#### Subtitle H—Diversity and Inclusion

- Sec. 571. Reduction of gender-related inequities in costs of uniforms to members of the Armed Forces.
- Sec. 572. Study on number of members of the Armed Forces who identify as Hispanic or Latino.
- Sec. 573. Inclusion of military service academies, Officer Candidate and Training Schools, and the Senior Reserve Officers' Training Corps data in diversity and inclusion reporting.
- Sec. 574. Extension of deadline for GAO report on equal opportunity at the military service academies.

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

- Sec. 581. Modified deadline for establishment of special purpose adjunct to Armed Services Vocational Aptitude Battery test.
- Sec. 582. Authorizations for certain awards.
- Sec. 583. Establishment of the Atomic Veterans Commemorative Service Medal.
- Sec. 584. Updates and preservation of memorials to chaplains at Arlington National Cemetery.
- Sec. 585. Reports on security force personnel performing protection level one duties.
- Sec. 586. GAO study on tattoo policies of the Armed Forces.
- Sec. 587. Briefing regarding best practices for community engagement in Hawaii.



1           “(2) For each increase and appointment made under  
2 the authority of paragraph (1) in the Army, Navy, Air  
3 Force, Marine Corps, or Space Force, the number of ap-  
4 pointments that may be made in the equivalent grade in  
5 one of the other armed forces (other than the Coast  
6 Guard) shall be reduced by one. When such an increase  
7 and appointment is made, the Secretary of Defense shall  
8 specify the armed force in which the reduction required  
9 by this paragraph is to be made.

10           “(3) The total number of general officers and flag  
11 officers increased under paragraph (1), combined with the  
12 total number of general officers and flag officers increased  
13 under section 526a(i)(1) of this title, may not exceed 15  
14 at any one time.

15           “(4) The Secretary may not increase the maximum  
16 number of general officers or flag officers under para-  
17 graph (1) until the date that is 30 days after the date  
18 on which the Secretary provides, to the Committees on  
19 Armed Services of the Senate and the House of Represent-  
20 atives, written notice of—

21                   “(A) such increase; and

22                   “(B) each offsetting reduction under paragraph  
23 (2), specifying the armed force and billet so re-  
24 duced.”.



1 (b) AUTHORITY AFTER DECEMBER 31, 2022.—Sec-  
2 tion 526a of title 10, United States Code, is amended by  
3 adding at the end the following new subsection:

4 “(i) TRANSFER OF AUTHORIZATIONS AMONG THE  
5 MILITARY SERVICES.—(1) The Secretary of Defense may  
6 increase the maximum number of brigadier generals or  
7 major generals in the Army, Air Force, Marine Corps, or  
8 Space Force, or rear admirals (lower half) or rear admi-  
9 rals in the Navy, allowed under subsection (a) and section  
10 525 of this title and the President may appoint officers  
11 in the equivalent grades equal to the number increased  
12 by the Secretary of Defense if each appointment is made  
13 in conjunction with an offsetting reduction under para-  
14 graph (2).

15 “(2) For each increase and appointment made under  
16 the authority of paragraph (1) in the Army, Navy, Air  
17 Force, Marine Corps, or Space Force, the number of ap-  
18 pointments that may be made in the equivalent grade in  
19 one of the other armed forces (other than the Coast  
20 Guard) shall be reduced by one. When such an increase  
21 and appointment is made, the Secretary of Defense shall  
22 specify the armed force in which the reduction required  
23 by this paragraph is to be made.

24 “(3) The total number of general officers and flag  
25 officers increased under paragraph (1), combined with the

1 total number of general officers and flag officers increased  
2 under section 526(k)(1) of this title, may not exceed 15  
3 at any one time.

4 “(4) The Secretary may not increase the maximum  
5 number of general officers or flag officers under para-  
6 graph (1) until the date that is 30 days after the date  
7 on which the Secretary provides, to the Committees on  
8 Armed Services of the Senate and the House of Represent-  
9 atives, written notice of—

10 “(A) such increase; and

11 “(B) each offsetting reduction under paragraph  
12 (2), specifying the armed force and billet so re-  
13 duced.”.

14 **SEC. 502. TIME IN GRADE REQUIREMENTS.**

15 Section 619(a) of title 10, United States Code, is  
16 amended—

17 (1) in paragraph (2), by striking “paragraph  
18 (4)” and inserting “paragraph (5)”;

19 (2) by redesignating paragraphs (4) and (5) as  
20 paragraphs (5) and (6), respectively; and

21 (3) by inserting after paragraph (3) the fol-  
22 lowing new paragraph:

23 “(4) When the needs of the service require, the Sec-  
24 retary of the military department concerned may prescribe  
25 a shorter period of service in grade, but not less than two

1 years, for eligibility for consideration for promotion, in the  
2 case of officers designated for limited duty to whom para-  
3 graph (2) applies.”.

4 **SEC. 503. AUTHORITY TO VARY NUMBER OF SPACE FORCE**  
5 **OFFICERS CONSIDERED FOR PROMOTION TO**  
6 **MAJOR GENERAL.**

7 (a) **IN GENERAL.**—Notwithstanding section 616(d)  
8 of title 10, United States Code, the number of officers rec-  
9 ommended for promotion by a selection board convened  
10 by the Secretary of the Air Force under section 611(a)  
11 of title 10, United States Code, to consider officers on the  
12 Space Force active duty list for promotion to major gen-  
13 eral may not exceed the number equal to 95 percent of  
14 the total number of brigadier generals eligible for consid-  
15 eration by the board.

16 (b) **TERMINATION.**—The authority provided under  
17 subsection (a) shall terminate on December 31, 2022.

18 **SEC. 504. SEAMAN TO ADMIRAL-21 PROGRAM: CREDIT TO-**  
19 **WARDS RETIREMENT.**

20 (a) **CREDIT.**—For each participant in the Seaman to  
21 Admiral-21 program during fiscal years 2010 through  
22 2014 for whom the Secretary of the Navy cannot find evi-  
23 dence of an acknowledgment that, before entering a bacca-  
24 laurate degree program, service during the baccalaureate  
25 degree program would not be included when computing

1 years of service for retirement, the Secretary shall include  
2 service during the baccalaureate degree program when  
3 computing—

4 (1) years of service; and

5 (2) retired or retainer pay.

6 (b) **REPORT REQUIRED.**—The Secretary shall submit  
7 a report to the Committees on Armed Services of the Sen-  
8 ate and House of Representatives regarding the number  
9 of participants credited with service under subsection (a).

10 (c) **DEADLINE.**—The Secretary shall carry out this  
11 section not later than 180 days after the date of the enact-  
12 ment of this Act.

13 **SEC. 505. INDEPENDENT ASSESSMENT OF RETENTION OF**  
14 **FEMALE SURFACE WARFARE OFFICERS.**

15 (a) **IN GENERAL.**—The Secretary of Defense shall  
16 seek to enter into an agreement with a nonprofit entity  
17 or a federally funded research and development center  
18 independent of the Department of Defense to conduct re-  
19 search and analysis on the gender gap in retention of sur-  
20 face warfare officers in the Navy.

21 (b) **ELEMENTS.**—The research and analysis con-  
22 ducted under subsection (a) shall include consideration of  
23 the following:

24 (1) Demographics of surface warfare officers,  
25 disaggregated by gender, including—

1 (A) race;

2 (B) ethnicity;

3 (C) socioeconomic status;

4 (D) marital status (including whether the  
5 spouse is a member of the Armed Forces and,  
6 if so, the length of service of such spouse);

7 (E) whether the officer has children (in-  
8 cluding number and age or ages of children);

9 (F) whether an immediate family member  
10 serves or has served as a member of the Armed  
11 Forces; and

12 (G) the percentage of such officers who—

13 (i) indicate an intent to complete only  
14 an initial service agreement; and

15 (ii) complete only an initial service  
16 agreement.

17 (2) Whether there is a correlation between the  
18 number of female surface warfare officers serving on  
19 a vessel and responses of such officers to command  
20 climate surveys.

21 (3) An anonymous but traceable study of com-  
22 mand climate results to—

23 (A) correlate responses from particular fe-  
24 male surface warfare officers with resignation;  
25 and

1 (B) compare attitudes of first-tour and  
2 second-tour female surface warfare officers.

3 (4) Recommendations based on the findings  
4 under paragraphs (1), (2), and (3).

5 (c) REPORTS.—

6 (1) IN GENERAL.—Not later than 270 days  
7 after the date on which a nonprofit entity or feder-  
8 ally funded research and development center enters  
9 into an agreement under subsection (a) with the  
10 Secretary of Defense, such entity or center shall  
11 submit to the Secretary of Defense a report on the  
12 results of the research and analysis under subsection  
13 (a).

14 (2) SUBMISSION TO CONGRESS.—Not later than  
15 one year after the date of the enactment of this Act,  
16 the Secretary of Defense shall submit to the con-  
17 gressional defense committees each of the following:

18 (A) A copy of the report submitted under  
19 paragraph (1) without change.

20 (B) Any comments, changes, recommenda-  
21 tions, or other information provided by the Sec-  
22 retary of Defense relating to the research and  
23 analysis under subsection (a) and contained in  
24 such report.

1 **SEC. 506. REPORTS ON AIR FORCE PERSONNEL PER-**  
2 **FORMING DUTIES OF A NUCLEAR AND MIS-**  
3 **SILE OPERATIONS OFFICER (13N).**

4 (a) IN GENERAL.—The Secretary of the Air Force  
5 shall submit to the congressional defense committees a re-  
6 port on personnel performing the duties of a Nuclear and  
7 Missile Operations Officer (13N)—

8 (1) not later than 90 days after the date of the  
9 enactment of this Act; and

10 (2) concurrent with the submission to Congress  
11 of the budget of the President for each of fiscal  
12 years 2023 through 2027 pursuant to section  
13 1105(a) of title 31, United States Code.

14 (b) ELEMENTS.—Each report required by subsection  
15 (a) shall include the following:

16 (1) The number of Nuclear and Missile Oper-  
17 ations Officers commissioned, by commissioning  
18 source, during the most recent fiscal year that ended  
19 before submission of the report.

20 (2) A description of the rank structure and  
21 number of such officers by intercontinental ballistic  
22 missile operational group during that fiscal year.

23 (3) The retention rate of such officers by inter-  
24 continental ballistic missile operational group during  
25 that fiscal year and an assessment of reasons for  
26 any loss in retention of such officers.

1           (4) A description of the rank structure and  
2           number of officers by intercontinental ballistic mis-  
3           sile operational group performing alert duties by  
4           month during that fiscal year.

5           (5) A description of the structure of incentive  
6           pay for officers performing 13N duties during that  
7           fiscal year.

8           (6) A personnel manning plan for managing of-  
9           ficers performing alert duties during the period of  
10          five fiscal years after submission of the report.

11          (7) A description of methods, with metrics, to  
12          manage the transition of Nuclear and Missile Oper-  
13          ations Officers, by intercontinental ballistic missile  
14          operational group, to other career fields in the Air  
15          Force.

16          (8) Such other matters as the Secretary con-  
17          siders appropriate to inform the congressional de-  
18          fense committees with respect to the 13N career  
19          field during the period of five to ten fiscal years  
20          after submission of the report.



1       **Subtitle B—Reserve Component**  
2                               **Management**

3       **SEC. 511. MODIFICATION OF GRANT PROGRAM SUP-**  
4                               **PORTING SCIENCE, TECHNOLOGY, ENGI-**  
5                               **NEERING, AND MATH EDUCATION IN THE**  
6                               **JUNIOR RESERVE OFFICERS’ TRAINING**  
7                               **CORPS TO INCLUDE QUANTUM INFORMATION**  
8                               **SCIENCES.**

9               Section 2036(g)(2) of title 10, United States Code,  
10   is amended—

11               (1) by redesignating subparagraphs (J) through  
12               (M) as subparagraphs (K) through (N), respectively;  
13               and

14               (2) by inserting after subparagraph (I) the fol-  
15               lowing new subparagraph:

16                               “(J) quantum information sciences;”.

17       **SEC. 512. PROHIBITION ON PRIVATE FUNDING FOR INTER-**  
18                               **STATE DEPLOYMENT OF NATIONAL GUARD.**

19               (a) PROHIBITION.—Chapter 3 of title 32, United  
20   States Code, is amended by adding at the end the fol-  
21   lowing new section:

22       **“§ 329. Prohibition on private funding for interstate**  
23                               **deployment**

24               “A member of the National Guard may not be or-  
25   dered to cross a border of a State to perform duty (under

1 this title or title 10) if such duty is paid for with private  
2 funds, unless such duty is in response to a major disaster  
3 or emergency under section 401 of the Robert T. Stafford  
4 Disaster Relief and Emergency Assistance Act (42 U.S.C.  
5 5170).”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 at the beginning of such chapter is amended by adding  
8 at the end the following new item:

“329. Prohibition on private funding for interstate deployment.”.

9 **SEC. 513. ACCESS TO TOUR OF DUTY SYSTEM.**

10 (a) ACCESS.—

11 (1) IN GENERAL.—Not later than one year  
12 after the date of the enactment of this Act, the Sec-  
13 retary of the Army shall ensure, subject to para-  
14 graph (2), that a member of the reserve components  
15 of the Army may access the Tour of Duty system  
16 using a personal internet-enabled device.

17 (2) EXCEPTION.—The Secretary of the Army  
18 may restrict access to the Tour of Duty system on  
19 personal internet-enabled devices if the Secretary de-  
20 termines such restriction is necessary to ensure the  
21 security and integrity of information systems and  
22 data of the United States.

23 (b) TOUR OF DUTY SYSTEM DEFINED.—In this Act,  
24 the term “Tour of Duty system” means the online system  
25 of listings for opportunities to serve on active duty for

1 members of the reserve components of the Army and  
2 through which such a member may apply for such an op-  
3 portunity, known as “Tour of Duty”, or any successor to  
4 such system.

5 **SEC. 514. IMPLEMENTATION OF CERTAIN RECOMMENDA-**  
6 **TIONS REGARDING USE OF UNMANNED AIR-**  
7 **CRAFT SYSTEMS BY THE NATIONAL GUARD.**

8 Not later than September 30, 2022, the Secretary of  
9 Defense shall implement recommendations of the Sec-  
10 retary described in section 519C(a)(2) of the William M.  
11 (Mac) Thornberry National Defense Authorization Act for  
12 Fiscal Year 2021 (Public Law 116–283).

13 **SEC. 515. CONTINUED NATIONAL GUARD SUPPORT FOR**  
14 **FIREGUARD PROGRAM.**

15 Until September 30, 2026, the Secretary of Defense  
16 shall continue to support the FireGuard program with per-  
17 sonnel of the California National Guard to aggregate, ana-  
18 lyze, and assess multi-source remote sensing information  
19 for interagency partnerships in the initial detection and  
20 monitoring of wildfires.

21 **SEC. 516. ENHANCEMENT OF NATIONAL GUARD YOUTH**  
22 **CHALLENGE PROGRAM.**

23 (a) **AUTHORITY.**—During fiscal year 2022, the Sec-  
24 retary of Defense may provide assistance to a National  
25 Guard Youth Challenge Program of a State—

1 (1) in addition to assistance under subsection  
2 (d) of section 509 of title 32, United States Code;

3 (2) that is not subject to the matching require-  
4 ment under such subsection; and

5 (3) for—

6 (A) new program start-up costs; or

7 (B) a workforce development program.

8 (b) LIMITATIONS.—

9 (1) MATCHING.—The Secretary may not pro-  
10 vide additional assistance under this section to a  
11 State that does not comply with the fund matching  
12 requirement under such subsection regarding assist-  
13 ance under such subsection.

14 (2) TOTAL ASSISTANCE.—Total assistance  
15 under this section to all States may not exceed  
16 \$5,000,000 of the funds appropriated for the Na-  
17 tional Guard Youth Challenge Program for fiscal  
18 year 2022.

19 (c) REPORTING.—Any assistance provided under this  
20 section shall be included in the annual report under sub-  
21 section (k) of section 509 of such title.

1 **SEC. 517. REPORT ON METHODS TO ENHANCE SUPPORT**  
2 **FROM THE RESERVE COMPONENTS IN RE-**  
3 **SPONSE TO CATASTROPHIC INCIDENTS.**

4 (a) IN GENERAL.—Not later than 180 days after the  
5 date of the enactment of this Act, the Secretary of De-  
6 fense, in consultation and coordination with the Federal  
7 Emergency Management Agency, the National Security  
8 Council, the Council of Governors, and the National Gov-  
9 ernors Association, shall submit to the appropriate con-  
10 gressional committees a report that includes—

11 (1) a detailed examination of the policy frame-  
12 work for the reserve components, consistent with ex-  
13 isting authorities, to provide support to other Fed-  
14 eral agencies in response to catastrophic incidents;

15 (2) identify major statutory or policy impedi-  
16 ments to such support; and

17 (3) recommendations for legislation as appro-  
18 priate.

19 (b) CONTENTS.—The report submitted under this  
20 section shall include a description of—

21 (1) the assessment of the Secretary, informed  
22 by consultation with the Federal Emergency Man-  
23 agement Agency, the National Security Council, the  
24 Council of Governors, and the National Governors  
25 Association, regarding—

1 (A) the sufficiency of current authorities  
2 for the reimbursement of reserve component  
3 personnel during catastrophic incidents under  
4 title 10 and title 32, United States Code; and

5 (B) specifically whether reimbursement au-  
6 thorities are sufficient to ensure that military  
7 training and readiness are not degraded to fund  
8 disaster response, or use of such authorities de-  
9 grades the effectiveness of the Disaster Relief  
10 Fund;

11 (2) the plan of the Secretary to ensure there is  
12 parallel and consistent policy in the application of  
13 the authorities granted under section 12304a of title  
14 10, United States Code, and section 502(f) of title  
15 32, United States Code, including—

16 (A) a description of the disparities between  
17 benefits and protections under Federal law  
18 versus State active duty;

19 (B) recommended solutions to achieve par-  
20 ity at the Federal level; and

21 (C) recommended changes at the State  
22 level, if appropriate;

23 (3) the plan of the Secretary to ensure there is  
24 parity of benefits and protections for members of the  
25 Armed Forces employed as part of the response to

1 catastrophic incidents under title 32 or title 10,  
2 United States Code, and recommendations for ad-  
3 dressing shortfalls; and

4 (4) a review, by the Federal Emergency Man-  
5 agement Agency, of the current policy for, and an  
6 assessment of the sufficiency of, reimbursement au-  
7 thority for the use of the reserve components, both  
8 to the Department of Defense and to the States,  
9 during catastrophic incidents, including any policy  
10 and legal limitations, and cost assessment impact on  
11 Federal funding.

12 (c) DEFINITIONS.—In this section:

13 (1) The term “appropriate congressional com-  
14 mittees” means the following:

15 (A) The congressional defense committees;

16 (B) The Committee on Homeland Security  
17 of the House of Representatives.

18 (C) The Committee on Homeland Security  
19 and Governmental Affairs of the Senate.

20 (D) The Committee on Transportation and  
21 Infrastructure of the House of Representatives.

22 (E) The Committee on Commerce, Science,  
23 and Transportation of the Senate.

24 (2) The term “catastrophic incident” has the  
25 meaning given that term in section 501 of the

1 Homeland Security Act of 2002 (Public Law 107–  
2 296; 6 U.S.C. 311).

3 **SEC. 518. STUDY ON REAPPORTIONMENT OF NATIONAL**  
4 **GUARD FORCE STRUCTURE BASED ON DO-**  
5 **MESTIC RESPONSES.**

6 (a) STUDY.—The Secretary of Defense shall conduct  
7 a study to determine whether to reapportion the current  
8 force structure of the National Guard based on wartime  
9 and domestic response requirements. The study shall in-  
10 clude the following elements:

11 (1) An assessment of how domestic response  
12 missions affect recruitment and retention of quali-  
13 fied personnel, especially in States—

14 (A) with the lowest ratios of National  
15 Guard members to the general population; and

16 (B) that are most prone to natural disas-  
17 ters.

18 (2) An assessment of how domestic response  
19 missions affect the ability of the National Guard of  
20 a State to ability to staff, equip, and ready a unit  
21 for its Federal missions.

22 (3) A comparison of the costs of a response to  
23 a domestic incident in a State with—

24 (A) units of the National Guard of such  
25 State; and



1 (B) units of the National Guards of other  
2 States pursuant to an emergency management  
3 assistance compact.

4 (4) Based on the recommendations in the 2021  
5 report of the National Guard Bureau titled “Impact  
6 of U.S. Population Trends on National Guard Force  
7 Structure”, an assessment of—

8 (A) challenges to recruiting members of  
9 the National Guard;

10 (B) allocating mission sets to other geo-  
11 graphic regions;

12 (C) the ability to track and respond to do-  
13 mestic migration trends in order to establish a  
14 baseline for force structure requirements;

15 (D) the availability of training ranges for  
16 Federal missions;

17 (E) the availability of transportation and  
18 other support infrastructure; and

19 (F) the cost of operation in each State.

20 (5) In light of the limited authority of the  
21 President under section 104(c) of title 32, United  
22 States Code, an assessment of whether the number  
23 of members of the National Guard is sufficient to re-  
24 apportion force structure to meet the requirements  
25 of domestic responses and shifting populations.

1 (b) REPORT.—Not later than 180 days after the date  
2 of the enactment of this Act, the Secretary of Defense  
3 shall submit to the Committees on Armed Services of the  
4 Senate and House of Representatives a report on the re-  
5 sults of the study under subsection (a).

6 (c) STATE DEFINED.—In this section, the term  
7 “State” includes the various States and Territories, the  
8 Commonwealth of Puerto Rico, and the District of Colum-  
9 bia.

10 **SEC. 519. BRIEFING ON JUNIOR RESERVE OFFICERS’**  
11 **TRAINING CORPS PROGRAM.**

12 Not later than one year after the date of the enact-  
13 ment of this Act, the Secretary of Defense shall submit  
14 to the Committees on Armed Services of the Senate and  
15 the House of Representatives a briefing on the status of  
16 the Junior Reserve Officers’ Training Corps programs of  
17 each Armed Force. The briefing shall include—

18 (1) an assessment of the current usage of the  
19 program, including the number of individuals en-  
20 rolled in the program, the demographic information  
21 of individuals enrolled in the program, and the num-  
22 ber of units established under the program;

23 (2) a description of the efforts of the Armed  
24 Forces to meet current enrollment targets for the  
25 program;

1 (3) an explanation of the reasons such enroll-  
2 ment targets have not been met, if applicable;

3 (4) a description of any obstacles preventing the  
4 Armed Forces from meeting such enrollment targets;

5 (5) a comparison of the potential benefits and  
6 drawbacks of expanding the program; and

7 (6) a description of program-wide diversity and  
8 inclusion recruitment and retention efforts.

9 **Subtitle C—General Service**  
10 **Authorities and Military Records**

11 **SEC. 521. REDUCTION IN SERVICE COMMITMENT RE-**  
12 **QUIRED FOR PARTICIPATION IN CAREER**  
13 **INTERMISSION PROGRAM OF A MILITARY DE-**  
14 **PARTMENT.**

15 Section 710(c)(3) of title 10, United States Code, is  
16 amended by striking “two months” and inserting “one  
17 month”.

18 **SEC. 522. IMPROVEMENTS TO MILITARY ACCESSIONS IN**  
19 **ARMED FORCES UNDER THE JURISDICTION**  
20 **OF THE SECRETARIES OF THE MILITARY DE-**  
21 **PARTMENTS.**

22 (a) IN GENERAL.—Not later than one year after the  
23 date of the enactment of this Act, the Secretary of Defense  
24 shall take the following steps regarding military accessions

1 in each Armed Force under the jurisdiction of the Sec-  
2 retary of a military department:

3 (1) Assess the prescribed medical standards for  
4 appointment as an officer, or enlistment as a mem-  
5 ber, in such Armed Force.

6 (2) Determine how to update the medical  
7 screening processes for appointment or enlistment.

8 (3) Determine how to standardize operations  
9 across the military entrance processing stations.

10 (4) Determine how to improve aptitude testing  
11 methods and standardized testing requirements.

12 (5) Determine how to improve the waiver proc-  
13 ess for individuals who do not meet medical stand-  
14 ards for accession.

15 (6) Determine, by reviewing data from calendar  
16 years 2017 through 2021, whether military acces-  
17 sions (including such accessions pursuant to waiv-  
18 ers) vary, by geographic region.

19 (7) Determine, by reviewing data from calendar  
20 years 2017 through 2021, whether access to military  
21 health records has suppressed the number of such  
22 military accessions, authorized Secretaries of the  
23 military departments, by—

24 (A) children of members of such Armed  
25 Forces;

1 (B) retired members of such Armed  
2 Forces; or

3 (C) recently separated members of such  
4 Armed Forces.

5 (8) Implement improvements determined under  
6 paragraphs (1) through (7).

7 (b) BRIEFING.—Not later than one year after the  
8 date of the enactment of this Act, the Secretary shall brief  
9 the Committees on Armed Services of the Senate and  
10 House of Representatives on the results of carrying out  
11 this section and recommendations regarding legislation the  
12 Secretary determines necessary to improve such military  
13 accessions.

14 **SEC. 523. NOTICE PROGRAM RELATING TO OPTIONS FOR**  
15 **NATURALIZATION.**

16 (a) UPON ENLISTMENT.—The Secretary of each mili-  
17 tary department shall prescribe regulations that ensure  
18 that a military recruit, who is not a citizen of the United  
19 States, receives proper notice of options for naturalization  
20 under title III of the Immigration and Nationality Act (8  
21 U.S.C. 1401 et seq.) Such notice shall inform the recruit  
22 of existing programs or services that may aid in the natu-  
23 ralization process of such recruit.

24 (b) UPON SEPARATION.—The Secretary of Homeland  
25 Security, acting through the Director of U.S. Citizenship

1 and Immigration Services, and in coordination with the  
2 Secretary of Defense, shall provide to a member of the  
3 Armed Forces who is not a citizen of the United States,  
4 upon separation of such member, notice of options for nat-  
5 uralization under title III of the Immigration and Nation-  
6 ality Act (8 U.S.C. 1401 et seq.) Such notice shall inform  
7 the member of existing programs or services that may aid  
8 in the naturalization process of such member.

9 **SEC. 524. APPEALS TO PHYSICAL EVALUATION BOARD DE-**  
10 **TERMINATIONS OF FITNESS FOR DUTY.**

11 Not later than 90 days after the date of the enact-  
12 ment of this Act, the Secretary of Defense shall incor-  
13 porate a formal appeals process (including timelines estab-  
14 lished by the Secretary of Defense) into the policies and  
15 procedures applicable to the implementation of the Inte-  
16 grated Disability Evaluation System of the Department of  
17 Defense. The appeals process shall include the following:

18 (1) The Secretary concerned shall ensure that  
19 a member of the Armed Forces may submit a formal  
20 appeal made with respect to determinations of fit-  
21 ness for duty to a Physical Evaluation Board of  
22 such Secretary.

23 (2) The appeals process shall include, at the re-  
24 quest of such member, an impartial hearing on a fit-

1           ness for duty determination to be conducted by the  
2           Secretary concerned.

3           (3) Such member shall have the option to be  
4           represented at a hearing by legal counsel.

5 **SEC. 525. COMMAND OVERSIGHT OF MILITARY PRIVATIZED**  
6                           **HOUSING AS ELEMENT OF PERFORMANCE**  
7                           **EVALUATIONS.**

8           (a) **EVALUATIONS IN GENERAL.**—Each Secretary of  
9 a military department shall ensure that the performance  
10 evaluations of any individual described in subsection (b)  
11 under the jurisdiction of such Secretary provides for an  
12 assessment of the extent to which such individual has or  
13 has not exercised effective oversight and leadership in the  
14 following:

15           (1) Improving conditions of privatized housing  
16           under subchapter IV of chapter 169 of title 10,  
17           United States Code.

18           (2) Addressing concerns with respect to such  
19           housing of members of the Armed Forces and their  
20           families who reside in such housing on an installa-  
21           tion of the military department concerned.

22           (b) **COVERED INDIVIDUALS.**—The individuals de-  
23           scribed in this subsection are as follows:

24           (1) The commander of an installation of a mili-  
25           tary department at which on-installation housing is

1 managed by a landlord of privatized housing under  
2 subchapter IV of chapter 169 of title 10, United  
3 States Code.

4 (2) Each officer or senior enlisted member of  
5 the Armed Forces at an installation described in  
6 paragraph (1) whose duties include facilities or  
7 housing management at such installation.

8 (3) Any other officer or enlisted member of the  
9 Armed Forces (whether or not at an installation de-  
10 scribed in paragraph (1)) as specified by the Sec-  
11 retary of the military department concerned for pur-  
12 poses of this section.

13 **SEC. 526. FEASIBILITY STUDY ON ESTABLISHMENT OF**  
14 **HOUSING HISTORY FOR MEMBERS OF THE**  
15 **ARMED FORCES WHO RESIDE IN HOUSING**  
16 **PROVIDED BY THE UNITED STATES.**

17 (a) STUDY; REPORT.—Not later than September 30,  
18 2022, the Secretary of Defense shall—

19 (1) conduct a feasibility study regarding the es-  
20 tablishment of a standard record of housing history  
21 for members of the Armed Forces who reside in cov-  
22 ered housing; and

23 (2) submit to the appropriate congressional  
24 committees a report on the results of such study.



1 (b) CONTENTS.—A record described in subsection (a)  
2 includes, with regards to each period during which the  
3 member concerned resided in covered housing, the fol-  
4 lowing:

5 (1) The assessment of the commander of the  
6 military installation in which such housing is lo-  
7 cated, of the condition of such covered housing—

8 (A) prior to the beginning of such period;  
9 and

10 (B) in which the member concerned left  
11 such covered housing upon vacating such cov-  
12 ered housing.

13 (2) Contact information a housing provider may  
14 use to inquire about such a record.

15 (c) ONLINE ACCESS.—A record described in sub-  
16 section (a) would be accessible through a website, main-  
17 tained by the Secretary of the military department con-  
18 cerned, through which a member of the Armed Forces  
19 under the jurisdiction of such Secretary may access such  
20 record of such member.

21 (d) ISSUANCE.—The Secretary concerned would issue  
22 a copy of a described in subsection (a) to the member con-  
23 cerned upon the separation, retirement, discharge, or dis-  
24 missal of such member from the Armed Forces, with the  
25 DD Form 214 for such member.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “appropriate congressional com-  
3 mittees” means the following:

4 (A) The Committee on Armed Services of  
5 the House of Representatives.

6 (B) The Committee on Armed Services of  
7 the Senate.

8 (C) The Committee on Transportation and  
9 Infrastructure of the House of Representatives.

10 (D) The Committee on Commerce, Science,  
11 and Transportation of the Senate.

12 (2) The term “covered housing” means housing  
13 provided by the United States to a member of the  
14 Armed Forces.

15 **SEC. 527. ENHANCEMENTS TO NATIONAL MOBILIZATION**

16 **EXERCISES.**

17 (a) INCLUSION OF PROCESSES OF SELECTIVE SERV-  
18 ICE SYSTEM.—Section 10208 of title 10, United States  
19 Code, is amended by adding at the end the following new  
20 subsection:

21 “(c)(1) The Secretary shall, beginning in the first fis-  
22 cal year that begins after the date of the enactment of  
23 this subsection, and every five years thereafter, as part  
24 of the major mobilization exercise under subsection (a),  
25 include the processes of the Selective Service System in

1 preparation for induction of personnel into the armed  
2 forces under the Military Selective Service Act (50 U.S.C.  
3 3801 et seq.), and submit to Congress a report on the  
4 results of this exercise and evaluation. The report may be  
5 submitted in classified form.

6 “(2) The exercise under this subsection—

7 “(A) shall include a review of national mobiliza-  
8 tion strategic and operational concepts; and

9 “(B) shall include a simulation of a mobiliza-  
10 tion of all armed forces and reserve units, with plans  
11 and processes for incorporating Selective Service  
12 System inductees.”.

13 (b) BRIEFING; REPORT.—

14 (1) BRIEFING.—Not later than 180 days after  
15 the date on which the Secretary of Defense conducts  
16 the first mobilization exercise under section 10208  
17 of title 10, United States Code, after the date of the  
18 enactment of this Act, the Secretary shall provide to  
19 the Committees of Armed Services of the Senate and  
20 House of Representatives a briefing on—

21 (A) the status of the review and assess-  
22 ments conducted pursuant to subsection (c) of  
23 such section, as added by subsection (a); and

24 (B) any interim recommendations of the  
25 Secretary.

1           (2) REPORT.—Not later than two years after  
2           the date on which the Secretary conducts the first  
3           mobilization exercise as described in paragraph (1),  
4           the Secretary shall submit to the Committees of  
5           Armed Services of the Senate and House of Rep-  
6           resentatives a report that contains the following:

7                   (A) A review of national mobilization stra-  
8                   tegic and operational concepts.

9                   (B) A simulation of a mobilization of all  
10                  Armed Forces and reserve units, with plans and  
11                  processes for incorporating Selective Service  
12                  System inductees.

13                  (C) An assessment of the Selective Service  
14                  system in the current organizational form.

15                  (D) An assessment of the Selective Service  
16                  System as a peace-time registration system.

17                  (E) Recommendations with respect to the  
18                  challenges, opportunities, cost, and timelines re-  
19                  garding the assessments described in subpara-  
20                  graphs (C) and (D).

1 **SEC. 528. TEMPORARY EXEMPTION FROM END STRENGTH**  
2 **GRADE RESTRICTIONS FOR THE SPACE**  
3 **FORCE.**

4 (a) EXEMPTION.—Sections 517 and 523 of title 10,  
5 United States Code, shall not apply to the Space Force  
6 until January 1, 2023.

7 (b) SUBMITTAL.—Not later than April 1, 2022, the  
8 Secretary of the Air Force shall establish and submit to  
9 the Committees on Armed Services for the Senate and  
10 House of Representatives for inclusion in the National De-  
11 fense Authorization Act for fiscal year 2023, the number  
12 of officers who—

13 (1) may be serving on active duty in each of the  
14 grades of major, lieutenant colonel, and colonel; and

15 (2) may not, as of the end of such fiscal year,  
16 exceed a number determined in accordance with sec-  
17 tion 523(a)(1) of such title.

18 **SEC. 529. REPORT ON EXEMPTIONS AND DEFERMENTS FOR**  
19 **A POSSIBLE MILITARY DRAFT.**

20 Not later than 120 days after the date of the enact-  
21 ment of this Act, the Director of the Selective Service Sys-  
22 tem, in consultation with the Secretary of Defense and  
23 the Secretary of Homeland Security, shall submit to Con-  
24 gress a report providing a review of exemptions and  
25 deferments from registration, training, and service under

1 the Military Selective Service Act (50 U.S.C. 3801 et  
2 seq.).

3 **SEC. 529A. REPORT ON PROCESSES AND PROCEDURES FOR**  
4 **APPEAL OF DENIAL OF STATUS OR BENEFITS**  
5 **FOR FAILURE TO REGISTER FOR SELECTIVE**  
6 **SERVICE.**

7 (a) REPORT REQUIRED.—Not later than 180 days  
8 after the date of the enactment of this Act, the Director  
9 of the Selective Service System shall submit to the appro-  
10 priate committees of Congress a report setting forth the  
11 results of a review of the processes and procedures em-  
12 ployed by agencies across the Federal Government for the  
13 appeal by individuals of a denial of status or benefits  
14 under Federal law for failure to register for selective serv-  
15 ice under the Military Selective Service Act (50 U.S.C.  
16 3801 et seq.).

17 (b) CONSULTATION.—The Director of the Selective  
18 Service System shall carry out this section in consultation  
19 with the Secretary of Homeland Security, the Secretary  
20 of Education, the Director of the Office of Personnel Man-  
21 agement, and the heads of other appropriate Federal  
22 agencies.

23 (c) ELEMENTS.—The report required by subsection  
24 (a) shall include the following:

1           (1) A description and assessment of the various  
2           appeals processes and procedures described in sub-  
3           section (a), including—

4                   (A) a description of such processes and  
5                   procedures; and

6                   (B) an assessment of—

7                           (i) the adequacy of notice provided for  
8                           appeals under such processes and proce-  
9                           dures;

10                           (ii) the fairness of each such process  
11                           and procedure;

12                           (iii) the ease of use of each such proc-  
13                           ess and procedure;

14                           (iv) consistency in the application of  
15                           such processes and procedures across the  
16                           Federal Government; and

17                           (v) the applicability of an appeal  
18                           granted by one Federal agency under such  
19                           processes and procedures to the actions  
20                           and decisions of another Federal agency on  
21                           a similar appeal.

22           (2) Information on the number of waivers re-  
23           quested, and the number of waivers granted, during  
24           the 15-year period ending on the date of the enact-

1       ment of this Act in connection with denial of status  
2       or benefits for failure to register for selective service.

3           (3) An analysis and assessment of the rec-  
4       ommendations of the National Commission on Mili-  
5       tary, National, and Public Service for reforming the  
6       rules and policies concerning failure to register for  
7       selective service.

8           (4) Such recommendations for legislative or ad-  
9       ministrative action as the Director of the Selective  
10      Service System, and the consulting officers pursuant  
11      to subsection (b), consider appropriate in light of the  
12      review conducted pursuant to subsection (a).

13          (5) Such other matters in connection with the  
14      review conducted pursuant to subsection (a) as the  
15      Director considers appropriate.

16      (d) APPROPRIATE COMMITTEES OF CONGRESS DE-  
17      FINED.—In this section, the term “appropriate committee  
18      of Congress” means—

19           (1) the Committee on Armed Services and the  
20      Committee on Homeland Security and Governmental  
21      Affairs of the Senate; and

22           (2) the Committee on Armed Services and the  
23      Committee on Oversight and Reform of the House  
24      of Representatives.



1 **SEC. 529B. STUDY AND REPORT ON ADMINISTRATIVE SEPA-**  
2 **RATION BOARDS.**

3 (a) IN GENERAL.—The Comptroller General of the  
4 United States shall conduct a study on the use of adminis-  
5 trative separation boards within the Armed Forces.

6 (b) ELEMENTS.—The study under subsection (a)  
7 shall evaluate—

8 (1) the process each Armed Force uses to con-  
9 vene administrative separation boards, including the  
10 process used to select the board president, the re-  
11 corder, the legal advisor, and board members; and

12 (2) the effectiveness of the operations of such  
13 boards.

14 (c) REPORT.—Not later than one year after the date  
15 of the enactment of this Act, the Comptroller General shall  
16 submit to the Committees on Armed Services of the Sen-  
17 ate and the House of Representatives a report on the re-  
18 sults of the study conducted under subsection (a).

19 **Subtitle D—Military Justice**  
20 **Reform**

21 **PART 1—SPECIAL TRIAL COUNSEL**

22 **SEC. 531. SPECIAL TRIAL COUNSEL.**

23 (a) IN GENERAL.—Subchapter V of chapter 47 of  
24 title 10, United States Code, is amended by inserting after  
25 section 824 (article 24 of the Uniform Code of Military  
26 Justice) the following new section:

1 **“§ 824a. Art 24a. Special trial counsel**

2 “(a) DETAIL OF SPECIAL TRIAL COUNSEL.—Each  
3 Secretary concerned shall promulgate regulations for the  
4 detail of commissioned officers to serve as special trial  
5 counsel.

6 “(b) QUALIFICATIONS.—A special trial counsel shall  
7 be a commissioned officer who—

8 “(1)(A) is a member of the bar of a Federal  
9 court or a member of the bar of the highest court  
10 of a State; and

11 “(B) is certified to be qualified, by reason of  
12 education, training, experience, and temperament,  
13 for duty as a special trial counsel by—

14 “(i) the Judge Advocate General of the  
15 armed force of which the officer is a member;  
16 or

17 “(ii) in the case of the Marine Corps, the  
18 Staff Judge Advocate to the Commandant of  
19 the Marine Corps; and

20 “(2) in the case of a lead special trial counsel  
21 appointed pursuant to section 1044f(a)(2) of this  
22 title, is in a grade no lower than O-7.

23 “(c) DUTIES AND AUTHORITIES.—

24 “(1) IN GENERAL.—Special trial counsel shall  
25 carry out the duties described in this chapter and

1 any other duties prescribed by the Secretary con-  
2 cerned, by regulation.

3 “(2) DETERMINATION OF COVERED OFFENSE;  
4 RELATED CHARGES.—

5 “(A) AUTHORITY.—A special trial counsel  
6 shall have exclusive authority to determine if a  
7 reported offense is a covered offense and shall  
8 exercise authority over any such offense in ac-  
9 cordance with this chapter. Any determination  
10 to prefer or refer charges shall not act to dis-  
11 qualify the special trial counsel as an accuser.

12 “(B) KNOWN AND RELATED OFFENSES.—  
13 If a special trial counsel determines that a re-  
14 ported offense is a covered offense, the special  
15 trial counsel may also exercise authority over  
16 any offense that the special trial counsel deter-  
17 mines to be related to the covered offense and  
18 any other offense alleged to have been com-  
19 mitted by a person alleged to have committed  
20 the covered offense.

21 “(3) DISMISSAL; REFERRAL; PLEA BARGAINS.—  
22 Subject to paragraph (4), with respect to charges  
23 and specifications alleging any offense over which a  
24 special trial counsel exercises authority, a special

1 trial counsel shall have exclusive authority to, in ac-  
2 cordance with this chapter—

3 “(A) on behalf of the Government, with-  
4 draw or dismiss the charges and specifications  
5 or make a motion to withdraw or dismiss the  
6 charges and specifications;

7 “(B) refer the charges and specifications  
8 for trial by a special or general court-martial;

9 “(C) enter into a plea agreement; and

10 “(D) determine if an ordered rehearing is  
11 impracticable.

12 “(4) BINDING DETERMINATION.—The deter-  
13 mination of a special trial counsel to refer charges  
14 and specifications to a court-martial for trial shall  
15 be binding on any applicable convening authority for  
16 the referral of such charges and specifications.

17 “(5) DEFERRAL TO COMMANDER OR CON-  
18 VENING AUTHORITY.—If a special trial counsel exer-  
19 cises authority over an offense and elects not to pre-  
20 fer charges and specifications for such offense or,  
21 with respect to charges and specifications for such  
22 offense preferred by a person other than a special  
23 trial counsel, elects not to refer such charges and  
24 specifications, a commander or convening authority  
25 may exercise any of the authorities of such com-

1       mander or convening authority under this chapter  
2       with respect to such offense, except that such com-  
3       mander or convening authority may not refer  
4       charges and specifications for a covered offense for  
5       trial by special or general court-martial.”.

6       (b) TABLE OF SECTIONS AMENDMENT.—The table of  
7       sections at the beginning of subchapter V of chapter 47  
8       of title 10, United States Code (the Uniform Code of Mili-  
9       tary Justice), is amended by inserting after the item relat-  
10      ing to section 824 (article 24) the following new item:

“824a. Art 24a. Special trial counsel.”.

11      (c) REPORT REQUIRED.—

12           (1) IN GENERAL.—Not later than one year  
13      after the date of the enactment of this Act, each  
14      Secretary concerned shall submit to the Committees  
15      on Armed Services of the Senate and the House of  
16      Representatives a report setting forth the plan of  
17      the Secretary for detailing officers to serve as special  
18      trial counsel pursuant to section 824a of title 10,  
19      United States Code (article 24a of the Uniform  
20      Code of Military Justice) (as added by subsection  
21      (a) of this section).

22           (2) ELEMENTS.—Each report under paragraph  
23      (1) shall include the following—

24           (A) The plan of the Secretary concerned—  
25           (i) for staffing billets for—

1 (I) special trial counsel who meet  
2 the requirements set forth in section  
3 824a of title 10, United States Code  
4 (article 24a of the Uniform Code of  
5 Military Justice) (as added by sub-  
6 section (a) of this section); and

7 (II) defense counsel for cases in-  
8 volving covered offenses; and

9 (ii) for supporting and ensuring the  
10 continuing professional development of  
11 military justice practitioners.

12 (B) An estimate of the resources needed to  
13 implement such section 824a (article 24a).

14 (C) An explanation of other staffing re-  
15 quired to implement such section 824a (article  
16 24a), including staffing levels required for mili-  
17 tary judges, military magistrates, military de-  
18 fense attorneys, and paralegals and other sup-  
19 port staff.

20 (D) A description of how the use of special  
21 trial counsel will affect the military justice sys-  
22 tem as a whole.

23 (E) A description of how the Secretary  
24 concerned plans to place appropriate emphasis  
25 and value on litigation experience for judge ad-

1 vocates in order to ensure judge advocates are  
2 experienced, prepared, and qualified to handle  
3 covered offenses, both as special trial counsel  
4 and as defense counsel. Such a description shall  
5 address promotion considerations and explain  
6 how the Secretary concerned plans to instruct  
7 promotion boards to value litigation experience.

8 (F) Any additional resources, authorities,  
9 or information that each Secretary concerned  
10 deems relevant or important to the implementa-  
11 tion of the requirements of this title.

12 (3) DEFINITIONS.—In this subsection—

13 (A) The term “Secretary concerned” has  
14 the meaning given that term in section 101(a)  
15 of title 10, United States Code.

16 (B) The term “covered offense” has the  
17 meaning given that term in section 801(17) of  
18 title 10, United States Code (as added by sec-  
19 tion 533 of this part).

20 **SEC. 532. POLICIES WITH RESPECT TO SPECIAL TRIAL**  
21 **COUNSEL.**

22 (a) IN GENERAL.—Chapter 53 of title 10, United  
23 States Code, is amended by inserting after section 1044e  
24 the following new section:

1 **“§ 1044f. Policies with respect to special trial counsel**

2       “(a) POLICIES REQUIRED.—The Secretary of De-  
3 fense shall establish policies with respect to the appro-  
4 priate mechanisms and procedures that the Secretaries of  
5 the military departments shall establish relating to the ac-  
6 tivities of special trial counsel, including expected mile-  
7 stones for such Secretaries to fully implement such mecha-  
8 nisms and procedures. The policies shall—

9           “(1) provide for the establishment of a dedi-  
10 cated office within each military service from which  
11 office the activities of the special trial counsel of the  
12 military service concerned shall be supervised and  
13 overseen;

14           “(2) provide for the appointment of one lead  
15 special trial counsel, who shall—

16           “(A) be a judge advocate of that service in  
17 a grade no lower than O–7, with significant ex-  
18 perience in military justice;

19           “(B) be responsible for the overall super-  
20 vision and oversight of the activities of the spe-  
21 cial trial counsel of that service; and

22           “(C) report directly to the Secretary con-  
23 cerned, without intervening authority;

24           “(3) ensure that within each office created pur-  
25 suant to paragraph (1), the special trial counsel and  
26 other personnel assigned or detailed to the office—



1           “(A) are independent of the military chains  
2 of command of both the victims and those ac-  
3 cused of covered offenses and any other of-  
4 fenses over which a special trial counsel at any  
5 time exercises authority in accordance with sec-  
6 tion 824a of this title (article 24a); and

7           “(B) conduct assigned activities free from  
8 unlawful or unauthorized influence or coercion;

9           “(4) provide that special trial counsel shall be  
10 well-trained, experienced, highly skilled, and com-  
11 petent in handling cases involving covered offenses;  
12 and

13           “(5) provide that commanders of the victim and  
14 the accused in a case involving a covered offense  
15 shall have the opportunity to provide input to the  
16 special trial counsel regarding case disposition, but  
17 that the input is not binding on the special trial  
18 counsel.

19           “(b) UNIFORMITY.—The Secretary of Defense shall  
20 ensure that any lack of uniformity in the implementation  
21 of policies, mechanisms, and procedures established under  
22 subsection (a) does not render unconstitutional any such  
23 policy, mechanism, or procedure.

1           “(c) **MILITARY SERVICE DEFINED.**—In this section,  
2 the term ‘military service’ means the Army, Navy, Air  
3 Force, Marine Corps, and Space Force.”.

4           (b) **CLERICAL AMENDMENT.**—The table of sections  
5 at the beginning of chapter 53 of title 10, United States  
6 Code, is amended by inserting after the item relating to  
7 section 1044e the following new item:

“1044f. Policies with respect to special trial counsel.”.

8           (c) **QUARTERLY BRIEFING.**—Beginning not later  
9 than 180 days after the date of the enactment of this Act,  
10 and at the beginning of each fiscal quarter thereafter until  
11 the policies established pursuant to section 1044f(a) of  
12 title 10, United States Code (as added by subsection (a))  
13 and the mechanisms and procedures to which they apply  
14 are fully implemented and operational, the Secretary of  
15 Defense and the Secretaries of the military departments  
16 shall jointly provide to the Committee on Armed Services  
17 of the Senate and the Committee on Armed Services of  
18 the House of Representatives a briefing detailing the ac-  
19 tions taken and progress made by the Office of the Sec-  
20 retary of Defense and each of the military departments  
21 in meeting the milestones established as required by such  
22 section.

1 **SEC. 533. DEFINITION OF MILITARY MAGISTRATE, COV-**  
2 **ERED OFFENSE, AND SPECIAL TRIAL COUN-**  
3 **SEL.**

4 Section 801 of title 10, United States Code (article  
5 1 of the Uniform Code of Military Justice), is amended—

6 (1) by inserting after paragraph (10) the fol-  
7 lowing new paragraph:

8 “(11) The term ‘military magistrate’ means a  
9 commissioned officer certified for duty as a military  
10 magistrate in accordance with section 826a of this  
11 title (article 26a).”; and

12 (2) by adding at the end the following new  
13 paragraphs:

14 “(17) The term ‘covered offense’ means—

15 “(A) an offense under section 917a (article  
16 117a), section 918 (article 118), section 919  
17 (article 119), section 920 (article 120), section  
18 920b (article 120b), section 920c (article 120c),  
19 section 925 (article 125), section 928b (article  
20 128b), section 930 (article 130), section 932  
21 (article 132), or the standalone offense of child  
22 pornography punishable under section 934 (ar-  
23 ticle 134) of this title;

24 “(B) a conspiracy to commit an offense  
25 specified in subparagraph (A) as punishable  
26 under section 881 of this title (article 81);

1           “(C) a solicitation to commit an offense  
2           specified in subparagraph (A) as punishable  
3           under section 882 of this title (article 82); or

4           “(D) an attempt to commit an offense  
5           specified in subparagraph (A), (B), or (C) as  
6           punishable under section 880 of this title (arti-  
7           cle 80).

8           “(18) The term ‘special trial counsel’ means a  
9           judge advocate detailed as a special trial counsel in  
10          accordance with section 824a of this title (article  
11          24a) and includes a judge advocate appointed as a  
12          lead special trial counsel pursuant to section  
13          1044f(a)(2) of this title.”.

14 **SEC. 534. CLARIFICATION RELATING TO WHO MAY CON-**  
15 **VENE COURTS-MARTIAL.**

16          (a) GENERAL COURTS-MARTIAL.—Section 822(b) of  
17 title 10, United States Code (article 22(b) of the Uniform  
18 Code of Military Justice), is amended—

19               (1) by striking “If any” and inserting “(1) If  
20               any”; and

21               (2) by adding at the end the following new  
22               paragraph:

23               “(2) A commanding officer shall not be considered  
24 an accuser solely due to the role of the commanding officer  
25 in convening a general court-martial to which charges and

1 specifications were referred by a special trial counsel in  
2 accordance with this chapter.”.

3 (b) SPECIAL COURTS-MARTIAL.—Section 823(b) of  
4 title 10, United States Code (article 23(b) of the Uniform  
5 Code of Military Justice), is amended—

6 (1) by striking “If any” and inserting “(1) If  
7 any”; and

8 (2) by adding at the end the following new  
9 paragraph:

10 “(2) A commanding officer shall not be considered  
11 an accuser solely due to the role of the commanding officer  
12 in convening a special court-martial to which charges and  
13 specifications were referred by a special trial counsel in  
14 accordance with this chapter.”.

15 **SEC. 535. DETAIL OF TRIAL COUNSEL.**

16 Section 827 of title 10, United States Code (article  
17 27 of the Uniform Code of Military Justice), is amended  
18 by adding at the end the following new subsection:

19 “(e) For each general and special court-martial for  
20 which charges and specifications were referred by a special  
21 trial counsel—

22 “(1) a special trial counsel shall be detailed as  
23 trial counsel; and

24 “(2) a special trial counsel may detail other  
25 trial counsel as necessary who are judge advocates.”.

1 **SEC. 536. PRELIMINARY HEARING.**

2 (a) DETAIL OF HEARING OFFICER; WAIVER.—Sub-  
3 section (a)(1) of section 832 of title 10, United States  
4 Code (article 32 of the Uniform Code of Military Justice),  
5 is amended—

6 (1) in subparagraph (A), by striking “hearing  
7 officer” and all that follows through the period at  
8 the end and inserting “hearing officer detailed in ac-  
9 cordance with subparagraph (C).”;

10 (2) in subparagraph (B), by striking “written  
11 waiver” and all that follows through the period at  
12 the end and inserting the following: “written waiver  
13 to—

14 “(i) except as provided in clause (ii), the  
15 convening authority and the convening author-  
16 ity determines that a hearing is not required;  
17 and

18 “(ii) with respect to charges and specifica-  
19 tions over which the special trial counsel is ex-  
20 ercising authority in accordance with section  
21 824a of this title (article 24a), the special trial  
22 counsel and the special trial counsel determines  
23 that a hearing is not required.”; and

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

1           “(C)(i) Except as provided in clause (ii), the  
2 convening authority shall detail a hearing officer.

3           “(ii) If a special trial counsel is exercising au-  
4 thority over the charges and specifications subject to  
5 a preliminary hearing under this section (article),  
6 the special trial counsel shall request a hearing offi-  
7 cer and a hearing officer shall be provided by the  
8 convening authority, in accordance with regulations  
9 prescribed by the President.”.

10       (b) REPORT OF PRELIMINARY HEARING OFFICER.—

11 Subsection (c) of such section is amended—

12           (1) in the heading, by inserting “OR SPECIAL  
13 TRIAL COUNSEL” after “CONVENING AUTHORITY”;  
14 and

15           (2) in the matter preceding paragraph (1) by  
16 striking “to the convening authority” and inserting  
17 “to the convening authority or, in the case of a pre-  
18 liminary hearing in which the hearing officer is pro-  
19 vided at the request of a special trial counsel to the  
20 special trial counsel,”.

21 **SEC. 537. ADVICE TO CONVENING AUTHORITY BEFORE RE-**  
22 **FERRAL FOR TRIAL.**

23       Section 834 of title 10, United States Code (article  
24 34 of the Uniform Code of Military Justice), is amended—

1           (1) in subsection (a)(1), by striking “Before re-  
2           ferral” and inserting “Subject to subsection (c), be-  
3           fore referral”

4           (2) in subsection (b), by striking “Before refer-  
5           ral” and inserting “Subject to subsection (c), before  
6           referral”;

7           (3) by redesignating subsections (c) and (d) as  
8           subsections (d) and (e) respectively;

9           (4) by inserting after subsection (b) the fol-  
10          lowing new subsection:

11          “(c) COVERED OFFENSES.—A referral to a general  
12          or special court-martial for trial of charges and specifica-  
13          tions over which a special trial counsel exercises authority  
14          may only be made—

15                 “(1) by a special trial counsel, subject to a spe-  
16                 cial trial counsel’s written determination accom-  
17                 panying the referral that—

18                         “(A) each specification under a charge al-  
19                         leges an offense under this chapter;

20                         “(B) there is probable cause to believe that  
21                         the accused committed the offense charged; and

22                         “(C) a court-martial would have jurisdic-  
23                         tion over the accused and the offense; or

24                 “(2) in the case of charges and specifications  
25                 that do not allege a covered offense and as to which



1 a special trial counsel declines to prefer or, in the  
2 case of charges and specifications preferred by a  
3 person other than a special trial counsel, refer  
4 charges, by the convening authority in accordance  
5 with this section.”; and

6 (5) in subsection (e), as so redesignated, by in-  
7 serting “or, with respect to charges and specifica-  
8 tions over which a special trial counsel exercises au-  
9 thority in accordance with section 824a of this title  
10 (article 24a), a special trial counsel,” after “con-  
11 vening authority”.

12 **SEC. 538. FORMER JEOPARDY.**

13 Section 844(c) of title 10, United States Code (article  
14 44(c) of the Uniform Code of Military Justice), is amend-  
15 ed by inserting “or the special trial counsel” after “the  
16 convening authority” each place it appears.

17 **SEC. 539. PLEA AGREEMENTS.**

18 (a) **AUTHORITY TO ENTER INTO AGREEMENTS.—**  
19 Subsection (a) of section 853a of title 10, United States  
20 Code (article 53a of the Uniform Code of Military Jus-  
21 tice), is amended—

22 (1) in paragraph (1), by striking “At any time”  
23 and inserting “Subject to paragraph (3), at any  
24 time”; and

1           (2) by adding at the end the following new  
2 paragraph:

3           “(3) With respect to charges and specifications over  
4 which a special trial counsel exercises authority pursuant  
5 to section 824a of this title (article 24a), a plea agreement  
6 under this section may only be entered into between a spe-  
7 cial trial counsel and the accused. Such agreement shall  
8 be subject to the same limitations and conditions applica-  
9 ble to other plea agreements under this section (article).”.

10          (b) **BINDING EFFECT.**—Subsection (d) of such sec-  
11 tion (article) is amended by inserting after “parties” the  
12 following: “(including the convening authority and the spe-  
13 cial trial counsel in the case of a plea agreement entered  
14 into under subsection (a)(3))”.

15 **SEC. 539A. DETERMINATIONS OF IMPRACTICABILITY OF**  
16 **REHEARING.**

17          (a) **TRANSMITTAL AND REVIEW OF RECORDS.**—Sec-  
18 tion 865(e)(3)(B) of title 10, United States Code (article  
19 65(e)(3)(B) of the Uniform Code of Military Justice), is  
20 amended—

21           (1) by striking “**IMPRACTICAL.**—If the Judge  
22 Advocate General” and inserting the following: “**IM-**  
23 **PRACTICABLE.**—”

24           “(i) **IN GENERAL.**—Subject to clause (ii),  
25 if the Judge Advocate General”;

1           (2) by striking “impractical” and inserting “im-  
2           practicable”; and

3           (3) by adding at the end the following new  
4           clause:

5                   “(ii) CASES REFERRED BY SPECIAL TRIAL  
6           COUNSEL.—If a case was referred to trial by  
7           a special trial counsel, a special trial counsel  
8           shall determine if a rehearing is impracticable  
9           and shall dismiss the charges if the special trial  
10          counsel so determines.”.

11          (b) COURTS OF CRIMINAL APPEALS.—Section  
12          866(f)(1)(C) of title 10, United States Code (article  
13          66(f)(1)(C) of the Uniform Code of Military Justice), is  
14          amended—

15                 (1) by striking “IMPRACTICABLE.—If the Court  
16                 of Criminal Appeals” and inserting the following:  
17                 “IMPRACTICABLE.—

18                         “(i) IN GENERAL.—Subject to clause (ii),  
19                         if the Court of Criminal Appeals”; and

20                 (2) by adding at the end the following new  
21                 clause:

22                         “(ii) CASES REFERRED BY SPECIAL TRIAL  
23                         COUNSEL.—If a case was referred to trial by a  
24                         special trial counsel, a special trial counsel shall  
25                         determine if a rehearing is impracticable and

1           shall dismiss the charges if the special trial  
2           counsel so determines.”.

3           (c) REVIEW BY THE COURT OF APPEALS FOR THE  
4 ARMED FORCES.—Section 867(e) of title 10, United  
5 States Code (article 67(e) of the Uniform Code of Military  
6 Justice), is amended by adding at the end the following  
7 new sentence: “Notwithstanding the preceding sentence,  
8 if a case was referred to trial by a special trial counsel,  
9 a special trial counsel shall determine if a rehearing is im-  
10 practicable and shall dismiss the charges if the special  
11 trial counsel so determines.”.

12          (d) REVIEW BY JUDGE ADVOCATE GENERAL.—Sec-  
13 tion 869(c)(1)(D) of title 10, United States Code (article  
14 69(c)(1)(D) of the Uniform Code of Military Justice), is  
15 amended—

16           (1) by striking “If the Judge Advocate Gen-  
17 eral” and inserting “(i) Subject to clause (ii), if the  
18 Judge Advocate General”;

19           (2) by striking “impractical” and inserting “im-  
20 practicable”; and

21           (3) by adding at the end the following new  
22 clause:

23           “(ii) If a case was referred to trial by a special trial  
24 counsel, a special trial counsel shall determine if a rehear-

1 ing is impracticable and shall dismiss the charges if the  
2 special trial counsel so determines.”.

3 **SEC. 539B. APPLICABILITY TO THE UNITED STATES COAST**  
4 **GUARD.**

5 The Secretary of Defense shall consult and enter into  
6 an agreement with the Secretary of Homeland Security  
7 to apply the provisions of this part and the amendments  
8 made by this part, and the policies, mechanisms, and proc-  
9 esses established pursuant to such provisions, to the  
10 United States Coast Guard when it is operating as a serv-  
11 ice in the Department of Homeland Security.

12 **SEC. 539C. EFFECTIVE DATE.**

13 (a) IN GENERAL.—Except as provided in subsection  
14 (b), the amendments made by this part shall take effect  
15 on the date that is two years after the date of the enact-  
16 ment of this Act and shall apply with respect to offenses  
17 that occur after that date.

18 (b) REGULATIONS.—

19 (1) REQUIREMENT.—The President shall pre-  
20 scribe regulations to carry out this part not later  
21 than two years after the date of the enactment of  
22 this Act.

23 (2) IMPACT OF DELAY OF ISSUANCE.—If the  
24 President does not prescribe the regulations nec-  
25 essary to carry out this part before the date that is

1 two years after the date of the enactment of this  
2 Act, the amendments made by this part shall take  
3 effect on the date on which such regulations are pre-  
4 scribed and shall apply with respect to offenses that  
5 occur on or after that date.

6 **PART 2—SEXUAL HARASSMENT; SENTENCING**

7 **REFORM**

8 **SEC. 539D. INCLUSION OF SEXUAL HARASSMENT AS GEN-**  
9 **ERAL PUNITIVE ARTICLE.**

10 (a) IN GENERAL.—Not later than 30 days after the  
11 date of the enactment of this Act, the President shall—

12 (1) prescribe regulations establishing sexual  
13 harassment, as described in this section, as an of-  
14 fense punishable under section 934 of title 10,  
15 United States Code (article 134 of the Uniform  
16 Code of Military Justice); and

17 (2) revise the Manual for Courts-Martial to in-  
18 clude such offense.

19 (b) ELEMENTS OF OFFENSE.—The regulations and  
20 the revisions to the Manual for Courts-Martial required  
21 under subsection (a) shall provide that the required ele-  
22 ments constituting the offense of sexual harassment are—

23 (1) that the accused knowingly made sexual ad-  
24 vances, demands or requests for sexual favors, or

1 knowingly engaged in other conduct of a sexual na-  
2 ture;

3 (2) that such conduct was unwelcome;

4 (3) that, under the circumstances, such con-  
5 duct—

6 (A) would cause a reasonable person to be-  
7 lieve, and a certain person did believe, that sub-  
8 mission to such conduct would be made, either  
9 explicitly or implicitly, a term or condition of  
10 that person's job, pay, career, benefits, or enti-  
11 tlements;

12 (B) would cause a reasonable person to be-  
13 lieve, and a certain person did believe, that sub-  
14 mission to, or rejection of, such conduct would  
15 be used as a basis for decisions affecting that  
16 person's job, pay, career, benefits, or entitle-  
17 ments; or

18 (C) was so severe, repetitive, or pervasive  
19 that a reasonable person would perceive, and a  
20 certain person did perceive, an intimidating,  
21 hostile, or offensive working environment; and

22 (4) that, under the circumstances, the conduct  
23 of the accused was—

24 (A) to the prejudice of good order and dis-  
25 cipline in the armed forces;

1 (B) of a nature to bring discredit upon the  
2 armed forces; or

3 (C) to the prejudice of good order and dis-  
4 cipline in the armed forces and of a nature to  
5 bring discredit upon the armed forces.

6 **SEC. 539E. SENTENCING REFORM.**

7 (a) ARTICLE 53; FINDINGS AND SENTENCING.—Sec-  
8 tion 853 of title 10, United States Code (article 53 of the  
9 Uniform Code of Military Justice), is amended—

10 (1) in subsection (b), by amending paragraph  
11 (1) to read as follows:

12 “(1) GENERAL AND SPECIAL COURTS-MAR-  
13 TIAL.—Except as provided in subsection (c) for cap-  
14 ital offenses, if the accused is convicted of an offense  
15 in a trial by general or special court-martial, the  
16 military judge shall sentence the accused. The sen-  
17 tence determined by the military judge constitutes  
18 the sentence of the court-martial.”; and

19 (2) in subsection (c)—

20 (A) by amending paragraph (1) to read as  
21 follows:

22 “(1) IN GENERAL.—In a capital case, if the ac-  
23 cused is convicted of an offense for which the court-  
24 martial may sentence the accused to death—

25 “(A) the members shall determine—



1 “(i) whether the sentence for that of-  
2 fense shall be death or life in prison with-  
3 out eligibility for parole; or

4 “(ii) whether the matter shall be re-  
5 turned to the military judge for determina-  
6 tion of a lesser punishment; and

7 “(B) the military judge shall sentence the  
8 accused for that offense in accordance with the  
9 determination of the members under subpara-  
10 graph (A).”; and

11 (B) in paragraph (2), by striking “the  
12 court-martial” and inserting “the military  
13 judge”.

14 (b) ARTICLE 53A; PLEA AGREEMENTS.—Section  
15 853a of title 10, United States Code (article 53a of the  
16 Uniform Code of Military Justice), as amended by section  
17 539 of this Act, is further amended—

18 (1) by redesignating subsections (b), (c), and  
19 (d), as subsections (c), (d), and (e), respectively; and

20 (2) by inserting after subsection (a) the fol-  
21 lowing new subsection:

22 “(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject  
23 to subsection (c), the military judge of a general or special  
24 court-martial shall accept a plea agreement submitted by  
25 the parties, except that—

1           “(1) in the case of an offense with a sentencing  
2           parameter set forth in regulations prescribed by the  
3           President pursuant to section 539E(e) of the Na-  
4           tional Defense Authorization Act for Fiscal Year  
5           2022, the military judge may reject a plea agree-  
6           ment that proposes a sentence that is outside the  
7           sentencing parameter if the military judge deter-  
8           mines that the proposed sentence is plainly unrea-  
9           sonable; and

10           “(2) in the case of an offense for which the  
11           President has not established a sentencing param-  
12           eter pursuant to section 539E(e) of the National  
13           Defense Authorization Act for Fiscal Year 2022, the  
14           military judge may reject a plea agreement that pro-  
15           poses a sentence if the military judge determines  
16           that the proposed sentence is plainly unreasonable.”.

17           (c) ARTICLE 56; SENTENCING.—Section 856 of title  
18           10, United States Code (article 56 of the Uniform Code  
19           of Military Justice), is amended—

20                   (1) in subsection (c)—

21                           (A) in paragraph (1)—

22                                   (i) in subparagraph (C)(vii), by strik-  
23                                   ing “and” at the end;

1 (ii) in subparagraph (D), by striking  
2 the period at the end and inserting “;  
3 and”; and

4 (iii) by adding at the end the fol-  
5 lowing new subparagraph:

6 “(E) the applicable sentencing parameters  
7 or sentencing criteria set forth in regulations  
8 prescribed by the President pursuant to section  
9 539E(e) of the National Defense Authorization  
10 Act for Fiscal Year 2022.”; and

11 (B) by striking paragraphs (2) through (4)  
12 and inserting the following new paragraphs:

13 “(2) APPLICATION OF SENTENCING PARAM-  
14 ETERS IN GENERAL AND SPECIAL COURTS-MAR-  
15 TIAL.—

16 “(A) REQUIREMENT TO SENTENCE WITHIN  
17 PARAMETERS.—Except as provided in subpara-  
18 graph (B), in a general or special court-martial  
19 in which the accused is convicted of an offense  
20 for which the President has established a sen-  
21 tencing parameter pursuant to section 539E(e)  
22 of the National Defense Authorization Act for  
23 Fiscal Year 2022, the military judge shall sen-  
24 tence the accused for that offense within the  
25 applicable parameter.

1           “(B) EXCEPTION.—The military judge  
2           may impose a sentence outside a sentencing pa-  
3           rameter upon finding specific facts that warrant  
4           such a sentence. If the military judge imposes  
5           a sentence outside a sentencing parameter  
6           under this subparagraph, the military judge  
7           shall include in the record a written statement  
8           of the factual basis for the sentence.

9           “(3) USE OF SENTENCING CRITERIA IN GEN-  
10          ERAL AND SPECIAL COURTS-MARTIAL.—In a general  
11          or special court-martial in which the accused is con-  
12          victed of an offense for which the President has es-  
13          tablished sentencing criteria pursuant to section  
14          539E(e) of the National Defense Authorization Act  
15          for Fiscal Year 2022, the military judge shall con-  
16          sider the applicable sentencing criteria in deter-  
17          mining the sentence for that offense.

18          “(4) OFFENSE-BASED SENTENCING IN GEN-  
19          ERAL AND SPECIAL COURTS-MARTIAL.—In announc-  
20          ing the sentence under section 853 of this title (arti-  
21          cle 53) in a general or special court-martial, the  
22          military judge shall, with respect to each offense of  
23          which the accused is found guilty, specify the term  
24          of confinement, if any, and the amount of the fine,  
25          if any. If the accused is sentenced to confinement

1 for more than one offense, the military judge shall  
2 specify whether the terms of confinement are to run  
3 consecutively or concurrently.

4 “(5) INAPPLICABILITY TO DEATH PENALTY.—  
5 Sentencing parameters and sentencing criteria shall  
6 not apply to a determination of whether an offense  
7 should be punished by death.

8 “(6) SENTENCE OF CONFINEMENT FOR LIFE  
9 WITHOUT ELIGIBILITY FOR PAROLE.—

10 “(A) IN GENERAL.—If an offense is sub-  
11 ject to a sentence of confinement for life, a  
12 court-martial may impose a sentence of confine-  
13 ment for life without eligibility for parole.

14 “(B) TERM OF CONFINEMENT.—An ac-  
15 cused who is sentenced to confinement for life  
16 without eligibility for parole shall be confined  
17 for the remainder of the accused’s life unless—

18 “(i) the sentence is set aside or other-  
19 wise modified as a result of—

20 “(I) action taken by the con-  
21 vening authority or the Secretary con-  
22 cerned; or

23 “(II) any other action taken dur-  
24 ing post-trial procedure or review

1 under any other provision of sub-  
2 chapter IX of this chapter;

3 “(ii) the sentence is set aside or other-  
4 wise modified as a result of action taken  
5 by a court of competent jurisdiction; or

6 “(iii) the accused receives a pardon or  
7 another form of Executive clemency.”; and

8 (4) in subsection (d)(1)—

9 (A) in subparagraph (A), by striking “or”  
10 at the end;

11 (B) by redesignating subparagraph (B) as  
12 subparagraph (C);

13 (C) by inserting after subparagraph (A)  
14 the following new subparagraph:

15 “(B) in the case of a sentence for an of-  
16 fense for which the President has established a  
17 sentencing parameter pursuant to section  
18 539E(e) of the National Defense Authorization  
19 Act for Fiscal Year 2022, the sentence is a re-  
20 sult of an incorrect application of the param-  
21 eter; or”; and

22 (D) in subparagraph (C), as redesignated  
23 by subparagraph (B) of this paragraph, by  
24 striking “, as determined in accordance with

1 standards and procedures prescribed by the  
2 President”.

3 (d) ARTICLE 66; COURTS OF CRIMINAL APPEALS.—  
4 Section 866 of title 10, United States Code (article 66  
5 of the Uniform Code of Military Justice), as amended by  
6 section 539A of this Act, is further amended—

7 (1) in subsection (d)(1)(A), by striking the  
8 third sentence; and

9 (2) by amending subsection (e) to read as fol-  
10 lows:

11 “(e) CONSIDERATION OF SENTENCE.—

12 “(1) IN GENERAL.—In considering a sentence  
13 on appeal, other than as provided in section 856(d)  
14 of this title (article 56(d)), the Court of Criminal  
15 Appeals may consider—

16 “(A) whether the sentence violates the law;

17 “(B) whether the sentence is inappropri-  
18 ately severe—

19 “(i) if the sentence is for an offense  
20 for which the President has not established  
21 a sentencing parameter pursuant to section  
22 539E(e) of the National Defense Author-  
23 ization Act for Fiscal Year 2022; or

24 “(ii) in the case of an offense for  
25 which the President has established a sen-

1           tencing parameter pursuant to section  
2           539E(e) of the National Defense Author-  
3           ization Act for Fiscal Year 2022, if the  
4           sentence is above the upper range of such  
5           sentencing parameter;

6           “(C) in the case of a sentence for an of-  
7           fense for which the President has established a  
8           sentencing parameter pursuant to section  
9           539E(e) of the National Defense Authorization  
10          Act for Fiscal Year 2022, whether the sentence  
11          is a result of an incorrect application of the pa-  
12          rameter;

13          “(D) whether the sentence is plainly un-  
14          reasonable; and

15          “(E) in review of a sentence to death or to  
16          life in prison without eligibility for parole deter-  
17          mined by the members in a capital case under  
18          section 853(c) of this title (article 53(c)),  
19          whether the sentence is otherwise appropriate,  
20          under rules prescribed by the President.

21          “(2) RECORD ON APPEAL.—In an appeal under  
22          this subsection or section 856(d) of this title (article  
23          56(d)), other than review under subsection (b)(2) of  
24          this section, the record on appeal shall consist of—



1           “(A) any portion of the record in the case  
2           that is designated as pertinent by any party;

3           “(B) the information submitted during the  
4           sentencing proceeding; and

5           “(C) any information required by rule or  
6           order of the Court of Criminal Appeals.”.

7           (e) ESTABLISHMENT OF SENTENCING PARAMETERS  
8           AND SENTENCING CRITERIA.—

9           (1) IN GENERAL.—Not later than two years  
10          after the date of the enactment of this Act, the  
11          President shall prescribe regulations establishing  
12          sentencing parameters and sentencing criteria re-  
13          lated to offenses under chapter 47 of title 10,  
14          United States Code (the Uniform Code of Military  
15          Justice), in accordance with this subsection. Such  
16          parameters and criteria—

17                 (A) shall cover sentences of confinement;  
18                 and

19                 (B) may cover lesser punishments, as the  
20                 President determines appropriate.

21          (2) SENTENCING PARAMETERS.—Sentencing  
22          parameters established under paragraph (1) shall—

23                 (A) identify a delineated sentencing range  
24                 for an offense that is appropriate for a typical

1 violation of the offense, taking into consider-  
2 ation—

3 (i) the severity of the offense;

4 (ii) the guideline or offense category  
5 that would apply to the offense if the of-  
6 fense were tried in a United States district  
7 court;

8 (iii) any military-specific sentencing  
9 factors;

10 (iv) the need for the sentencing pa-  
11 rameter to be sufficiently broad to allow  
12 for individualized consideration of the of-  
13 fense and the accused; and

14 (v) any other relevant sentencing  
15 guideline.

16 (B) include no fewer than 5 and no more  
17 than 12 offense categories;

18 (C) assign such offense under this chapter  
19 to an offense category unless the offense is  
20 identified as unsuitable for sentencing param-  
21 eters under paragraph (4)(F)(ii); and

22 (D) delineate the confinement range for  
23 each offense category by setting an upper con-  
24 finement limit and a lower confinement limit.

1           (3) SENTENCING CRITERIA.—Sentencing cri-  
2           teria established under paragraph (1) shall identify  
3           offense-specific factors the military judge should  
4           consider and any collateral effects of available pun-  
5           ishments that may aid the military judge in deter-  
6           mining an appropriate sentence when there is no ap-  
7           plicable sentencing parameter for a specific offense.

8           (4) MILITARY SENTENCING PARAMETERS AND  
9           CRITERIA BOARD.—

10           (A) IN GENERAL.—There is established  
11           within the Department of Defense a board, to  
12           be known as the “Military Sentencing Param-  
13           eters and Criteria Board” (referred to in this  
14           subsection as the “Board”).

15           (B) VOTING MEMBERS.—The Board shall  
16           have 5 voting members, as follows:

17           (i) The 4 chief trial judges designated  
18           under section 826(g) of title 10, United  
19           States Code (article 26(g) of the Uniform  
20           Code of Military Justice), except that, if  
21           the chief trial judge of the Coast Guard is  
22           not available, the Judge Advocate General  
23           of the Coast Guard may designate as a  
24           voting member a judge advocate of the

1 Coast Guard with substantial military jus-  
2 tice experience.

3 (ii) A trial judge of the Navy, des-  
4 ignated under regulations prescribed by  
5 the President, if the chief trial judges des-  
6 ignated under section 826(g) of title 10,  
7 United States Code (article 26(g) of the  
8 Uniform Code of Military Justice), do not  
9 include a trial judge of the Navy.

10 (iii) A trial judge of the Marine  
11 Corps, designated under regulations pre-  
12 scribed by the President, if the chief trial  
13 judges designated under section 826(g) of  
14 title 10, United States Code (article 26(g)  
15 of the Uniform Code of Military Justice),  
16 do not include a trial judge of the Marine  
17 Corps.

18 (C) NONVOTING MEMBERS.—The Chief  
19 Judge of the Court of Appeals for the Armed  
20 Forces, the Chairman of the Joint Chiefs of  
21 Staff, and the General Counsel of the Depart-  
22 ment of Defense shall each designate one non-  
23 voting member of the Board. The Secretary of  
24 Defense may appoint one additional nonvoting

1 member of the Board at the Secretary's discre-  
2 tion.

3 (D) CHAIR AND VICE-CHAIR.—The Sec-  
4 retary of Defense shall designate one voting  
5 member as chair of the Board and one voting  
6 member as vice-chair.

7 (E) VOTING REQUIREMENT.—An affirma-  
8 tive vote of at least three members is required  
9 for any action of the Board under this sub-  
10 section.

11 (F) DUTIES OF BOARD.—The Board shall  
12 have the following duties:

13 (i) As directed by the Secretary of De-  
14 fense, the Board shall submit to the Presi-  
15 dent for approval—

16 (I) sentencing parameters for all  
17 offenses under chapter 47 of title 10,  
18 United States Code (the Uniform  
19 Code of Military Justice) (other than  
20 offenses that the Board identifies as  
21 unsuitable for sentencing parameters  
22 in accordance with clause (ii)); and

23 (II) sentencing criteria to be used  
24 by military judges in determining ap-  
25 propriate sentences for offenses that

1 are identified as unsuitable for sen-  
2 tencing parameters in accordance with  
3 clause (ii).

4 (ii) Identify each offense under chap-  
5 ter 47 of title 10, United States Code (the  
6 Uniform Code of Military Justice), that is  
7 unsuitable for sentencing parameters. The  
8 Board shall identify an offense as unsuit-  
9 able for sentencing parameters if—

10 (I) the nature of the offense is  
11 indeterminate and unsuitable for cat-  
12 egorization; and

13 (II) there is no similar criminal  
14 offense under the laws of the United  
15 States or the laws of the District of  
16 Columbia.

17 (iii) In developing sentencing param-  
18 eters and criteria, the Board shall consider  
19 the sentencing data collected by the Mili-  
20 tary Justice Review Panel pursuant to sec-  
21 tion 946(f)(2) of title 10, United States  
22 Code (article 146(f)(2) of the Uniform  
23 Code of Military Justice).

24 (iv) In addition to establishing param-  
25 eters for sentences of confinement under

1 clause (i)(I), the Board shall consider the  
2 appropriateness of establishing sentencing  
3 parameters for punitive discharges, fines,  
4 reductions, forfeitures, and other lesser  
5 punishments authorized under chapter 47  
6 of title 10, United States Code (the Uni-  
7 form Code of Military Justice).

8 (v) The Board shall regularly—

9 (I) review, and propose revision  
10 to, in consideration of comments and  
11 data coming to the Board's attention,  
12 the sentencing parameters and sen-  
13 tencing criteria prescribed under para-  
14 graph (1); and

15 (II) submit to the President,  
16 through the Secretary of Defense,  
17 proposed amendments to the sen-  
18 tencing parameters and sentencing  
19 criteria, together with statements ex-  
20 plaining the basis for the proposed  
21 amendments.

22 (vi) The Board shall develop means of  
23 measuring the degree to which applicable  
24 sentencing, penal, and correctional prac-  
25 tices are effective with respect to the sen-

1 tencing factors and policies set forth in  
2 this section.

3 (vii) In fulfilling its duties and in ex-  
4 exercising its powers, the Board shall consult  
5 authorities on, and individual and institu-  
6 tional representatives of, various aspects of  
7 the military criminal justice system. The  
8 Board may establish separate advisory  
9 groups consisting of individuals with cur-  
10 rent or recent experience in command and  
11 in senior enlisted positions, individuals  
12 with experience in the trial of courts-mar-  
13 tial, and such other groups as the Board  
14 deems appropriate.

15 (viii) The Board shall submit to the  
16 President, through the Secretary of De-  
17 fense, proposed amendments to the rules  
18 for courts-martial with respect to sen-  
19 tencing proceedings and maximum punish-  
20 ments, together with statements explaining  
21 the basis for the proposed amendments.

22 (f) EFFECTIVE DATE.—The amendments made by  
23 this section shall take effect on the date that is two years  
24 after the date of the enactment of this Act and shall apply  
25 to sentences adjudged in cases in which all findings of



1 guilty are for offenses that occurred after the date that  
2 is two years after the date of the enactment of this Act.

3 (g) REPEAL OF SECRETARIAL GUIDELINES ON SEN-  
4 TENCES FOR OFFENSES COMMITTED UNDER THE UNI-  
5 FORM CODE OF MILITARY JUSTICE.—Section 537 of the  
6 National Defense Authorization Act for Fiscal Year 2020  
7 (Public Law 116–92; 133 Stat. 1363; 10 U.S.C. 856 note)  
8 is repealed.

9 **PART 3—REPORTS AND OTHER MATTERS**

10 **SEC. 539F. BRIEFING AND REPORT ON RESOURCING RE-**  
11 **QUIRED FOR IMPLEMENTATION.**

12 (a) BRIEFING AND REPORT REQUIRED.—

13 (1) BRIEFING.—Not later than March 1, 2022,  
14 each Secretary concerned shall provide to the appro-  
15 priate congressional committees a briefing that de-  
16 tails the resourcing necessary to implement this sub-  
17 title and the amendments made by this subtitle.

18 (2) REPORT.—On a date occurring after the  
19 briefing under paragraph (1), but not later than one  
20 year after the date of the enactment of this Act,  
21 each Secretary concerned shall submit to the appro-  
22 priate congressional committees a report that details  
23 the resourcing necessary to implement this subtitle  
24 and the amendments made by this subtitle.

1           (3) FORM OF BRIEFING AND REPORT.—Each  
2           Secretary concerned may provide the briefing and  
3           report required under paragraphs (1) and (2) joint-  
4           ly, or separately, as determined appropriate by such  
5           Secretaries

6           (b) ELEMENTS.—The briefing and report required  
7           under subsection (a) shall address the following:

8           (1) The number of additional personnel and  
9           personnel authorizations (military and civilian) re-  
10          quired by the Armed Forces to implement and exe-  
11          cute the provisions of this subtitle and the amend-  
12          ments made by this subtitle by the effective date  
13          specified in section 539C.

14          (2) The basis for the number provided pursuant  
15          to paragraph (1), including the following:

16                (A) A description of the organizational  
17                structure in which such personnel or groups of  
18                personnel are or will be aligned.

19                (B) The nature of the duties and functions  
20                to be performed by any such personnel or  
21                groups of personnel across the domains of pol-  
22                icy-making, execution, assessment, and over-  
23                sight.

24                (C) The optimum caseload goal assigned to  
25                the following categories of personnel who are or

1 will participate in the military justice process:  
2 criminal investigators of different levels and ex-  
3 pertise, laboratory personnel, defense counsel,  
4 special trial counsel, military defense counsel,  
5 military judges, and military magistrates.

6 (D) Any required increase in the number  
7 of personnel currently authorized in law to be  
8 assigned to the Armed Force concerned.

9 (3) The nature and scope of any contract re-  
10 quired by the Armed Force concerned to implement  
11 and execute the provisions of this subtitle and the  
12 amendments made by this subtitle by the effective  
13 date specified in section 539C.

14 (4) The amount and types of additional funding  
15 required by the Armed Force concerned to imple-  
16 ment the provisions of this subtitle and the amend-  
17 ments made by this subtitle by the effective date  
18 specified in section 539C.

19 (5) Any additional authorities required to im-  
20 plement the provisions of this subtitle and the  
21 amendments made by this subtitle by the effective  
22 date specified in section 539C.

23 (6) Any additional information the Secretary  
24 concerned determines is necessary to ensure the  
25 manning, equipping, and resourcing of the Armed

1 Forces to implement and execute the provisions of  
2 this subtitle and the amendments made by this sub-  
3 title.

4 (c) DEFINITIONS.—In this section:

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

7 (A) the Committee on Armed Services and  
8 the Committee on Commerce, Science, and  
9 Transportation of the Senate; and

10 (B) the Committee on Armed Services and  
11 the Committee on Transportation and Infra-  
12 structure of the House of Representatives.

13 (2) The term “Secretary concerned” has the  
14 meaning given that term in section 101(a) of title  
15 10, United States Code.

16 **SEC. 539G. BRIEFING ON IMPLEMENTATION OF CERTAIN**  
17 **RECOMMENDATIONS OF THE INDEPENDENT**  
18 **REVIEW COMMISSION ON SEXUAL ASSAULT**  
19 **IN THE MILITARY.**

20 (a) BRIEFING REQUIRED.—Not later than 180 days  
21 after the date of the enactment of this Act, the Secretary  
22 of Defense shall provide to the Committees on Armed  
23 Services of the Senate and the House of Representatives  
24 a briefing on the status of the implementation of the rec-  
25 ommendations set forth in the report of the Independent

1 Review Commission on Sexual Assault in the Military ti-  
2 tled “Hard Truths and the Duty to Change: Recommenda-  
3 tions from the Independent Review Commission on Sexual  
4 Assault in the Military”, and dated July 2, 2021.

5 (b) ELEMENTS.—The briefing under subsection (a)  
6 shall address the following:

7 (1) The status of the implementation of each  
8 recommendation, including—

9 (A) whether, how, and to what extent the  
10 recommendation has been implemented; and

11 (B) any rules, regulations, policies, or  
12 other guidance that have been issued, revised,  
13 changed, or cancelled as a result of the imple-  
14 mentation of the recommendation.

15 (2) For each recommendation that has not been  
16 fully implemented or superseded by statute as of the  
17 date of the briefing, a description of any plan for the  
18 implementation of the recommendation, including  
19 identification of—

20 (A) intermediate actions, milestone dates,  
21 and any expected completion date for imple-  
22 mentation of the recommendation; and

23 (B) any rules, regulations, policies, or  
24 other guidance that are expected to be issued,

1 revised, changed, or cancelled as a result of the  
2 implementation of the recommendation.

3 **Subtitle E—Other Military Justice**  
4 **and Legal Matters**

5 **SEC. 541. RIGHTS OF THE VICTIM OF AN OFFENSE UNDER**  
6 **THE UNIFORM CODE OF MILITARY JUSTICE.**

7 Section 806b(a) of title 10, United States Code (arti-  
8 cle 6b(a) of the Uniform Code of Military Justice), is  
9 amended—

10 (1) by redesignating paragraph (8) as para-  
11 graph (9); and

12 (2) by inserting after paragraph (7) the fol-  
13 lowing new paragraph:

14 “(8) The right to be informed in a timely man-  
15 ner of any plea agreement, separation-in-lieu-of-trial  
16 agreement, or non-prosecution agreement relating to  
17 the offense, unless providing such information would  
18 jeopardize a law enforcement proceeding or would  
19 violate the privacy concerns of an individual other  
20 than the accused.”.

21 **SEC. 542. CONDUCT UNBECOMING AN OFFICER.**

22 (a) IN GENERAL.—Section 933 of title 10, United  
23 States Code (article 133 of the Uniform Code of Military  
24 Justice) is amended—

1 (1) in the section heading, by striking “**and a**  
2 **gentleman**”; and

3 (2) by striking “and a gentleman”.

4 (b) CLERICAL AMENDMENT.—The table of sections  
5 at the beginning of subchapter X of chapter 47 of such  
6 title is amended by striking the item relating to section  
7 933 (article 133) and inserting the following new item:  
“933. 133. Conduct unbecoming an officer.”.

8 **SEC. 543. INDEPENDENT INVESTIGATION OF COMPLAINTS**  
9 **OF SEXUAL HARASSMENT.**

10 (a) IN GENERAL.—Section 1561 of title 10, United  
11 States Code, is amended to read as follows:

12 **“§ 1561. Complaints of sexual harassment: inde-**  
13 **pendent investigation**

14 “(a) ACTION ON COMPLAINTS ALLEGING SEXUAL  
15 HARASSMENT.—A commanding officer or officer in charge  
16 of a unit, vessel, facility, or area of the Army, Navy, Air  
17 Force, Marine Corps, or Space Force who receives from  
18 a member of the command or a civilian employee under  
19 the supervision of the officer a formal complaint alleging  
20 a claim of sexual harassment by a member of the armed  
21 forces or a civilian employee of the Department of Defense  
22 shall, to the extent practicable, direct that an independent  
23 investigation of the matter be carried out in accordance  
24 with this section.

1           “(b) COMMENCEMENT OF INVESTIGATION.—To the  
2 extent practicable, a commanding officer or officer in  
3 charge receiving such a formal complaint shall forward  
4 such complaint to an independent investigator within 72  
5 hours after receipt of the complaint, and shall further—

6           “(1) forward the formal complaint or a detailed  
7 description of the allegation to the next superior of-  
8 ficer in the chain of command who is authorized to  
9 convene a general court-martial; and

10           “(2) advise the complainant of the commence-  
11 ment of the investigation.

12           “(c) DURATION OF INVESTIGATION.—To the extent  
13 practicable, a commanding officer or officer in charge shall  
14 ensure that an independent investigator receiving a formal  
15 complaint of sexual harassment under this section com-  
16 pletes the investigation of the complaint not later than 14  
17 days after the date on which the investigation is com-  
18 menced, and that the findings of the investigation are for-  
19 warded to the commanding officer or officer in charge  
20 specified in subsection (a) for action as appropriate.

21           “(d) REPORT ON INVESTIGATION.—To the extent  
22 practicable, a commanding officer or officer in charge  
23 shall—

24           “(1) submit a final report on the results of the  
25 independent investigation, including any action



1 taken as a result of the investigation, to the next su-  
2 perior officer referred to in subsection (b)(1) within  
3 20 days after the date on which the investigation is  
4 commenced; or

5 “(2) submit a report on the progress made in  
6 completing the investigation to the next superior of-  
7 ficer referred to in subsection (b)(1) within 20 days  
8 after the date on which the investigation is com-  
9 menced and every 14 days thereafter until the inves-  
10 tigation is completed and, upon completion of the in-  
11 vestigation, then submit a final report on the results  
12 of the investigation, including any action taken as a  
13 result of the investigation, to that next superior offi-  
14 cer.

15 “(e) SEXUAL HARASSMENT DEFINED.—In this sec-  
16 tion, the term ‘sexual harassment’ means conduct that  
17 constitutes the offense of sexual harassment as punishable  
18 under section 934 of this title (article 134) pursuant to  
19 the regulations prescribed by the Secretary of Defense for  
20 purposes of such section (article).”.

21 (b) CLERICAL AMENDMENT.—The table of sections  
22 at the beginning of chapter 80 of title 10, United States  
23 Code, is amended by striking the item relating to section  
24 1561 and inserting the following new item:

“1561. Complaints of sexual harassment: independent investigation.”.

1           (c) EFFECTIVE DATE.—The amendments made by  
2 subsections (a) and (b) shall—

3           (1) take effect on the date that is two years  
4 after the date of the enactment of this Act; and

5           (2) apply to any investigation of a formal com-  
6 plaint of sexual harassment (as defined in section  
7 1561 of title 10, United States Code, as amended by  
8 subsection (a)) made on or after that date.

9           (d) REGULATIONS.—Not later than 18 months after  
10 the date of the enactment of this Act the Secretary of De-  
11 fense shall prescribe regulations providing for the imple-  
12 mentation of section 1561 of title 10, United States Code,  
13 as amended by subsection (a).

14          (e) REPORT ON IMPLEMENTATION.—Not later than  
15 one year after the date of the enactment of this Act, the  
16 Secretary of Defense shall submit to the Committees on  
17 Armed Services of the Senate and the House of Represent-  
18 atives a report on the preparation of the Secretary to im-  
19 plement section 1561 of title 10, United States Code, as  
20 amended by subsection (a).

1 **SEC. 544. DEPARTMENT OF DEFENSE TRACKING OF ALLE-**  
2 **GATIONS OF RETALIATION BY VICTIMS OF**  
3 **SEXUAL ASSAULT OR SEXUAL HARASSMENT**  
4 **AND RELATED PERSONS.**

5 (a) IN GENERAL.—Chapter 80 of title 10, United  
6 States Code, is amended by inserting after section 1562  
7 the following new section:

8 **“§ 1562a. Complaints of retaliation by victims of sex-**  
9 **ual assault or sexual harassment and re-**  
10 **lated persons: tracking by Department of**  
11 **Defense**

12 “(a) DESIGNATION OF RESPONSIBLE COMPONENT.—  
13 The Secretary of Defense shall designate a component of  
14 the Office of the Secretary of Defense to be responsible  
15 for documenting and tracking all covered allegations of re-  
16 taliation and shall ensure that the Secretaries concerned  
17 and the Inspector General of the Department of Defense  
18 provide to such component the information required to be  
19 documented and tracked as described in subsection (b).

20 “(b) TRACKING OF ALLEGATIONS.—The head of the  
21 component designated by the Secretary under subsection  
22 (a) shall document and track each covered allegation of  
23 retaliation, including—

24 “(1) that such an allegation has been reported  
25 and by whom;

26 “(2) the date of the report;

1           “(3) the nature of the allegation and the name  
2           of the person or persons alleged to have engaged in  
3           such retaliation;

4           “(4) the Department of Defense component or  
5           other entity responsible for the investigation of or  
6           inquiry into the allegation;

7           “(5) the entry of findings;

8           “(6) referral of such findings to a decision-  
9           maker for review and action, as appropriate;

10          “(7) the outcome of final action; and

11          “(8) any other element of information per-  
12          taining to the allegation determined appropriate by  
13          the Secretary or the head of the component des-  
14          ignated by the Secretary.

15          “(c) COVERED ALLEGATION OF RETALIATION DE-  
16          FINED.—In this section, the term ‘covered allegation of  
17          retaliation’ means an allegation of retaliation—

18                 “(1) made by—

19                         “(A) an alleged victim of sexual assault or  
20                         sexual harassment;

21                         “(B) an individual charged with providing  
22                         services or support to an alleged victim of sex-  
23                         ual assault or sexual harassment;

24                         “(C) a witness or bystander to an alleged  
25                         sexual assault or sexual harassment; or

1           “(D) any other person associated with an  
2           alleged victim of a sexual assault or sexual har-  
3           assment; and

4           “(2) without regard to whether the allegation is  
5           reported to or investigated or inquired into by—

6           “(A) the Department of Defense Inspector  
7           General or any other inspector general;

8           “(B) a military criminal investigative orga-  
9           nization;

10           “(C) a commander or other person at the  
11           direction of the commander;

12           “(D) another military or civilian law en-  
13           forcement organization; or

14           “(E) any other organization, officer, or  
15           employee of the Department of Defense.”.

16           (b) CLERICAL AMENDMENT.—The table of sections  
17           at the beginning of chapter 80 of title 10, United States  
18           Code, is amended by inserting after the item relating to  
19           section 1562 the following new item:

          “1562a. Complaints of retaliation by victims of sexual assault or sexual harass-  
          ment and related persons: tracking by Department of De-  
          fense.”.

1 **SEC. 545. MODIFICATION OF NOTICE TO VICTIMS OF PEND-**  
2 **ENCY OF FURTHER ADMINISTRATIVE ACTION**  
3 **FOLLOWING A DETERMINATION NOT TO**  
4 **REFER TO TRIAL BY COURT-MARTIAL.**

5 Section 549 of the National Defense Authorization  
6 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.  
7 806b note) is amended—

8 (1) in the section heading, by striking “**AL-**  
9 **LEGED SEXUAL ASSAULT**” and inserting “**AL-**  
10 **LEGED SEX-RELATED OFFENSE**”;

11 (2) by striking “Under regulations” and insert-  
12 ing “Notwithstanding section 552a of title 5, United  
13 States Code, and under regulations”;

14 (3) by striking “alleged sexual assault” and in-  
15 serting “an alleged sex-related offense (as defined in  
16 section 1044e(h) of title 10, United States Code)”;  
17 and

18 (4) by adding at the end the following new sen-  
19 tence: “Upon such final determination, the com-  
20 mander shall notify the victim of the type of action  
21 taken on such case, the outcome of the action (in-  
22 cluding any punishments assigned or characteriza-  
23 tion of service, as applicable), and such other infor-  
24 mation as the commander determines to be rel-  
25 evant.”

1 **SEC. 546. CIVILIAN POSITIONS TO SUPPORT SPECIAL VIC-**  
2 **TIMS' COUNSEL.**

3 (a) CIVILIAN SUPPORT POSITIONS.—Each Secretary  
4 of a military department may establish one or more civil-  
5 ian positions within each office of the Special Victims'  
6 Counsel under the jurisdiction of such Secretary.

7 (b) DUTIES.—The duties of each position under sub-  
8 section (a) shall be—

9 (1) to provide support to Special Victims' Coun-  
10 sel, including legal, paralegal, and administrative  
11 support; and

12 (2) to ensure the continuity of legal services  
13 and the preservation of institutional knowledge in  
14 the provision of victim legal services notwithstanding  
15 transitions in the military personnel assigned to of-  
16 fices of the Special Victims' Counsel.

17 (c) SPECIAL VICTIMS' COUNSEL DEFINED.—In this  
18 section, the term “Special Victims' Counsel” means Spe-  
19 cial Victims' Counsel described in section 1044e of title  
20 10, United States Code, and in the case of the Navy and  
21 Marine Corps, includes counsel designated as “Victims'  
22 Legal Counsel”.

23 **SEC. 547. PLANS FOR UNIFORM DOCUMENT MANAGEMENT**  
24 **SYSTEM, TRACKING PRETRIAL INFORMA-**  
25 **TION, AND ASSESSING CHANGES IN LAW.**

26 (a) PLAN FOR DOCUMENT MANAGEMENT SYSTEM.—

1           (1) IN GENERAL.—Not later than one year  
2 after the date of the enactment of this Act, the Sec-  
3 retary of Defense, in consultation with the Secretary  
4 of Homeland Security (with respect to the Coast  
5 Guard when it is not operating as a service in the  
6 Navy), the Secretaries of the military departments,  
7 and the Judge Advocates specified in subsection (e),  
8 shall publish a plan pursuant to which the Secretary  
9 of Defense shall establish a single document man-  
10 agement system for use by each Armed Force to col-  
11 lect and present information on matters within the  
12 military justice system, including information col-  
13 lected and maintained for purposes of section 940a  
14 of title 10, United States Code (article 140a of the  
15 Uniform Code of Military Justice).

16           (2) ELEMENTS.—The plan under subsection (a)  
17 shall meet the following criteria:

18           (A) CONSISTENCY OF DATA FIELDS.—The  
19 plan shall ensure that each Armed Force uses  
20 consistent data collection fields, definitions, and  
21 other criteria for the document management  
22 system described in subsection (a).

23           (B) BEST PRACTICES.—The plan shall in-  
24 clude a strategy for incorporating into the docu-  
25 ment management system the features of the



1 case management and electronic case filing sys-  
2 tem of the Federal courts to the greatest extent  
3 possible.

4 (C) PROSPECTIVE APPLICATION.—The  
5 plan shall require the document management  
6 system to be used for the collection and presen-  
7 tation of information about matters occurring  
8 after the date of the implementation of the sys-  
9 tem. The plan shall not require the collection  
10 and presentation of historical data about mat-  
11 ters occurring before the implementation date  
12 of the system.

13 (D) RESOURCES.—The plan shall include  
14 an estimate of the resources (including costs,  
15 staffing, and other resources) required to imple-  
16 ment the document management system.

17 (E) AUTHORITIES.—The plan shall include  
18 an analysis of any legislative actions, including  
19 any changes to law, that may be required to im-  
20 plement the document management system for  
21 each Armed Force.

22 (b) PLAN FOR TRACKING PRETRIAL INFORMA-  
23 TION.—Not later than one year after the date of the enact-  
24 ment of this Act, the Secretary of Defense, in consultation  
25 with the Secretary of Homeland Security (with respect to

1 the Coast Guard when it is not operating as a service in  
2 the Navy), the Secretaries of the military departments,  
3 and the Judge Advocates specified in subsection (e), shall  
4 publish a plan addressing how the Armed Forces will col-  
5 lect, track, and maintain pretrial records, data, and other  
6 information regarding the reporting, investigation, and  
7 processing of all offenses under chapter 47 of title 10,  
8 United States Code (the Uniform Code of Military Jus-  
9 tice), arising in any Armed Force in a manner such that  
10 each Armed Force uses consistent data collection fields,  
11 definitions, and criteria.

12 (c) PLAN FOR ASSESSING EFFECTS OF CHANGES IN  
13 LAW.—Not later than one year after the date of the enact-  
14 ment of this Act, the Secretary of Defense, in consultation  
15 with the Secretary of Homeland Security (with respect to  
16 the Coast Guard when it is not operating as a service in  
17 the Navy), the Secretaries of the military departments,  
18 and the Judge Advocates specified in subsection (e), shall  
19 publish a plan addressing the manner in which the De-  
20 partment of Defense will analyze the effects of the changes  
21 in law and policy required under subtitle D and the  
22 amendments made by such subtitle with respect to the dis-  
23 position of offenses over which a special trial counsel at  
24 any time exercises authority in accordance with section  
25 824a of title 10, United States Code (article 24a of the

1 Uniform Code of Military Justice) (as added by section  
2 531 of this Act).

3 (d) INTERIM BRIEFINGS.—

4 (1) IN GENERAL.—Not less frequently than  
5 once every 90 days during the covered period, the  
6 Secretary of Defense, in consultation with the Sec-  
7 retary of Homeland Security (with respect to the  
8 Coast Guard when it is not operating as a service  
9 in the Navy), the Secretaries of the military depart-  
10 ments, and the Judge Advocates specified in sub-  
11 section (e), shall provide to the Committees on  
12 Armed Services of the Senate and the House of Rep-  
13 resentatives, the Committee on Commerce, Science,  
14 and Transportation of the Senate, and the Com-  
15 mittee on Transportation and Infrastructure of the  
16 House of Representatives a briefing on the status of  
17 the development of the plans required under sub-  
18 sections (a) through (c).

19 (2) COVERED PERIOD.—In this subsection, the  
20 term “covered period” means the period beginning  
21 on the date of the enactment of this Act and ending  
22 on the date that is one year after the date of the en-  
23 actment of this Act.

24 (e) JUDGE ADVOCATES SPECIFIED.—The Judge Ad-  
25 vocates specified in this subsection are the following:

1 (1) The Judge Advocate General of the Army.

2 (2) The Judge Advocate General of the Navy.

3 (3) The Judge Advocate General of the Air

4 Force.

5 (4) The Staff Judge Advocate to the Com-  
6 mandant of the Marine Corps.

7 (5) The Judge Advocate General of the Coast  
8 Guard.

9 **SEC. 548. DETERMINATION AND REPORTING OF MEMBERS**

10 **MISSING, ABSENT UNKNOWN, ABSENT WITH-**

11 **OUT LEAVE, AND DUTY STATUS-WHERE-**

12 **ABOUTS UNKNOWN.**

13 (a) COMPREHENSIVE REVIEW OF MISSING PERSONS

14 REPORTING.—The Secretary of Defense shall instruct

15 each Secretary of a military department to perform a com-

16 prehensive review of the policies and procedures of the

17 military department concerned to determine and report a

18 member of an Armed Force under the jurisdiction of such

19 Secretary of a military department as missing, absent un-

20 known, absent without leave, or duty status-whereabouts

21 unknown.

22 (b) REVIEW OF INSTALLATION-LEVEL PROCE-

23 DURES.—In addition to such other requirements as may

24 be set forth by the Secretary of Defense pursuant to sub-

1 section (a), each Secretary of a military department shall,  
2 with regard to the military department concerned—

3 (1) direct each commander of a military instal-  
4 lation, including any tenant command or activity  
5 present on such military installation, to review poli-  
6 cies and procedures for carrying out the determina-  
7 tion and reporting activities described in subsection  
8 (a); and

9 (2) update such installation-level policies and  
10 procedures, including any tenant command or activ-  
11 ity policies and procedures, to improve force protec-  
12 tion, enhance security for members living on the  
13 military installation, and promote reporting at the  
14 earliest practicable time to local law enforcement (at  
15 all levels) and Federal law enforcement field offices  
16 with overlapping jurisdiction with that installation,  
17 when a member is determined to be missing, absent  
18 unknown, absent without leave, or duty status-  
19 whereabouts unknown.

20 (c) INSTALLATION-SPECIFIC REPORTING PROTO-  
21 COLS.—

22 (1) IN GENERAL.—Each commander of a mili-  
23 tary installation shall establish a protocol applicable  
24 to all persons and organizations present on the mili-  
25 tary installation, including tenant commands and ac-

1        activities, for sharing information with local and Fed-  
2        eral law enforcement agencies about members who  
3        are missing, absent-unknown, absent without leave,  
4        or duty status-whereabouts unknown. The protocol  
5        shall provide for the immediate entry regarding the  
6        member concerned in the Missing Persons File of  
7        the National Crimes Information Center data and  
8        for the commander to immediately notify all local  
9        law enforcement agencies with jurisdictions in the  
10       immediate area of the military installation, when the  
11       status of a member assigned to such installation has  
12       been determined to be missing, absent unknown, ab-  
13       sent without leave, or duty status-whereabouts un-  
14       known.

15            (2) REPORTING TO MILITARY INSTALLATION  
16        COMMAND.—Each commander of a military installa-  
17        tion shall submit the protocol established pursuant  
18        to paragraph (1) to the Secretary of the military de-  
19        partment concerned.

20            (d) REPORT REGARDING NATIONAL GUARD.—Not  
21        later than June 1, 2022, the Secretary of Defense shall  
22        submit, to the Committees on Armed Services of the Sen-  
23        ate and House of Representatives, a report on the feasi-  
24        bility of implementing subsections (a), (b), and (c), with  
25        regards to facilities of the National Guard. Such report

1 shall include recommendations of the Secretary, including  
2 a proposed timeline for implementing the provisions of  
3 such subsections that the Secretary determines feasible.

4 **SEC. 549. ACTIVITIES TO IMPROVE FAMILY VIOLENCE PRE-**  
5 **VENTION AND RESPONSE.**

6 (a) DELEGATION OF AUTHORITY TO AUTHORIZE EX-  
7 CEPTIONAL ELIGIBILITY FOR CERTAIN BENEFITS.—  
8 Paragraph (4) of section 1059(m) of title 10, United  
9 States Code, is amended to read as follows:

10 “(4)(A) Except as provided in subparagraph (B), the  
11 authority of the Secretary concerned under paragraph (1)  
12 may not be delegated.

13 “(B) During the two year period following the date  
14 of the enactment of the National Defense Authorization  
15 Act for Fiscal Year 2022, the authority of the Secretary  
16 concerned under paragraph (1) may be delegated to an  
17 official at the Assistant Secretary-level or above. Any exer-  
18 cise of such delegated authority shall be reported to the  
19 Secretary concerned on a quarterly basis.”.

20 (b) EXTENSION OF REQUIREMENT FOR ANNUAL  
21 FAMILY ADVOCACY PROGRAM REPORT REGARDING  
22 CHILD ABUSE AND DOMESTIC VIOLENCE.—Section  
23 574(a) of the National Defense Authorization Act for Fis-  
24 cal Year 2017 (Public Law 114–328; 130 Stat. 2141) is

1 amended by striking “April 30, 2021” and inserting  
2 “April 30, 2026”.

3 (c) IMPLEMENTATION OF COMPTROLLER GENERAL  
4 RECOMMENDATIONS.—

5 (1) IN GENERAL.—Consistent with the rec-  
6 ommendations set forth in the report of the Comp-  
7 troller General of the United States titled “Domestic  
8 Abuse: Actions Needed to Enhance DOD’s Preven-  
9 tion, Response, and Oversight” (GAO–21–289), the  
10 Secretary of Defense, in consultation with the Secre-  
11 taries of the military departments, shall carry out  
12 the activities specified in subparagraphs (A) through  
13 (K).

14 (A) DOMESTIC ABUSE DATA.—Not later  
15 than 180 days after the date of the enactment  
16 of this Act, the Secretary of Defense, in con-  
17 sultation with the Secretaries of the military de-  
18 partments, shall carry out each of the following:

19 (i) Issue guidance to the Secretaries  
20 of the military departments to clarify and  
21 standardize the process for collecting and  
22 reporting data on domestic abuse in the  
23 Armed Forces, including—

24 (I) data on the numbers and  
25 types of domestic abuse incidents in-



1                   volving members of the Armed Forces;  
2                   and

3                   (II) data for inclusion in the re-  
4                   ports required to be submitted under  
5                   section 574 of the National Defense  
6                   Authorization Act for Fiscal Year  
7                   2017 (Public Law 114–328; 130 Stat.  
8                   2141).

9                   (ii) Develop a quality control process  
10                  to ensure the accurate and complete re-  
11                  porting of data on allegations of abuse in-  
12                  volving a member of the Armed Forces, in-  
13                  cluding allegations of abuse that do not  
14                  meet the Department of Defense definition  
15                  of domestic abuse.

16                  (iii) Expand the scope of any report-  
17                  ing to Congress that includes data on do-  
18                  mestic abuse in the Armed Forces to in-  
19                  clude data on and analysis of the types of  
20                  allegations of domestic abuse.

21                  (B) DOMESTIC VIOLENCE AND COMMAND  
22                  ACTION DATA.—Not later than 180 days after  
23                  the date of the enactment of this Act, the Sec-  
24                  retary of Defense, in consultation with the Sec-  
25                  retaries of the military departments, shall—

- 1 (i) evaluate the organizations and ele-  
2 ments of the Department of Defense that  
3 are responsible for tracking domestic vio-  
4 lence incidents and the command actions  
5 taken in response to such incidents to de-  
6 termine if there are actions that may be  
7 carried out to—
- 8 (I) eliminate gaps and  
9 redundancies in the activities of such  
10 organizations;
- 11 (II) ensure consistency in the ap-  
12 proaches of such organizations to the  
13 tracking of such incidents and actions;  
14 and
- 15 (III) otherwise improve the  
16 tracking of such incidents and actions  
17 across the Department;
- 18 (ii) based on the evaluation under  
19 clause (i), clarify or adjust—
- 20 (I) the duties of such organiza-  
21 tions and elements; and
- 22 (II) the manner in which such or-  
23 ganizations and elements coordinate  
24 their activities; and

1 (iii) issue guidance to the Secretaries  
2 of the military departments to clarify and  
3 standardize the information required to be  
4 collected and reported to the database on  
5 domestic violence incidents under section  
6 1562 of title 10, United States Code.

7 (C) REGULATIONS FOR VIOLATION OF CI-  
8 VILIAN ORDERS OF PROTECTION.—The Sec-  
9 retary of Defense shall revise or issue regula-  
10 tions (as applicable) to ensure that each Sec-  
11 retary of a military department provides, to any  
12 member of the Armed Forces under the juris-  
13 diction of such Secretary who is subject to a ci-  
14 vilian order of protection, notice that the viola-  
15 tion of such order may be punishable under  
16 chapter 47 of title 10, United States Code (the  
17 Uniform Code of Military Justice).

18 (D) AGREEMENTS WITH CIVILIAN VICTIM  
19 SERVICE ORGANIZATIONS.—

20 (i) GUIDANCE REQUIRED.—The Sec-  
21 retary of Defense, in consultation with the  
22 Secretaries of the military departments,  
23 shall issue guidance pursuant to which per-  
24 sonnel of a Family Advocacy Program at a  
25 military installation may enter into memo-

1           randa of understanding with qualified civil-  
2           ian victim service organizations for pur-  
3           poses of providing services to victims of do-  
4           mestic abuse in accordance with clause (ii).

5           (ii) CONTENTS OF AGREEMENT.—A  
6           memorandum of understanding entered  
7           into under clause (i) shall provide that per-  
8           sonnel of a Family Advocacy Program at a  
9           military installation may refer a victim of  
10          domestic abuse to a qualified civilian vic-  
11          tim service organization if such personnel  
12          determine that—

13                 (I) the services offered at the in-  
14                 stallation are insufficient to meet the  
15                 victim’s needs; or

16                 (II) such a referral would other-  
17                 wise benefit the victim.

18          (E) SCREENING AND REPORTING OF INI-  
19          TIAL ALLEGATIONS.—The Secretary of Defense,  
20          in consultation with the Secretaries of the mili-  
21          tary departments, shall develop and implement  
22          a standardized process—

23                 (i) to ensure consistency in the man-  
24                 ner in which allegations of domestic abuse  
25                 are screened and documented at military

1 installations, including by ensuring that al-  
2 legations of domestic abuse are docu-  
3 mented regardless of the severity of the in-  
4 cident; and

5 (ii) to ensure consistency in the form  
6 and manner in which such allegations are  
7 presented to Incident Determination Com-  
8 mittees.

9 (F) IMPLEMENTATION AND OVERSIGHT OF  
10 INCIDENT DETERMINATION COMMITTEES.—

11 (i) IMPLEMENTATION.—The Secretary  
12 of Defense, in consultation with the Secre-  
13 taries of the military departments, shall  
14 ensure that Incident Determination Com-  
15 mittees are fully implemented within each  
16 Armed Force.

17 (ii) OVERSIGHT AND MONITORING.—  
18 The Secretary of Defense shall—

19 (I) direct the Under Secretary of  
20 Defense for Personnel and Readiness  
21 to conduct oversight of the activities  
22 of the Incident Determination Com-  
23 mittees of the Armed Forces on an  
24 ongoing basis; and

1 (II) establish a formal process  
2 through which the Under Secretary  
3 will monitor Incident Determination  
4 Committees to ensure that the activi-  
5 ties of such Committees are conducted  
6 in an consistent manner in accordance  
7 with the applicable policies of the De-  
8 partment of Defense and the Armed  
9 Forces.

10 (G) REASONABLE SUSPICION STANDARD  
11 FOR INCIDENT REPORTING.—Not later than 90  
12 days after the date of the enactment of the Act,  
13 the Secretary of Defense, in consultation with  
14 the Secretaries of the military departments,  
15 shall issue regulations—

16 (i) under which the personnel of a  
17 Family Advocacy Program shall be re-  
18 quired to report an allegation of domestic  
19 abuse to an Incident Determination Com-  
20 mittee if there is reasonable suspicion that  
21 the abuse occurred; and

22 (ii) that fully define and establish  
23 standardized criteria for determining  
24 whether an allegation of abuse meets the

1 reasonable suspicion standard referred to  
2 in clause (i).

3 (H) GUIDANCE FOR VICTIM RISK ASSESS-  
4 MENT.—The Secretary of Defense, in consulta-  
5 tion with the Secretaries of the military depart-  
6 ments, shall issue guidance that—

7 (i) identifies the risk assessment tools  
8 that must be used by Family Advocacy  
9 Program personnel to assess reports of do-  
10 mestic abuse; and

11 (ii) establishes minimum qualifications  
12 for the personnel responsible for using  
13 such tools.

14 (I) IMPROVING FAMILY ADVOCACY PRO-  
15 GRAM AWARENESS CAMPAIGNS.—The Secretary  
16 of Defense, in consultation with the Secretaries  
17 of the military departments, shall develop and  
18 implement—

19 (i) a communications strategy to sup-  
20 port the Armed Forces in increasing  
21 awareness of the options and resources  
22 available for reporting incidents of domes-  
23 tic abuse; and

24 (ii) metrics to evaluate the effective-  
25 ness of domestic abuse awareness cam-

1           paigns within the Department of Defense  
2           and the Armed Forces, including by identi-  
3           fying a target audience and defining meas-  
4           urable objectives for such campaigns.

5           (J) ASSESSMENT OF THE DISPOSITION  
6           MODEL FOR DOMESTIC VIOLENCE.—As part of  
7           the independent analysis required by section  
8           549C of the William M. (Mac) Thornberry Na-  
9           tional Defense Authorization Act for Fiscal  
10          Year 2021 (Public Law 116–283) the Secretary  
11          of Defense shall include an assessment of—

12                   (i) the risks and consequences of the  
13                   disposition model for domestic violence in  
14                   effect as of the date of the enactment of  
15                   this Act, including the risks and con-  
16                   sequences of such model with respect to—

17                           (I) the eligibility of victims for  
18                           transitional compensation and other  
19                           benefits; and

20                           (II) the eligibility of perpetrators  
21                           of domestic violence to possess fire-  
22                           arms and any related effects on the  
23                           military service of such individuals;  
24                           and



1 (ii) the feasibility and advisability of  
2 establishing alternative disposition models  
3 for domestic violence, including an assess-  
4 ment of the advantages and disadvantages  
5 of each proposed model.

6 (K) FAMILY ADVOCACY PROGRAM TRAIN-  
7 ING.—

8 (i) TRAINING FOR COMMANDERS AND  
9 SENIOR ENLISTED ADVISORS.—The Sec-  
10 retary of Defense, in consultation with the  
11 Secretaries of the military departments,  
12 shall—

13 (I) ensure that the Family Advo-  
14 cacy Program training provided to in-  
15 stallation-level commanders and senior  
16 enlisted advisors of the Armed Forces  
17 meets the applicable requirements of  
18 the Department of Defense; and

19 (II) shall provide such additional  
20 guidance and sample training mate-  
21 rials as may be necessary to improve  
22 the consistency of such training.

23 (ii) TRAINING FOR CHAPLAINS.—The  
24 Secretary of Defense shall—

1 (I) require that chaplains of the  
2 Armed Forces receive Family Advo-  
3 cacy Program training;

4 (II) establish content require-  
5 ments and learning objectives for such  
6 training; and

7 (III) provide such additional  
8 guidance and sample training mate-  
9 rials as may be necessary to effec-  
10 tively implement such training.

11 (iii) TRAINING COMPLETION DATA.—  
12 The Secretary of Defense, in consultation  
13 with the Secretaries of the military depart-  
14 ments, shall develop a process to ensure  
15 the quality and completeness of data indi-  
16 cating whether members of the Armed  
17 Forces who are required to complete Fam-  
18 ily Advocacy Program training, including  
19 installation-level commanders and senior  
20 enlisted advisors, have completed such  
21 training.

22 (2) GENERAL IMPLEMENTATION DATE.—Except  
23 as otherwise provided in paragraph (1), the Sec-  
24 retary of Defense shall complete the implementation  
25 of the activities specified in such paragraph by not

1 later than one year after the date of the enactment  
2 of this Act.

3 (3) QUARTERLY STATUS BRIEFING.—Not later  
4 than 90 days after the date of the enactment of this  
5 Act and on a quarterly basis thereafter until the  
6 date on which all of the activities specified in para-  
7 graph (1) have been implemented, the Secretary of  
8 Defense shall provide to the appropriate congres-  
9 sional committees a briefing on the status of the im-  
10 plementation of such activities.

11 (d) INFORMATION ON SERVICES FOR MILITARY FAM-  
12 ILIES.—Each Secretary of a military department shall en-  
13 sure that a military family member who reports an inci-  
14 dent of domestic abuse or child abuse and neglect to a  
15 Family Advocacy Program under the jurisdiction of such  
16 Secretary receives comprehensive information, in a clear  
17 and easily understandable format, on the services available  
18 to such family member in connection with such incident.  
19 Such information shall include a complete guide to the fol-  
20 lowing:

21 (1) The Family Advocacy Program of the  
22 Armed Force or military department concerned.

23 (2) Military law enforcement services, including  
24 an explanation of the process that follows a report

1 of an incident of domestic abuse or child abuse or  
2 neglect.

3 (3) Other applicable victim services.

4 (e) REPORTS ON STAFFING LEVELS FOR FAMILY AD-  
5 VOCACY PROGRAMS.—

6 (1) IN GENERAL.—Not later than 180 days  
7 after the date on which the staffing tool described  
8 in paragraph (2) becomes operational, and on an an-  
9 nual basis thereafter for the following five years, the  
10 Secretary of Defense shall submit to the appropriate  
11 congressional committees a report setting forth the  
12 following:

13 (A) Military, civilian, and contract support  
14 staffing levels for the Family Advocacy Pro-  
15 grams of the Armed Forces at each military in-  
16 stallation so staffed as of the date of the report.

17 (B) Recommendations for ideal staffing  
18 levels for the Family Advocacy Programs, as  
19 identified by the staffing tool.

20 (2) STAFFING TOOL DESCRIBED.—The staffing  
21 tool described in this paragraph is a tool that will  
22 be used to assist the Department in determining  
23 adequate staffing levels for Family Advocacy Pro-  
24 grams.

25 (3) COMPTROLLER GENERAL REVIEW.—

1           (A) IN GENERAL.—Following the submis-  
2 sion of the first annual report required under  
3 paragraph (1), the Comptroller General of the  
4 United States shall conduct a review of the  
5 staffing of the Family Advocacy Programs of  
6 the Armed Forces.

7           (B) ELEMENTS.—The review conducted  
8 under subparagraph (A) shall include an assess-  
9 ment of each of the following:

10           (i) The extent to which the Armed  
11 Forces have filled authorized billets for  
12 Family Advocacy program manager, clini-  
13 cian, and victim advocate positions.

14           (ii) The extent to which the Armed  
15 Forces have experienced challenges filling  
16 authorized Family Advocacy Program posi-  
17 tions, and how such challenges, if any,  
18 have affected the provision of services.

19           (iii) The extent to which the Depart-  
20 ment of Defense and Armed Forces have  
21 ensured that Family Advocacy Program  
22 clinicians and victim advocates meet quali-  
23 fication and training requirements.

24           (iv) The extent to which the Depart-  
25 ment of Defense has established metrics to

1 evaluate the effectiveness of the staffing  
2 tool described in paragraph (2).

3 (C) BRIEFING AND REPORT.—

4 (i) BRIEFING.—Not later than one  
5 year following the submission of the first  
6 annual report required under paragraph  
7 (1), the Comptroller General shall provide  
8 to the Committees on Armed Services of  
9 the Senate and the House of Representa-  
10 tives a briefing on the preliminary observa-  
11 tions made by the Comptroller General as  
12 part of the review required under subpara-  
13 graph (A).

14 (ii) REPORT.—Not later than 90 days  
15 after the date of the briefing under clause  
16 (i), the Comptroller General shall submit  
17 to the Committees on Armed Services of  
18 the Senate and the House of Representa-  
19 tives a report on the results of the review  
20 conducted under subparagraph (A).

21 (f) STUDY AND BRIEFING ON INITIAL ENTRY  
22 POINTS.—

23 (1) STUDY.—The Secretary of Defense shall  
24 conduct a study to identify initial entry points (in-  
25 cluding anonymous entry points) through which mili-

1        tary family members may seek information or sup-  
2        port relating to domestic abuse or child abuse and  
3        neglect. Such study shall include an assessment of—

4                (A) points at which military families inter-  
5                act with the Armed Forces or the Department  
6                of Defense through which such information or  
7                support may be provided to family members, in-  
8                cluding points such as enrollment in the De-  
9                fense Enrollment Eligibility Reporting System,  
10              and the issuance of identification cards; and

11              (B) other existing and potential routes  
12              through which such family members may seek  
13              information or support from the Armed Forces  
14              or the Department, including online chat rooms,  
15              text-based support capabilities, and software  
16              applications for smartphones.

17              (2) BRIEFING.—Not later than one year after  
18              the date of the enactment of this Act, the Secretary  
19              of Defense shall provide to the Committees on  
20              Armed Services of the Senate and the House of Rep-  
21              resentatives a briefing setting forth the results of  
22              the study conducted under paragraph (1).

23              (g) DEFINITIONS.—In this section:

1           (1) The term “appropriate congressional com-  
2           mittees” means the Committees on Armed Services  
3           of the Senate and the House of Representatives.

4           (2) The term “civilian order of protection” has  
5           the meaning given that term in section 1561a of  
6           title 10, United States Code.

7           (3) The term “disposition model for domestic  
8           violence” means the process to determine—

9                   (A) the disposition of charges of an offense  
10                   of domestic violence under section 928b of title  
11                   10, United States Code (article 128b of the  
12                   Uniform Code of Military Justice); and

13                   (B) consequences of such disposition for  
14                   members of the Armed Forces determined to  
15                   have committed such offense and the victims of  
16                   such offense.

17           (4) The term “Incident Determination Com-  
18           mittee” means a committee established at a military  
19           installation that is responsible for reviewing reported  
20           incidents of domestic abuse and determining whether  
21           such incidents constitute harm to the victims of such  
22           abuse according to the applicable criteria of the De-  
23           partment of Defense.



1           (5) The term “qualified civilian victim service  
2           organization” means an organization outside the De-  
3           partment of Defense that—

4                   (A) is approved by the Secretary of De-  
5                   fense for the purpose of providing legal or other  
6                   services to victims of domestic abuse; and

7                   (B) is located in a community surrounding  
8                   a military installation.

9           (6) The term “risk assessment tool” means a  
10           process or technology that may be used to evaluate  
11           a report of an incident of domestic abuse to deter-  
12           mine the likelihood that the abuse will escalate or  
13           recur.

14 **SEC. 549A. ANNUAL PRIMARY PREVENTION RESEARCH**  
15 **AGENDA.**

16           (a) **IN GENERAL.**—Beginning on October 1, 2022,  
17           and annually on the first day of each fiscal year thereafter,  
18           the Secretary of Defense shall publish a Department of  
19           Defense research agenda for that fiscal year, focused on  
20           the primary prevention of interpersonal and self-directed  
21           violence, including sexual assault, sexual harassment, do-  
22           mestic violence, child abuse and maltreatment, problem-  
23           atic juvenile sexual behavior, suicide, workplace violence,  
24           and substance misuse.

1 (b) ELEMENTS.—Each annual primary prevention re-  
2 search agenda published under subsection (a) shall—

3 (1) identify research priorities for that fiscal  
4 year;

5 (2) assign research projects and tasks to the  
6 military departments and other components of the  
7 Department of Defense, as the Secretary of Defense  
8 determines appropriate;

9 (3) allocate or direct the allocation of appro-  
10 priate resourcing for each such project and task; and

11 (4) be directive in nature and enforceable  
12 across all components of the Department of Defense,  
13 including with regard to—

14 (A) providing for timely access to records,  
15 data and information maintained by any compo-  
16 nent of the Department of Defense that may be  
17 required in furtherance of an assigned research  
18 project or task;

19 (B) ensuring the sharing across all compo-  
20 nents of the Department of Defense of the find-  
21 ings and the outcomes of any research project  
22 or task; and

23 (C) any other matter determined by the  
24 Secretary of Defense.

1 (c) GUIDING PRINCIPLES.—The primary prevention  
2 research agenda should, as determined by the Secretary  
3 of Defense—

4 (1) reflect a preference for research projects  
5 and tasks with the potential to yield or contribute to  
6 the development and implementation of actionable  
7 primary prevention strategies in the Department of  
8 Defense;

9 (2) be integrated, so as to discover or test  
10 cross-cutting interventions across the spectrum of  
11 interpersonal and self-directed violence;

12 (3) incorporate collaboration with other Federal  
13 departments and agencies, State governments, aca-  
14 demia, industry, federally funded research and devel-  
15 opment centers, non-profit organizations, and other  
16 organizations outside of the Department of Defense;  
17 and

18 (4) minimize unnecessary duplication of effort.

19 (d) BUDGETING.—The Secretary of Defense shall  
20 create a unique Program Element for and shall prioritize  
21 recurring funding to ensure the continuity of research pur-  
22 suant to the annual primary prevention research agenda.

23 **SEC. 549B. PRIMARY PREVENTION WORKFORCE.**

24 (a) ESTABLISHMENT.—The Secretary of Defense  
25 shall establish a Primary Prevention Workforce to provide

1 a comprehensive and integrated program across the De-  
2 partment of Defense enterprise for the primary prevention  
3 of interpersonal and self-directed violence, including sex-  
4 ual assault, sexual harassment, domestic violence, child  
5 abuse and maltreatment, problematic juvenile sexual be-  
6 havior, suicide, workplace violence, and substance misuse.

7 (b) PRIMARY PREVENTION WORKFORCE MODEL.—

8 (1) IN GENERAL.—Not later than 180 days  
9 after the date of the enactment of this Act, the Sec-  
10 retary of Defense shall submit to the Committee on  
11 Armed Services of the Senate and the Committee on  
12 Armed Services of the House of Representatives a  
13 report setting forth a holistic model for a dedicated  
14 and capable Primary Prevention Workforce in the  
15 Department of Defense.

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

18 (A) A description of Primary Prevention  
19 Workforce roles, responsibilities, and capabili-  
20 ties, including—

21 (i) the conduct of research and anal-  
22 ysis;

23 (ii) advising all levels of military com-  
24 manders and leaders;

1 (iii) designing and writing strategic  
2 and operational primary prevention policies  
3 and programs;

4 (iv) integrating and analyzing data;  
5 and

6 (v) implementing, evaluating, and  
7 adapting primary prevention programs and  
8 activities, to include developing evidence-  
9 based training and education programs for  
10 Department personnel that is appropriately  
11 tailored by rank, occupation, and environ-  
12 ment.

13 (B) The design and structure of the Pri-  
14 mary Prevention Workforce, including—

15 (i) consideration of military, civilian,  
16 and hybrid manpower options;

17 (ii) the comprehensive integration of  
18 the workforce from strategic to tactical lev-  
19 els of the Department of Defense and its  
20 components; and

21 (iii) mechanisms for individuals in  
22 workforce roles to report to and align with  
23 installation-level and headquarters per-  
24 sonnel.

1 (C) Strategies, plans, and systematic ap-  
2 proaches for recruiting, credentialing, pro-  
3 moting, and sustaining the diversity of work  
4 force roles comprising a professional workforce  
5 dedicated to primary prevention.

6 (D) The creation of a professional, primary  
7 prevention credential that standardizes a com-  
8 mon base of education and experience across  
9 the prevention workforce, coupled with knowl-  
10 edge development and skill building require-  
11 ments built into the career cycle of prevention  
12 practitioners such that competencies and exper-  
13 tise increase over time.

14 (E) Any other matter the Secretary of De-  
15 fense determines necessary and appropriate to  
16 presenting an accurate and complete model of  
17 the Primary Prevention Workforce.

18 (c) REPORTS.—

19 (1) IN GENERAL.—Not later than one year  
20 after the date of the enactment of this Act, the Sec-  
21 retaries of the military departments and the Chief of  
22 the National Guard Bureau each shall submit to the  
23 Committee on Armed Services of the Senate and the  
24 Committee on Armed Services of the House of Rep-  
25 resentatives a report detailing how the military serv-



1           (1) complete an evaluation of the effectiveness  
2 of the military criminal investigative organization  
3 under the jurisdiction of such Secretary: and

4           (2) submit to the appropriate congressional  
5 committees a report that includes—

6                 (A) the results of the evaluation conducted  
7 under paragraph (1); and

8                 (B) based on such results, if the Secretary  
9 determines that reform to the military criminal  
10 investigative organization under the jurisdiction  
11 of such Secretary is advisable, a proposal for  
12 reforming such organization to ensure that the  
13 organization effectively meets the demand for  
14 complex investigations and other emerging mis-  
15 sion requirements.

16 (b) IMPLEMENTATION PLAN.—

17           (1) IN GENERAL.—Not later than two years  
18 after the date of the enactment of this Act, each  
19 Secretary concerned shall submit to the appropriate  
20 congressional committees a plan to implement, to  
21 the extent determined appropriate by such Sec-  
22 retary, the reforms to the military criminal inves-  
23 tigative organization proposed by such Secretary  
24 under subsection (a) to ensure that such organiza-



1       tion is capable of professionally investigating crimi-  
2       nal misconduct under its jurisdiction.

3           (2) ELEMENTS.—Each plan under paragraph  
4       (1) shall include, with respect to the military crimi-  
5       nal investigative organization under the jurisdiction  
6       of the Secretary concerned, the following:

7           (A) The requirements that such military  
8       criminal investigative organization must meet to  
9       effectively carry out criminal investigative and  
10      other law enforcement missions in 2022 and  
11      subsequent years.

12          (B) The resources that will be needed to  
13      ensure that each such military criminal inves-  
14      tigative organization can achieve its mission.

15          (C) An analysis of factors affecting the  
16      performance of such military criminal inves-  
17      tigate organization, including—

18           (i) whether appropriate technological  
19      investigative tools are available and acces-  
20      sible to such organization; and

21           (ii) whether the functions of such or-  
22      ganization would be better supported by ci-  
23      vilian rather than military leadership.

24          (D) For each such military criminal inves-  
25      tigative organization—

1 (i) the number of military personnel  
2 assigned to the organization;

3 (ii) the number of civilian personnel  
4 assigned to the organization; and

5 (iii) the functions of such military and  
6 civilian personnel.

7 (E) A description of any plans of the Sec-  
8 retary concerned to develop a more professional  
9 workforce of military and civilian investigators.

10 (F) A proposed timeline for the reform of  
11 such military investigative organization.

12 (G) An explanation of the potential bene-  
13 fits of such reforms, including a description  
14 of—

15 (i) specific improvements that are ex-  
16 pected to result from the reforms; and

17 (ii) whether the reforms will improve  
18 information sharing across military crimi-  
19 nal investigative organizations.

20 (H) With respect to the military criminal  
21 investigative organization of the Army, an ex-  
22 planation of how the plan will—

23 (i) address the findings of the report  
24 of the Fort Hood Independent Review  
25 Committee, dated November 6, 2020; and

1 (ii) coordinate with any other internal  
2 reform efforts of the Army.

3 (c) LIMITATION ON THE CHANGES TO TRAINING LO-  
4 CATIONS.—In carrying out this section, the Secretary con-  
5 cerned may not change the locations at which military  
6 criminal investigative training is provided to members of  
7 the military criminal investigative organization under the  
8 jurisdiction of such Secretary until—

9 (1) the implementation plan under subsection  
10 (b) is submitted to the appropriate congressional  
11 committees; and

12 (2) a period of 60 days has elapsed following  
13 the date on which the Secretary notifies the appro-  
14 priate congressional committees of the Secretary's  
15 intent to move such training to a different location.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “appropriate congressional com-  
18 mittees” means—

19 (A) the Committee on Armed Services and  
20 the Committee on Commerce, Science, and  
21 Transportation of the Senate; and

22 (B) the Committee on Armed Services and  
23 the Committee on Transportation and Infra-  
24 structure of the House of Representatives.

1           (2) The term “military criminal investigative  
2 organization” means each organization or element of  
3 the Department of Defense or the Armed Forces  
4 that is responsible for conducting criminal investiga-  
5 tions, including—

6           (A) the Army Criminal Investigation Com-  
7 mand;

8           (B) the Naval Criminal Investigative Serv-  
9 ice;

10           (C) the Air Force Office of Special Inves-  
11 tigation;

12           (D) the Coast Guard Investigative Service;  
13 and

14           (E) the Defense Criminal Investigative  
15 Service.

16           (3) The term “Secretary concerned” means—

17           (A) the Secretary of the Army, with re-  
18 spect to the Army Criminal Investigation Com-  
19 mand;

20           (B) the Secretary of the Navy, with re-  
21 spect to the Naval Criminal Investigative Serv-  
22 ice;

23           (C) the Secretary of the Air Force, with  
24 respect to the Air Force Office of Special Inves-  
25 tigation;

1 (D) the Secretary of Homeland Security,  
2 with respect to the Coast Guard Investigative  
3 Service; and

4 (E) the Secretary of Defense, with respect  
5 to the Defense Criminal Investigative Service.

6 **SEC. 549D. MILITARY DEFENSE COUNSEL.**

7 Each Secretary of a military department shall—

8 (1) ensure that military defense counsel have  
9 timely and reliable access to and funding for defense  
10 investigators, expert witnesses, trial support, pre-  
11 trial and post-trial support, paralegal support, coun-  
12 sel travel, and other necessary resources;

13 (2) ensure that military defense counsel detailed  
14 to represent a member of the Armed Forces accused  
15 of a covered offense (as defined in section 801(17)  
16 of title 10, United States Code (article 1(17) of the  
17 Uniform Code of Military Justice), as added by sec-  
18 tion 533 of this Act) are well-trained and experi-  
19 enced, highly skilled, and competent in the defense  
20 of cases involving covered offenses; and

21 (3) take or direct such other actions regarding  
22 military defense counsel as may be warranted in the  
23 interest of the fair administration of justice.

1 **SEC. 549E. FULL FUNCTIONALITY OF MILITARY JUSTICE**  
2 **REVIEW PANEL.**

3 Not later than 30 days after the date of the enact-  
4 ment of this Act, the Secretary of Defense shall establish  
5 or reconstitute, maintain, and ensure the full functionality  
6 of the Military Justice Review Panel established pursuant  
7 to section 946 of title 10, United States Code (article 146  
8 of the Uniform Code of Military Justice)).

9 **SEC. 549F. MILITARY SERVICE INDEPENDENT RACIAL DIS-**  
10 **PARITY REVIEW.**

11 (a) **REVIEW REQUIRED.**—Each Secretary of a mili-  
12 tary department shall conduct an assessment of racial dis-  
13 parity in military justice and discipline processes and mili-  
14 tary personnel policies, as they pertain to minority popu-  
15 lations.

16 (b) **REPORT REQUIRED.**—Not later than one year  
17 after the date of the enactment of this Act, each Secretary  
18 of a military department shall submit to the Committees  
19 on Armed Services of the Senate and the House of Rep-  
20 resentatives and the Comptroller General of the United  
21 States a report detailing the results of the assessment re-  
22 quired by subsection (a), together with recommendations  
23 for statutory or regulatory changes as the Secretary con-  
24 cerned determines appropriate.

25 (c) **COMPTROLLER GENERAL REPORT.**—Not later  
26 than 180 days after receiving the reports submitted under

1 subsection (b), the Comptroller General shall submit to  
2 the Committees on Armed Services of the Senate and the  
3 House of Representatives a report comparing the military  
4 service assessments on racial disparity conducted under  
5 subsection (a) to existing reports assessing racial disparity  
6 in civilian criminal justice systems in the United States.

7 (d) DEFINITIONS.—In this section:

8 (1) MILITARY JUSTICE; DISCIPLINE PROC-  
9 ESSES.—The terms “military justice” and “dis-  
10 cipline processes” refer to all facets of the military  
11 justice system, including investigation, the use of ad-  
12 ministrative separations and other administrative  
13 sanctions, non-judicial punishment, panel selection,  
14 pre-trial confinement, the use of solitary confine-  
15 ment, dispositions of courts-martial, sentencing, and  
16 post-trial processes.

17 (2) MILITARY PERSONNEL POLICIES.—The  
18 term “military personnel policies” includes accession  
19 rates and policies, retention rates and policies, pro-  
20 motion rates, assignments, professional military edu-  
21 cation selection and policies, and career opportunity  
22 for minority members of the Armed Forces.

23 (3) MINORITY POPULATIONS.—The term “mi-  
24 nority populations” includes Black, Hispanic, Asian/

1 Pacific Islander, American Indian, and Alaska Na-  
2 tive populations.

3 **SEC. 549G. INCLUSION OF RACE AND ETHNICITY IN AN-**  
4 **NUAL REPORTS ON SEXUAL ASSAULTS; RE-**  
5 **PORTING ON RACIAL AND ETHNIC DEMO-**  
6 **GRAPHICS IN THE MILITARY JUSTICE SYS-**  
7 **TEM.**

8 (a) ANNUAL REPORTS ON RACIAL AND ETHNIC DE-  
9 MOGRAPHICS IN THE MILITARY JUSTICE SYSTEM.—

10 (1) IN GENERAL.—Chapter 23 of title 10,  
11 United States Code, is amended by inserting after  
12 section 485 the following new section:

13 **“§486. Annual reports on racial and ethnic demo-**  
14 **graphics in the military justice system**

15 “(a) IN GENERAL.—Not later than March 1 of each  
16 year, the Secretary of each military department shall sub-  
17 mit to the Secretary of Defense a report on racial, ethnic,  
18 and sex demographics in the military justice system dur-  
19 ing the preceding year. In the case of the Secretary of  
20 the Navy, separate reports shall be prepared for the Navy  
21 and for the Marine Corps. In the case of the Secretary  
22 of the Air Force, separate reports shall be prepared for  
23 the Air Force and for the Space Force.

24 “(b) CONTENTS.—The report of a Secretary of a  
25 military department for an armed force under subsection



1 (a) shall contain, to the extent possible, statistics on of-  
2 fenses under chapter 47 of this title (the Uniform Code  
3 of Military Justice), during the year covered by the report,  
4 including—

5 “(1) the number of offenses in the armed force  
6 that were reported to military officials,  
7 disaggregated by—

8 “(A) statistical category as related to the  
9 victim; and

10 “(B) statistical category as related to the  
11 principal;

12 “(2) the number of offenses in the armed forces  
13 that were investigated, disaggregated by statistical  
14 category as related to the principal;

15 “(3) the number of offenses in which adminis-  
16 trative action was imposed, disaggregated by statis-  
17 tical category as related to the principal and each  
18 type of administrative action imposed;

19 “(4) the number of offenses in which non judi-  
20 cial punishment was imposed under section 815 of  
21 this title (article 15 of the Uniform Code of Military  
22 Justice), disaggregated by statistical category as re-  
23 lated to the principal;

1           “(5) the number of offenses in which charges  
2           were preferred, disaggregated by statistical category  
3           as related to the principal;

4           “(6) the number of offenses in which charges  
5           were referred to court-martial, disaggregated by sta-  
6           tistical category as related to the principal and type  
7           of court-martial;

8           “(7) the number of offenses which resulted in  
9           conviction at court-martial, disaggregated by statis-  
10          tical category as related to the principal and type of  
11          court-martial; and

12          “(8) the number of offenses which resulted in  
13          acquittal at court-martial, disaggregated by statis-  
14          tical category as related to the principal and type of  
15          court-martial.

16          “(c) SUBMISSION TO CONGRESS.—Not later than  
17          April 30 of each year in which the Secretary of Defense  
18          receives reports under subsection (a), the Secretary of De-  
19          fense shall forward the reports to the Committees on  
20          Armed Services of the Senate and the House of Represent-  
21          atives.

22          “(e) DEFINITIONS.—In this section:

23                  “(1) The term ‘statistical category’ means each  
24                  of the following categories:

25                          “(A) race;

1           “(B) sex;  
2           “(C) ethnicity;  
3           “(D) rank; and  
4           “(E) offense enumerated under chapter 47  
5           of this title (the Uniform Code of Military Jus-  
6           tice).

7           “(2) The term ‘principal’ has the meaning given  
8           that term in section 877 of this title (article 77 of  
9           the Uniform Code of Military Justice).”.

10           (2) CLERICAL AMENDMENT.—The table of sec-  
11           tions at the beginning of chapter 23 of such title is  
12           amended by inserting after the item relating to sec-  
13           tion 485 the following new item:

          “486. Annual reports on racial and ethnic demographics in the military justice  
          system.”.

14           (b) POLICY REQUIRED.—

15           (1) REQUIREMENT.—Not later than two years  
16           after the date of the enactment of this Act, the Sec-  
17           retary of Defense shall prescribe a policy requiring  
18           information on the race and ethnicity of accused in-  
19           dividuals to be included to the maximum extent  
20           practicable in the annual report required under sec-  
21           tion 1631 of the Ike Skelton National Defense Au-  
22           thorization Act for Fiscal Year 2011 (Public Law  
23           111–383; 10 U.S.C. 1561 note).

1           (2) EXCLUSION.—The policy prescribed under  
2           paragraph (1) may provide for the exclusion of such  
3           information based on privacy concerns, impacts on  
4           accountability efforts, or other matters of impor-  
5           tance as determined and identified in such policy by  
6           the Secretary.

7           (3) PUBLICLY AVAILABLE.—The Secretary of  
8           Defense shall make publicly available the informa-  
9           tion described in paragraph (1), subject to the exclu-  
10          sion of such information pursuant to paragraph (2).

11          (4) SUNSET.—The requirements of this sub-  
12          section shall terminate on May 1, 2028.

13 **SEC. 549H. DOD SAFE HELPLINE AUTHORIZATION TO PER-**  
14 **FORM INTAKE OF OFFICIAL RESTRICTED**  
15 **AND UNRESTRICTED REPORTS FOR ELIGIBLE**  
16 **ADULT SEXUAL ASSAULT VICTIMS.**

17          Section 584 of the National Defense Authorization  
18          Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C.  
19          1561 note) is amended—

20               (1) by redesignating subsection (d) as sub-  
21               section (e); and

22               (2) by inserting after subsection (c) the fol-  
23               lowing new subsection:

24               “(d) AUTHORIZATIONS FOR DOD SAFE HELPLINE.—

1           “(1) PROVIDING SUPPORT AND RECEIVING OF-  
2           FICIAL REPORTS.—DoD Safe Helpline (or any suc-  
3           cessor service to DoD Safe Helpline, if any, as iden-  
4           tified by the Secretary of Defense) is authorized to  
5           provide crisis intervention and support and to per-  
6           form the intake of official reports of sexual assault  
7           from eligible adult sexual assault victims who con-  
8           tact the DoD Safe Helpline or other reports as di-  
9           rected by the Secretary of Defense.

10           “(2) TRAINING AND OVERSIGHT.—DoD Safe  
11           Helpline staff shall have specialized training and ap-  
12           propriate certification to support eligible adult sex-  
13           ual assault victims.

14           “(3) ELIGIBILITY AND PROCEDURES.—The Sec-  
15           retary of Defense shall prescribe regulations regard-  
16           ing eligibility for DoD Safe Helpline services, proce-  
17           dures for providing crisis intervention and support,  
18           and accepting reports.

19           “(4) ELECTRONIC RECEIPT OF OFFICIAL RE-  
20           PORTS OF ADULT SEXUAL ASSAULTS.—DoD Safe  
21           Helpline shall provide the ability to receive reports  
22           of adult sexual assaults through the DoD Safe  
23           Helpline website and mobile phone applications, in a  
24           secure manner consistent with appropriate protec-  
25           tion of victim privacy, and may offer other methods

1 of receiving electronic submission of adult sexual as-  
2 sault reports, as appropriate, in a manner that ap-  
3 propriately protects victim privacy.

4 “(5) TYPES OF REPORTS.—Reports of sexual  
5 assault from eligible adult sexual assault victims re-  
6 ceived by DoD Safe Helpline (or a successor as de-  
7 termined by the Secretary of Defense) shall include  
8 unrestricted and restricted reports, or other reports  
9 as directed by the Secretary of Defense.

10 “(6) OPTION FOR ENTRY INTO THE CATCH A  
11 SERIAL OFFENDER SYSTEM.—An individual making  
12 a restricted report (or a relevant successor type of  
13 report or other type of appropriate report, as deter-  
14 mined by the Secretary of Defense) to the DoD Safe  
15 Helpline (or a successor as determined by the Sec-  
16 retary of Defense) shall have the option to submit  
17 information related to their report to the Catch a  
18 Serial Offender system (or its successor or similar  
19 system as determined by the Secretary of De-  
20 fense).”.

21 **SEC. 549I. EXTENSION OF ANNUAL REPORT REGARDING**  
22 **SEXUAL ASSAULTS INVOLVING MEMBERS OF**  
23 **THE ARMED FORCES.**

24 Section 1631(a) of the Ike Skelton National Defense  
25 Authorization Act for Fiscal Year 2011 (Public Law 111–

1 383; 10 U.S.C. 1561 note) is amended by striking  
2 “through March 1, 2021” and inserting “through March  
3 1, 2026”.

4 **SEC. 549J. STUDY AND REPORT ON SEXUAL ASSAULT RE-**  
5 **SPONSE COORDINATOR MILITARY OCCUPA-**  
6 **TIONAL SPECIALTY.**

7 (a) STUDY.—Beginning not later than 30 days after  
8 the date of the enactment of this Act, the Secretary of  
9 Defense shall initiate a personnel study to determine—

10 (1) the feasibility and advisability of creating a  
11 military occupational speciality for Sexual Assault  
12 Response Coordinators; and

13 (2) if determined to be feasible and advisable,  
14 the optimal approach to establishing and maintain-  
15 ing such a military occupational speciality.

16 (b) REPORT AND BRIEFING.—

17 (1) REPORT.—Not later than 180 days after  
18 the date of the enactment of this Act the Secretary  
19 of Defense shall submit to the congressional defense  
20 committees a report on the results of the study con-  
21 ducted under subsection (a).

22 (2) BRIEFING.—Not later than 30 days after  
23 the date on which the report is submitted under  
24 paragraph (1), the Secretary of Defense shall pro-  
25 vide to the congressional defense committees a brief-

1       ing on the results of the study conducted under sub-  
2       section (a).

3       (c) ELEMENTS.—The report and briefing under sub-  
4       section (b) shall include the following:

5           (1) The determination of the Secretary of De-  
6       fense as to whether creating a military occupational  
7       speciality for Sexual Assault Response Coordinators  
8       is feasible and advisable.

9           (2) If the Secretary determines that the cre-  
10      ation of such a specialty is feasible and advisable—

11           (A) a recommendation on the rank and  
12      level of experience required for a military occu-  
13      pational speciality for Sexual Assault Response  
14      Coordinators;

15           (B) recommendations for strengthening re-  
16      cruitment and retention of members of the  
17      Armed Forces of the required rank and experi-  
18      ence identified under subparagraph (A), includ-  
19      ing recommendations with respect to—

20           (i) designating Sexual Assault Re-  
21      sponse Coordinators as a secondary mili-  
22      tary occupational speciality instead of a  
23      primary military occupational speciality;

24           (ii) providing initial or recurrent bo-  
25      nuses or duty stations of choice to mem-



1           bers who qualify for the military occupa-  
2           tional speciality for Sexual Assault Re-  
3           sponse Coordinators;

4           (iii) limiting the amount of time that  
5           a member who has qualified for such mili-  
6           tary occupational speciality can serve as a  
7           Sexual Assault Response Coordinator in a  
8           given period; or

9           (iv) requiring evaluations, completed  
10          by an officer in the rank of O-6 or higher,  
11          for members who have qualified for such  
12          military occupational speciality and are  
13          serving as a Sexual Assault Response Co-  
14          ordinator;

15          (C) recommendations for standardizing  
16          training and education for members of the  
17          Armed Forces seeking a military occupational  
18          speciality for Sexual Assault Response Coordi-  
19          nators or those serving as a Sexual Assault Re-  
20          sponse Coordinator, including by establishing  
21          dedicated educational programs for such mem-  
22          bers within each Armed Force;

23          (D) an analysis of the impact of a military  
24          occupational speciality for Sexual Assault Re-  
25          sponse Coordinators on the personnel manage-

1           ment of the existing Sexual Assault Response  
2           Coordinator program, including recruitment  
3           and retention;

4           (E) an analysis of the requirements for a  
5           Sexual Assault Response Coordinator-specific  
6           chain of command;

7           (F) analysis of the costs of establishing  
8           and maintaining a military occupational spe-  
9           ciality for Sexual Assault Response Coordina-  
10          tors;

11          (G) analysis of the potential impacts of a  
12          military occupational specialty for Sexual As-  
13          sault Response Coordinators on the mental  
14          health of personnel within the specialty; and

15          (H) any other matters the Secretary of De-  
16          fense determines relevant for inclusion.

17 **SEC. 549K. AMENDMENTS TO ADDITIONAL DEPUTY INSPEC-**  
18 **TOR GENERAL OF THE DEPARTMENT OF DE-**  
19 **FENSE.**

20           Section 554(a) of the William M. (Mac) Thornberry  
21           National Defense Authorization Act for Fiscal Year 2021  
22           (Public Law 116–283) is amended—

23           (1) in the section heading, by striking “**DEP-**  
24           **UTY**” and inserting “**ASSISTANT**”;

25           (2) in paragraph (1)—

1 (A) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “Secretary of Defense”  
4 and inserting “Inspector General of the  
5 Department of Defense”; and

6 (ii) by striking “Deputy” and insert-  
7 ing “Assistant”;

8 (B) in subparagraph (A), by striking “of  
9 the Department”; and

10 (C) in subparagraph (B), by striking “re-  
11 port directly to and serve” and inserting “be”;

12 (3) in paragraph (2)—

13 (A) in the matter preceding clause (i) of  
14 subparagraph (A)—

15 (i) by striking “Conducting and su-  
16 pervising” and inserting “Developing and  
17 carrying out a plan for the conduct of com-  
18 prehensive oversight, including through the  
19 conduct and supervision of”; and

20 (ii) by striking “evaluations” and in-  
21 serting “inspections,”;

22 (B) in clause (ii) of subparagraph (A), by  
23 striking “, including the duties of the Inspector  
24 General under subsection (b)”; and

1 (C) in subparagraph (B), by striking “Sec-  
2 retary or”;

3 (4) in paragraph (3)(A) in the matter preceding  
4 subparagraph (A), by striking “Deputy” and insert-  
5 ing “Assistant”;

6 (5) in paragraph (4)—

7 (A) in subparagraph (A), by striking  
8 “Deputy” each place it appears and inserting  
9 “Assistant”;

10 (B) in subparagraph (B)—

11 (i) by striking “Deputy” the first  
12 place it appears;

13 (ii) by striking “and the Inspector  
14 General”;

15 (iii) by striking “Deputy” the second  
16 place it appears and inserting “Assistant”;  
17 and

18 (iv) by inserting before the period at  
19 the end the following: “, for inclusion in  
20 the next semiannual report of the Inspec-  
21 tor General under section 5 of the Inspec-  
22 tor General Act of 1978 (5 U.S.C. App.).”;

23 (C) in subparagraph (C)—

24 (i) by striking “Deputy”; and

1 (ii) by striking “and Inspector Gen-  
2 eral”;

3 (D) in subparagraph (D)—

4 (i) by striking “Deputy”;

5 (ii) by striking “and the Inspector  
6 General”;

7 (iii) by striking “Secretary or”; and

8 (iv) by striking “direct” and inserting  
9 “determine”; and

10 (E) in subparagraph (E)—

11 (i) by striking “Deputy”; and

12 (ii) by striking “of the Department”  
13 and all that follows through “Representa-  
14 tives” and inserting “consistent with the  
15 requirements of the Inspector General Act  
16 of 1978 (5 U.S.C. App.).”.

17 **SEC. 549L. IMPROVED DEPARTMENT OF DEFENSE PREVEN-**  
18 **TION OF, AND RESPONSE TO, BULLYING IN**  
19 **THE ARMED FORCES.**

20 Section 549 of the National Defense Authorization  
21 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
22 113 note) is amended—

23 (1) in the section heading, by inserting “**AND**  
24 **BULLYING**” after “**HAZING**”;

25 (2) in subsection (a)—

1 (A) in the heading, by inserting “and anti-  
2 bullying” after “Anti-hazing”; and

3 (B) by inserting “or bullying” after “haz-  
4 ing” both places it appears;

5 (3) in subsection (b), by inserting “and bul-  
6 lying” after “hazing”; and

7 (4) in subsection (c)—

8 (A) in the heading, by inserting “and bul-  
9 lying” after “hazing”;

10 (B) in paragraph (1)—

11 (i) in the matter preceding subpara-  
12 graph (A)—

13 (I) by striking “January 31 of  
14 each year through January 31, 2021”  
15 and inserting “May 31, 2023, and an-  
16 nually thereafter for five years,”; and

17 (II) by striking “each Secretary  
18 of a military department, in consulta-  
19 tion with the Chief of Staff of each  
20 Armed Force under the jurisdiction of  
21 such Secretary,” and inserting “the  
22 Secretary of Defense”;

23 (ii) in subparagraph (A), by inserting  
24 “or bullying” after “hazing”; and

1 (iii) in subparagraph (C), by inserting  
2 “and anti-bullying” after “anti-hazing”;  
3 and  
4 (C) in amending paragraph (2) to read as  
5 follows:

6 “(2) ADDITIONAL ELEMENTS.—Each report re-  
7 quired by this subsection shall include the following:

8 “(A) A description of comprehensive data-  
9 collection systems of each Armed Force de-  
10 scribed in subsection (b) and the Office of the  
11 Secretary of Defense for collecting hazing or  
12 bullying reports involving a member of the  
13 Armed Forces.

14 “(B) A description of processes of each  
15 Armed Force described in subsection (b) to  
16 identify, document, and report alleged instances  
17 of hazing or bullying. Such description shall in-  
18 clude the methodology each such Armed Force  
19 uses to categorize and count potential instances  
20 of hazing or bullying.

21 “(C) An assessment by each Secretary of  
22 a military department of the quality and need  
23 for training on recognizing and preventing haz-  
24 ing and bullying provided to members under the  
25 jurisdiction of such Secretary.

1           “(D) An assessment by the Office of the  
2 Secretary of Defense of—

3           “(i) the effectiveness of each Armed  
4 Force described in subsection (b) in track-  
5 ing and reporting instances of hazing or  
6 bullying;

7           “(ii) whether the performance of each  
8 such Armed Force was satisfactory or un-  
9 satisfactory in the preceding fiscal year.

10          “(E) Recommendations of the Secretary to  
11 improve—

12          “(i) elements described in subpara-  
13 graphs (A) through (D).

14          “(ii) the Uniform Code of Military  
15 Justice or the Manual for Courts-Martial  
16 to improve the prosecution of persons al-  
17 leged to have committed hazing or bullying  
18 in the Armed Forces.

19          “(F) The status of efforts of the Secretary  
20 to evaluate the prevalence of hazing and bul-  
21 lying in the Armed Forces.

22          “(G) Data on allegations of hazing and  
23 bullying in the Armed Forces, including final  
24 disposition of investigations.



1           “(H) Plans of the Secretary to improve  
2           hazing and bullying prevention and response  
3           during the next reporting year.”.

4 **SEC. 549M. RECOMMENDATIONS ON SEPARATE PUNITIVE**  
5 **ARTICLE IN THE UNIFORM CODE OF MILI-**  
6 **TARY JUSTICE ON VIOLENT EXTREMISM.**

7           Not later than 180 days after the date of the enact-  
8           ment of this Act, the Secretary of Defense shall submit  
9           to the Committees on Armed Services of the Senate and  
10          the House of Representatives a report containing such rec-  
11          ommendations as the Secretary considers appropriate with  
12          respect to the establishment of a separate punitive article  
13          in chapter 47 of title 10, United States Code (the Uniform  
14          Code of Military Justice), on violent extremism.

15 **SEC. 549N. COMBATING FOREIGN MALIGN INFLUENCE.**

16          Section 589E of the William M. (Mac) Thornberry  
17          National Defense Authorization Act for Fiscal Year 2021  
18          (Public Law 116–283) is amended—

19                 (1) by striking subsections (d) and (e); and  
20                 (2) by inserting after subsection (c) the fol-  
21          lowing new subsections:

22          “(d) ESTABLISHMENT OF WORKING GROUP.—(1)  
23          Not later than one year after the date of the enactment  
24          of this subsection, the Secretary of Defense shall establish

1 a working group to assist the official designated under  
2 subsection (b), as follows:

3 “(A) In the identification of mediums used by  
4 covered foreign countries to identify, access, and en-  
5 deavor to influence servicemembers and Department  
6 of Defense civilian employees through foreign malign  
7 influence campaigns and the themes conveyed  
8 through such mediums.

9 “(B) In coordinating and integrating the train-  
10 ing program under this subsection in order to en-  
11 hance and strengthen servicemember and Depart-  
12 ment of Defense civilian employee awareness of and  
13 defenses against foreign malign influence, including  
14 by bolstering information literacy.

15 “(C) In such other tasks deemed appropriate by  
16 the Secretary of Defense or the official designated  
17 under subsection (b).

18 “(2) The official designed under subsection (b) and  
19 the working group established under this subsection shall  
20 consult with the Foreign Malign Influence Response Cen-  
21 ter established pursuant to section 3059 of title 50, United  
22 States Code.

23 “(e) REPORT REQUIRED.—Not later than 18 months  
24 after the establishment of the working group, the Sec-  
25 retary shall submit to the Committees on Armed Services

1 of the Senate and the House of Representatives a report  
2 on the results of the working group, its activities, the ef-  
3 fectiveness of the counter foreign malign influence activi-  
4 ties carried out under this section, the metrics applied to  
5 determined effectiveness, and the actual costs associated  
6 with actions undertaken pursuant to this section.

7 “(f) DEFINITIONS.—In this section:

8 “(1) FOREIGN MALIGN INFLUENCE.—The term  
9 ‘foreign malign influence’ has the meaning given  
10 that term in section 119C of the National Security  
11 Act of 1947 (50 U.S.C. 3059).

12 “(2) COVERED FOREIGN COUNTRY.—The term  
13 ‘covered foreign country’ has the meaning given that  
14 term in section 119C of the National Security Act  
15 of 1947 (50 U.S.C. 3059)

16 “(3) INFORMATION LITERACY.—The term ‘in-  
17 formation literacy’ means the set of skills needed to  
18 find, retrieve, understand, evaluate, analyze, and ef-  
19 fectively use information (which encompasses spoken  
20 and broadcast words and videos, printed materials,  
21 and digital content, data, and images).”.

1       **Subtitle F—Member Education,**  
2               **Training, and Transition**

3       **SEC. 551. TROOPS-TO-TEACHERS PROGRAM.**

4           (a) REQUIREMENT TO CARRY OUT PROGRAM.—Sec-  
5       tion 1154(b) of title 10, United States Code, is amended  
6       by striking “may” and inserting “shall”.

7           (b) REPORTING REQUIREMENT.—Section 1154 of  
8       title 10, United States Code, is amended—

9               (1) by redesignating subsection (i) as subsection  
10           (j); and

11               (2) by inserting after subsection (h) the fol-  
12       lowing new subsection:

13           “(i) ANNUAL REPORT.—(1) Not later than December  
14       1, 2022, and annually thereafter, the Secretary of Defense  
15       shall submit to the appropriate congressional committees  
16       a report on the Program.

17               “(2) The report required under paragraph (1) shall  
18       include the following elements:

19               “(A) The total cost of the Program for the  
20       most recent fiscal year.

21               “(B) The total number of teachers placed dur-  
22       ing such fiscal year and the locations of such place-  
23       ments.

24               “(C) An assessment of the STEM backgrounds  
25       of the teachers placed, the number of placements in

1 high-need schools, and any other metric or informa-  
2 tion the Secretary considers appropriate to illustrate  
3 the cost and benefits of the program to members of  
4 the armed forces, veterans, and local educational  
5 agencies.

6 “(3) In this subsection, the term ‘appropriate con-  
7 gressional committees’ means—

8 “(A) the Committee on Armed Services and the  
9 Committee on Help, Education, Labor, and Pensions  
10 of the Senate; and

11 “(B) the Committee on Armed Services and the  
12 Committee on Education and Labor of the House of  
13 Representatives.”.

14 (c) SUNSET.—Section 1154 of title 10, United States  
15 Code, as amended by subsection (b), is further amended  
16 by adding at the end the following new subsection:

17 “(k) SUNSET.—The Program shall terminate on July  
18 1, 2025, with respect to the selection of new participants  
19 for the program. Participants in the Program as of that  
20 date may complete their program, and remain eligible for  
21 benefits under this section.”.

1 **SEC. 552. CODIFICATION OF HUMAN RELATIONS TRAINING**  
2 **FOR CERTAIN MEMBERS OF THE ARMED**  
3 **FORCES.**

4 (a) IN GENERAL.—Chapter 101 of title 10, United  
5 States Code, is amended by inserting before section 2002  
6 the following new section:

7 **“§ 2001. Human relations training**

8 “(a) HUMAN RELATIONS TRAINING.—(1)(A) The  
9 Secretary of Defense shall ensure that the Secretary of  
10 each military department conducts ongoing programs for  
11 human relations training for all members of the armed  
12 forces under the jurisdiction of the Secretary.

13 “(B) Matters covered by such training include race  
14 relations, equal opportunity, opposition to gender discrimi-  
15 nation, and sensitivity to hate group activity.

16 “(C) Such training shall be provided during basic  
17 training (or other initial military training) and on a reg-  
18 ular basis thereafter.

19 “(2) The Secretary of Defense shall ensure that a  
20 unit commander is aware of the responsibility to ensure  
21 that impermissible activity, based upon discriminatory mo-  
22 tives, does not occur in a unit under the command of such  
23 commander.

24 “(b) INFORMATION PROVIDED TO PROSPECTIVE RE-  
25 CRUITS.—The Secretary of Defense shall ensure that—

1           “(1) each individual preparing to enter an offi-  
2           cer accession program or to execute an original en-  
3           listment agreement is provided information con-  
4           cerning the meaning of the oath of office or oath of  
5           enlistment for service in the armed forces in terms  
6           of the equal protection and civil liberties guarantees  
7           of the Constitution; and

8           “(2) each such individual is informed that if  
9           supporting such guarantees is not possible person-  
10          ally for that individual, then that individual should  
11          decline to enter the armed forces.”.

12          (b) TECHNICAL AND CONFORMING AMENDMENTS.—

13           (1) TECHNICAL AMENDMENT.—The table of  
14          sections at the beginning of such chapter is amended  
15          by inserting before the item relating to section 2002  
16          the following new item:

          “2001. Human relations training.”.

17           (2) CONFORMING AMENDMENT.—Section 571  
18          of the National Defense Authorization Act for Fiscal  
19          Year 1997 (Public Law 104–201; 10 U.S.C. 113  
20          note) is repealed.

21          (c) BRIEFING.—Not later than 180 days after the  
22          date of the enactment of this Act, the Secretary of Defense  
23          shall brief the Committees on Armed Services of the Sen-  
24          ate and House of Representatives regarding—

1 (1) implementation of section 2001 of such  
2 title, as added by subsection (a); and

3 (2) legislation the Secretary determines nec-  
4 essary to complete such implementation.

5 **SEC. 553. ALLOCATION OF AUTHORITY FOR NOMINATIONS**  
6 **TO THE MILITARY SERVICE ACADEMIES IN**  
7 **THE EVENT OF THE DEATH, RESIGNATION,**  
8 **OR EXPULSION FROM OFFICE OF A MEMBER**  
9 **OF CONGRESS.**

10 (a) UNITED STATES MILITARY ACADEMY.—

11 (1) IN GENERAL.—Chapter 753 of title 10,  
12 United States Code, is amended by inserting after  
13 section 7442 the following new section:

14 **“§ 7442a. Cadets: nomination in event of death, res-**  
15 **ignation, or expulsion from office of**  
16 **Member of Congress otherwise author-**  
17 **ized to nominate**

18 “(a) SENATORS.—In the event a Senator does not  
19 submit all nominations for cadets allocated to such Sen-  
20 ator for an academic year in accordance with section  
21 7442(a)(3) of this title, due to death, resignation from of-  
22 fice, or expulsion from office, and the date of the swearing-  
23 in of the Senator’s successor as Senator occurs after the  
24 date of the deadline for submittal of nominations for ca-  
25 dets for the academic year, the nominations for cadets for



1 such academic year, otherwise authorized to be made by  
2 the Senator pursuant to such section, may be made in-  
3 stead by the other Senator from the State of such Rep-  
4 resentative.

5 “(b) REPRESENTATIVES.—In the event a Representa-  
6 tive does not submit all nominations for cadets allocated  
7 to such Representative for an academic year in accordance  
8 with section 7442(a)(4) of this title, due to death, resigna-  
9 tion from office, or expulsion from office, and the date  
10 of the swearing-in of the Representative’s successor as  
11 Representative occurs after the date of the deadline for  
12 submittal of nominations for cadets for the academic year,  
13 the nominations for cadets for such academic year, other-  
14 wise authorized to be made by the Representative pursu-  
15 ant to such section, may be made instead by the Senators  
16 from the State of such Representative, with such nomina-  
17 tions divided equally among such Senators and any re-  
18 mainder going to the senior Senator from the State.

19 “(c) RULE OF CONSTRUCTION.—The nomination of  
20 a cadet by a Member of Congress pursuant to this section  
21 shall not be construed to permanently reallocate nomina-  
22 tions under section 7442 of this title.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-  
24 tions at the beginning of chapter 753 of such title

1 is amended by inserting after the item relating to  
2 section 7442 the following new item:

“7442a. Cadets: nomination in event of death, resignation, or expulsion from office of Member of Congress otherwise authorized to nominate.”.

3 (b) UNITED STATES NAVAL ACADEMY.—

4 (1) IN GENERAL.—Chapter 853 of title 10,  
5 United States Code, is amended by inserting after  
6 section 8454 the following new section:

7 **“§ 8454a. Midshipmen: nomination in event of death,**  
8 **resignation, or expulsion from office of**  
9 **Member of Congress otherwise author-**  
10 **ized to nominate**

11 “(a) SENATORS.—In the event a Senator does not  
12 submit all nominations for midshipmen allocated to such  
13 Senator for an academic year in accordance with section  
14 8454(a)(3) of this title, due to death, resignation from office,  
15 or expulsion from office, and the date of the swearing-in  
16 of the Senator’s successor as Senator occurs after the  
17 date of the deadline for submittal of nominations for mid-  
18 shipmen for the academic year, the nominations for mid-  
19 shipmen for such academic year, otherwise authorized to  
20 be made by the Senator pursuant to such section, may  
21 be made instead by the other Senator from the State of  
22 such Representative.

23 “(b) REPRESENTATIVES.—In the event a Representa-  
24 tive does not submit all nominations for midshipmen allo-

1 cated to such Representative for an academic year in ac-  
2 cordance with section 8454(a)(4) of this title, due to  
3 death, resignation from office, or expulsion from office,  
4 and the date of the swearing-in of the Representative's  
5 successor as Representative occurs after the date of the  
6 deadline for submittal of nominations for midshipmen for  
7 the academic year, the nominations for midshipmen for  
8 such academic year, otherwise authorized to be made by  
9 the Representative pursuant to such section, may be made  
10 instead by the Senators from the State of such Represent-  
11 ative, with such nominations divided equally among such  
12 Senators and any remainder going to the senior Senator  
13 from the State.

14       “(c) RULE OF CONSTRUCTION.—The nomination of  
15 a midshipman by a Member of Congress pursuant to this  
16 section shall not be construed to permanently reallocate  
17 nominations under section 8454 of this title.”.

18           (2) CLERICAL AMENDMENT.—The table of sec-  
19 tions at the beginning of chapter 853 of such title  
20 is amended by inserting after the item relating to  
21 section 8454 the following new item:

“8454a. Midshipmen: nomination in event of death, resignation, or expulsion  
from office of Member of Congress otherwise authorized to  
nominate.”.

22       (c) AIR FORCE ACADEMY.—

1           (1) IN GENERAL.—Chapter 953 of title 10,  
2           United States Code, is amended by inserting after  
3           section 9442 the following new section:

4   **“§ 9442a. Cadets: nomination in event of death, res-**  
5                   **ignation, or expulsion from office of**  
6                   **Member of Congress otherwise author-**  
7                   **ized to nominate**

8           “(a) SENATORS.—In the event a Senator does not  
9           submit all nominations for cadets allocated to such Sen-  
10          ator for an academic year in accordance with section  
11          9442(a)(3) of this title, due to death, resignation from of-  
12          fice, or expulsion from office, and the date of the swearing-  
13          in of the Senator’s successor as Senator occurs after the  
14          date of the deadline for submittal of nominations for ca-  
15          dets for the academic year, the nominations for cadets for  
16          such academic year, otherwise authorized to be made by  
17          the Senator pursuant to such section, may be made in-  
18          stead by the other Senator from the State of such Rep-  
19          resentative.

20          “(b) REPRESENTATIVES.—In the event a Representa-  
21          tive does not submit all nominations for cadets allocated  
22          to such Representative for an academic year in accordance  
23          with section 9442(a)(4) of this title, due to death, resigna-  
24          tion from office, or expulsion from office, and the date  
25          of the swearing-in of the Representative’s successor as

1 Representative occurs after the date of the deadline for  
2 submittal of nominations for cadets for the academic year,  
3 the nominations for cadets for such academic year, other-  
4 wise authorized to be made by the Representative pursu-  
5 ant to such section, may be made instead by the Senators  
6 from the State of such Representative, with such nomina-  
7 tions divided equally among such Senators and any re-  
8 mainder going to the senior Senator from the State.

9 “(c) RULE OF CONSTRUCTION.—The nomination of  
10 a cadet by a Member of Congress pursuant to this section  
11 shall not be construed to permanently reallocate nomina-  
12 tions under section 9442 of this title.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-  
14 tions at the beginning of chapter 953 of such title  
15 is amended by inserting after the item relating to  
16 section 9442 the following new item:

“9442a. Cadets: nomination in event of death, resignation, or expulsion from of-  
fice of Member of Congress otherwise authorized to nomi-  
nate.”.

17 (d) REPORT.—Not later than September 30, 2022,  
18 the Secretary of Defense shall submit to the Committees  
19 on Armed Services of the Senate and House of Represent-  
20 atives a report regarding implementation of the amend-  
21 ments under this section, including—

22 (1) the estimate of the Secretary regarding the  
23 frequency with which the authorities under such  
24 amendments will be used each year; and

1           (2) the number of times a Member of Congress  
2           has failed to submit nominations to the military  
3           academies due to death, resignation from office, or  
4           expulsion from office.

5 **SEC. 554. AUTHORITY OF PRESIDENT TO APPOINT SUCCES-**  
6 **SORS TO MEMBERS OF BOARD OF VISITORS**  
7 **OF MILITARY ACADEMIES WHOSE TERMS**  
8 **HAVE EXPIRED.**

9           (a) UNITED STATES MILITARY ACADEMY.—Section  
10 7455(b) of title 10, United States Code, is amended by  
11 striking “is appointed” and inserting “is appointed by the  
12 President”.

13           (b) UNITED STATES NAVAL ACADEMY.—Section  
14 8468(b) of title 10, United States Code, is amended by  
15 striking “is appointed” and inserting “is appointed by the  
16 President”.

17           (c) UNITED STATES AIR FORCE ACADEMY.—Section  
18 9455(b)(1) of title 10, United States Code, is amended  
19 by striking “is designated” and inserting “is designated  
20 by the President”.

21           (d) UNITED STATES COAST GUARD ACADEMY.—Sec-  
22 tion 1903(b)(2)(B) of title 14, United States Code, is  
23 amended by striking “is appointed” and inserting “is ap-  
24 pointed by the President”.

1 **SEC. 555. MEETINGS OF THE BOARD OF VISITORS OF A**  
2 **MILITARY SERVICE ACADEMY: VOTES RE-**  
3 **QUIRED TO CALL; HELD IN PERSON OR RE-**  
4 **MOTELY.**

5 (a) UNITED STATES MILITARY ACADEMY.—Section  
6 7455 of title 10, United States Code, is amended by add-  
7 ing at the end the following new subsection:

8 “(i)(1) A majority of the members of the Board may  
9 call an official meeting of the Board once per year.

10 “(2) A member may attend such meeting—

11 “(A) in person, at the Academy; or

12 “(B) remotely, at the election of such mem-  
13 ber.”.

14 (b) UNITED STATES NAVAL ACADEMY.—Section  
15 8468 of title 10, United States Code, is amended by add-  
16 ing at the end the following new subsection:

17 “(i)(1) A majority of the members of the Board may  
18 call an official meeting of the Board once per year.

19 “(2) A member may attend such meeting—

20 “(A) in person, at the Academy; or

21 “(B) remotely, at the election of such mem-  
22 ber.”.

23 (c) UNITED STATES AIR FORCE ACADEMY.—Section  
24 9455 of title 10, United States Code, is amended by add-  
25 ing at the end the following new subsection:

1 “(i)(1) A majority of the members of the Board may  
2 call an official meeting of the Board once per year.

3 “(2) A member may attend such meeting—

4 “(A) in person, at the Academy; or

5 “(B) remotely, at the election of such mem-  
6 ber.”.

7 **SEC. 556. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**  
8 **GUAGE CENTER.**

9 (a) AUTHORITY TO AWARD BACHELOR’S DE-  
10 GREES.—Section 2168 of title 10, United States Code, is  
11 amended—

12 (1) in the section heading, by striking “**Asso-**  
13 **ciate**” and inserting “**Associate or Bachelor**”;  
14 and

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

17 “(a) Subject to subsection (b), the Commandant of  
18 the Defense Language Institute may confer—

19 “(1) an Associate of Arts degree in a foreign  
20 language upon any graduate of the Foreign Lan-  
21 guage Center of the Institute who fulfills the re-  
22 quirements for that degree; or

23 “(2) a Bachelor of Arts degree in a foreign lan-  
24 guage upon any graduate of the Foreign Language



1 Center of the Institute who fulfills the requirements  
2 for that degree.”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 at the beginning of chapter 108 of title 10, United States  
5 Code, is amended by striking the item relating to section  
6 2168 and inserting the following new item:

“2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.”.

7 **SEC. 557. UNITED STATES NAVAL COMMUNITY COLLEGE.**

8 (a) ESTABLISHMENT.—Chapter 859 of title 10,  
9 United States Code, is amended by adding at the end the  
10 following new section:

11 **“§ 8595. United States Naval Community College: es-**  
12 **tablishment and degree granting author-**  
13 **ity**

14 “(a) ESTABLISHMENT AND FUNCTION.—There is a  
15 United States Naval Community College. The primary  
16 function of such College shall be to provide—

17 “(1) programs of academic instruction and pro-  
18 fessional and technical education for individuals de-  
19 scribed in subsection (b) in—

20 “(A) academic and technical fields of the  
21 liberal arts and sciences which are relevant to  
22 the current and future needs of the Navy and  
23 Marine Corps, including in designated fields of  
24 national and economic importance such as cy-

1           bersecurity, artificial intelligence, machine  
2           learning, data science, and software engineer-  
3           ing; and

4                   “(B) their practical duties;

5                   “(2) remedial, developmental, or continuing  
6           education programs, as prescribed by the Secretary  
7           of the Navy, which are necessary to support, main-  
8           tain, or extend programs under paragraph (1);

9                   “(3) support and advisement services for indi-  
10          viduals pursuing such programs; and

11                   “(4) continuous monitoring of the progress of  
12          such individuals.

13          “(b) INDIVIDUALS ELIGIBLE FOR PROGRAMS.—Sub-  
14          ject to such other eligibility requirements as the Secretary  
15          of the Navy may prescribe, the following individuals are  
16          eligible to participate in programs and services under sub-  
17          section (a):

18                   “(1) Enlisted members of the Navy and Marine  
19          Corps.

20                   “(2) Officers of the Navy and Marine Corps  
21          who hold a commission but have not completed a  
22          postsecondary degree.

23                   “(3) Civilian employees of the Department of  
24          the Navy.

1           “(4) Other individuals, as determined by the  
2           Secretary of the Navy, so long as access to programs  
3           and services under subsection (a) by such individuals  
4           is—

5                   “(A) in alignment with the mission of the  
6           United States Naval Community College; and

7                   “(B) determined to support the mission or  
8           needs of the Department of the Navy.

9           “(c) DEGREE AND CREDENTIAL GRANTING AUTHOR-  
10          ITY.—

11                   “(1) IN GENERAL.—Under regulations pre-  
12           scribed by the Secretary of the Navy, the head of  
13           the United States Naval Community College may,  
14           upon the recommendation of the directors and fac-  
15           ulty of the College, confer appropriate degrees or  
16           academic credentials upon graduates who meet the  
17           degree or credential requirements.

18                   “(2) LIMITATION.—A degree or credential may  
19           not be conferred under this subsection unless—

20                           “(A) the Secretary of Education has rec-  
21           ommended approval of the degree or credential  
22           in accordance with the Federal Policy Gov-  
23           erning Granting of Academic Degrees by Fed-  
24           eral Agencies; and

1           “(B) the United States Naval Community  
2           College is accredited by the appropriate civilian  
3           academic accrediting agency or organization to  
4           award the degree or credential, as determined  
5           by the Secretary of Education.

6           “(3) CONGRESSIONAL NOTIFICATION REQUIRE-  
7           MENTS.—

8           “(A) When seeking to establish degree or  
9           credential granting authority under this sub-  
10          section, the Secretary of Defense shall submit  
11          to the Committees on Armed Services of the  
12          Senate and House of Representatives—

13                 “(i) a copy of the self assessment  
14                 questionnaire required by the Federal Pol-  
15                 icy Governing Granting of Academic De-  
16                 grees by Federal Agencies, at the time the  
17                 assessment is submitted to the Department  
18                 of Education’s National Advisory Com-  
19                 mittee on Institutional Quality and Integ-  
20                 rity; and

21                 “(ii) the subsequent recommendations  
22                 and rationale of the Secretary of Edu-  
23                 cation regarding the establishment of the  
24                 degree or credential granting authority.

1           “(B) Upon any modification or redesigna-  
2           tion of existing degree or credential granting  
3           authority, the Secretary of Defense shall submit  
4           to the Committees on Armed Services of the  
5           Senate and House of Representatives a report  
6           containing the rationale for the proposed modi-  
7           fication or redesignation and any subsequent  
8           recommendation of the Secretary of Education  
9           on the proposed modification or redesignation.

10           “(C) The Secretary of Defense shall sub-  
11           mit to the Committees on Armed Services of  
12           the Senate and House of Representatives a re-  
13           port containing an explanation of any action by  
14           the appropriate academic accrediting agency or  
15           organization not to accredit the United States  
16           Naval Community College to award any new or  
17           existing degree or credential.

18           “(d) CIVILIAN FACULTY MEMBERS.—

19           “(1) AUTHORITY OF SECRETARY.—The Sec-  
20           retary of the Navy may employ as many civilians as  
21           professors, instructors, and lecturers at the United  
22           States Naval Community College as the Secretary  
23           considers necessary.

1           “(2) COMPENSATION.—The compensation of  
2           persons employed under this subsection shall be pre-  
3           scribed by the Secretary of the Navy.”.

4           (b) CLERICAL AMENDMENT.—The table of sections  
5           at the beginning of chapter 859 of title 10, United States  
6           Code, is amended by adding at the end the following new  
7           item:

          “8595. United States Naval Community College: establishment and degree  
          granting authority.”.

8   **SEC. 558. CODIFICATION OF ESTABLISHMENT OF UNITED**  
9                           **STATES AIR FORCE INSTITUTE OF TECH-**  
10                           **NOLOGY.**

11           (a) IN GENERAL.—Chapter 951 of title 10, United  
12           States Code, is amended by inserting before section 9414  
13           the following new section:

14   **“§ 9413. United States Air Force Institute of Tech-**  
15                           **nology: establishment**

16           “There is in the Department of the Air Force a  
17           United States Air Force Institute of Technology, the pur-  
18           poses of which are to perform research and to provide,  
19           to members of the Air Force and Space Force (including  
20           the reserve components) and civilian employees of such  
21           Department, advanced instruction and technical education  
22           regarding their duties.”.

23           (b) CLERICAL AMENDMENT.—The table of sections  
24           at the beginning of such chapter is amended by inserting,

1 before the item relating to section 9414, the following new  
2 item:

“9413. United States Air Force Institute of Technology: establishment.”.

3 **SEC. 559. CONCURRENT USE OF DEPARTMENT OF DEFENSE**  
4 **TUITION ASSISTANCE AND MONTGOMERY GI**  
5 **BILL-SELECTED RESERVE BENEFITS.**

6 (a) IN GENERAL.—Section 16131 of title 10, United  
7 States Code, is amended by adding at the end the fol-  
8 lowing new subsection:

9 “(k)(1) In the case of an individual entitled to edu-  
10 cational assistance under this chapter who is pursuing  
11 education or training described in subsection (a) or (c) of  
12 section 2007 of this title on a half-time or more basis,  
13 the Secretary concerned shall, at the election of the indi-  
14 vidual, pay the individual educational assistance allowance  
15 under this chapter for pursuit of such education or train-  
16 ing as if the individual were not also eligible to receive  
17 or in receipt of educational assistance under section 2007  
18 for pursuit of such education or training.

19 “(2) Concurrent receipt of educational assistance  
20 under section 2007 of this title and educational assistance  
21 under this chapter shall not be considered a duplication  
22 of benefits if the individual is enrolled in a program of  
23 education on a half-time or more basis.”.

24 (b) CONFORMING AMENDMENTS.—Section 2007(d)  
25 of such title is amended—

1 (1) in paragraph (1), by inserting “or chapter  
2 1606 of this title” after “of title 38”; and

3 (2) in paragraph (2), by inserting “, in the case  
4 of educational assistance under chapter 30 of such  
5 title, and section 16131(k), in the case of edu-  
6 cational assistance under chapter 1606 of this title”  
7 before the period at the end.

8 **SEC. 559A. REGULATIONS ON CERTAIN PARENTAL GUARD-  
9 IANSHIP RIGHTS OF CADETS AND MID-  
10 SHIPMEN.**

11 (a) **REGULATIONS REQUIRED.**—Not later than one  
12 year after the date of the enactment of this Act, the Sec-  
13 retary of Defense, after consultation with the Secretaries  
14 of the military departments and the Superintendent of  
15 each military service academy, shall prescribe regulations  
16 that include the option to preserve parental guardianship  
17 rights of a cadet or midshipman who becomes pregnant  
18 or fathers a child while attending a military service acad-  
19 emy, consistent with the individual and academic respon-  
20 sibilities of such cadet or midshipman.

21 (b) **BRIEFINGS; REPORT.**—

22 (1) **INTERIM BRIEFING.**—Not later than May 1,  
23 2022, the Secretary of Defense shall provide to the  
24 Committees on Armed Services of the Senate and  
25 House of Representatives an interim briefing on the



1 development of the regulations prescribed under sub-  
2 section (a).

3 (2) REPORT.—Not later than 180 days after  
4 the date of the enactment of this Act, the Secretary  
5 of Defense shall submit to the Committees on Armed  
6 Services of the Senate and House of Representatives  
7 a report on any legislation the Secretary determines  
8 necessary to implement the regulations prescribed  
9 under subsection (a).

10 (3) FINAL BRIEFING.—Not later than one year  
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 Senate and House of Rep-  
14 resentatives a final briefing on the regulations pre-  
15 scribed under subsection (a).

16 (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
17 tion shall be construed to change, or require a change to,  
18 any admission requirement at a military service academy.

19 (d) MILITARY SERVICE ACADEMY DEFINED.—In this  
20 section, the term “military service academy” means the  
21 following:

22 (1) The United States Military Academy.

23 (2) The United States Naval Academy.

24 (3) The United States Air Force Academy.

1 **SEC. 559B. DEFENSE LANGUAGE CONTINUING EDUCATION**  
2 **PROGRAM.**

3 (a) IN GENERAL.—Not later than 180 days after the  
4 date of the enactment of this Act, the Under Secretary  
5 of Defense for Personnel and Readiness shall establish  
6 policies and procedures to provide, to linguists of the cov-  
7 ered Armed Forces who have made the transition from  
8 formal training programs to operational and staff assign-  
9 ments, continuing language education to maintain their  
10 respective language proficiencies.

11 (b) REIMBURSEMENT AUTHORITY.—

12 (1) IN GENERAL.—Not later than one year  
13 after the date of the enactment of this Act, the  
14 Under Secretary, in coordination with the chief of  
15 each covered Armed Force, shall establish a proce-  
16 dure by which the covered Armed Force concerned  
17 may reimburse an organization of the Department of  
18 Defense that provides, to members of such covered  
19 Armed Force, continuing language education, de-  
20 scribed in subsection (a), for the costs of such edu-  
21 cation.

22 (2) SUNSET.—The authority under this sub-  
23 section shall expire on September 30, 2025.

24 (c) BRIEFING.—Not later than July 1, 2022, the  
25 Under Secretary shall brief the Committees on Armed  
26 Services of the Senate and House of Representatives on

1 implementation of this section and plans regarding con-  
2 tinuing language education described in subsection (a).

3 (d) COVERED ARMED FORCE DEFINED.—In this sec-  
4 tion, the term “covered Armed Force” means the Army,  
5 Navy, Air Force, Marine Corps, or Space Force.

6 **SEC. 559C. PROHIBITION ON IMPLEMENTATION BY UNITED**  
7 **STATES AIR FORCE ACADEMY OF CIVILIAN**  
8 **FACULTY TENURE SYSTEM.**

9 The Secretary of Defense may not implement a civil-  
10 ian faculty tenure system for the United States Air Force  
11 Academy (in this section referred to as the “Academy”)  
12 until the Secretary submits to the Committees on Armed  
13 Services of the Senate and the House of Representatives  
14 a report assessing the following:

15 (1) How a civilian faculty tenure system would  
16 promote the mission of the Academy.

17 (2) How a civilian faculty tenure system would  
18 affect the current curricular governance process of  
19 the Academy.

20 (3) How the Academy will determine the num-  
21 ber of civilian faculty at the Academy who would be  
22 granted tenure.

23 (4) How a tenure system would be structured  
24 for Federal employees at the Academy, including  
25 exact details of specific protections and limitations.

1           (5) The budget implications of implementing a  
2           tenure system for the Academy.

3           (6) The faculty qualifications that would be re-  
4           quired to earn and maintain tenure.

5           (7) The reasons for termination of tenure that  
6           will be implemented and how a tenure termination  
7           effort would be conducted.

8   **SEC. 559D. PROFESSIONAL MILITARY EDUCATION: REPORT;**  
9                           **DEFINITION.**

10          (a) REPORT.—

11               (1) IN GENERAL.—Not later than July 1, 2022,  
12               the Secretary of Defense, in consultation with the  
13               Chairman of the Joint Chiefs of Staff, shall submit  
14               to the Committees on Armed Services of the Senate  
15               and the House of Representatives a report setting  
16               forth the results of a review and assessment of the  
17               definition of professional military education in the  
18               Department of Defense and the military depart-  
19               ments as specified in subsection (c).

20               (2) ELEMENTS.—The report under this sub-  
21               section shall include the following elements:

22                       (A) A consolidated summary of all defini-  
23                       tions of the term “professional military edu-  
24                       cation” used in the Department of Defense and  
25                       the military departments.

1 (B) A description of how such term is used  
2 in the Department of Defense in educational in-  
3 stitutions, associated schools, programs, think  
4 tanks, research centers, and support activities.

5 (C) An analysis of how such term—

6 (i) applies to tactical, operational, and  
7 strategic settings; and

8 (ii) is linked to mission requirements.

9 (D) An analysis of how professional mili-  
10 tary education has been applied and linked  
11 through all levels of Department of Defense  
12 education and training.

13 (E) The applicability of professional mili-  
14 tary education to the domains of warfare, in-  
15 cluding land, air, sea, space, and cyber.

16 (F) With regards to online and virtual  
17 learning in professional military education—

18 (i) an analysis of the use of such  
19 learning; and

20 (ii) student satisfaction in comparison  
21 to traditional classroom learning.

22 (b) DEFINITION.—Not later than one year after the  
23 date of the enactment of this Act, the Secretary of De-  
24 fense, in coordination with the Chairman of the Joint  
25 Chiefs of Staff and the Secretaries of the military depart-

1 ments, using the report under subsection (a), shall stand-  
2 ardize the definition of “professional military education”  
3 across the military departments and the Department of  
4 Defense.

5 **SEC. 559E. REPORT ON TRAINING AND EDUCATION OF**  
6 **MEMBERS OF THE ARMED FORCES REGARD-**  
7 **ING SOCIAL REFORM AND UNHEALTHY BE-**  
8 **HAVIORS.**

9 (a) REPORT REQUIRED.—Not later than June 1,  
10 2022, the Secretary of Defense, in consultation with the  
11 Secretaries of the military departments, shall submit to  
12 the Committees on Armed Services of the Senate and  
13 House of Representatives a report on training and courses  
14 of education offered to covered members regarding—

- 15 (1) sexual assault;
- 16 (2) sexual harassment;
- 17 (3) extremism;
- 18 (4) domestic violence;
- 19 (5) diversity, equity, and inclusion;
- 20 (6) military equal opportunity;
- 21 (7) suicide prevention; and
- 22 (8) substance abuse.

23 (b) ELEMENTS.—The report under subsection (a)  
24 shall identify, with regard to each training or course of  
25 education, the following:

- 1 (1) Sponsor.
- 2 (2) Location.
- 3 (3) Method.
- 4 (4) Frequency.
- 5 (5) Number of covered members who have par-
- 6 ticipated.
- 7 (6) Legislation, regulation, instruction, or guid-
- 8 ance that requires such training or course (if appli-
- 9 cable).
- 10 (7) Metrics of—
  - 11 (A) performance;
  - 12 (B) effectiveness; and
  - 13 (C) data collection.
- 14 (8) Responsibilities of the Secretary of Defense
- 15 or Secretary of a military department to—
  - 16 (A) communicate with non-departmental
  - 17 entities;
  - 18 (B) process feedback from trainers, train-
  - 19 ees, and such entities;
  - 20 (C) connect such training or course to tac-
  - 21 tical, operational, and strategic goals; and
  - 22 (D) connect such training or course to
  - 23 other training regarding social reform and
  - 24 unhealthy behavior.
- 25 (9) Analyses of—

1 (A) whether the metrics described in para-  
2 graph (7) are standardized across the military  
3 departments;

4 (B) mechanisms used to engage non-de-  
5 partmental entities to assist in the development  
6 of such training or courses;

7 (C) incentives used to ensure the effective-  
8 ness of such training or courses;

9 (D) how each training or courses is in-  
10 tended to change behavior; and

11 (E) costs of such training and courses.

12 (10) Recommendations of the Secretary of De-  
13 fense to improve such training or courses, including  
14 the estimated costs to implement such improve-  
15 ments.

16 (11) Any other information the Secretary of  
17 Defense determines relevant.

18 (c) COVERED MEMBER DEFINED.—In this section,  
19 the term “covered member” means a member of an Armed  
20 Force under the jurisdiction of the Secretary of a military  
21 department.

22 **SEC. 559F. REPORT ON STATUS OF ARMY TUITION ASSIST-**  
23 **ANCE PROGRAM ARMY IGNITED PROGRAM.**

24 (a) IN GENERAL.—Not later than 60 days after the  
25 date of the enactment of this Act, the Secretary of the



1 Army shall submit to the congressional defense commit-  
2 tees a report on the status of the Army IgnitED program  
3 of the Army's Tuition Assistance Program.

4 (b) ELEMENTS.—The report required under sub-  
5 section (a) shall describe—

6 (1) the estimated date when the Army IgnitED  
7 program will be fully functional;

8 (2) the estimated date when service members  
9 will be reimbursed for out of pocket expenses caused  
10 by processing delays and errors under the Army Ig-  
11 nitED program; and

12 (3) the estimated date when institutions of  
13 higher education will be fully reimbursed for all  
14 costs typically provided through the Tuition Assist-  
15 ance Program but delayed due to processing delays  
16 and errors under the Army IgnitED program.

17 **SEC. 559G. BRIEFING ON CADETS AND MIDSHIPMEN WITH**  
18 **SPEECH DISORDERS.**

19 Not later than 180 days after the date of the enact-  
20 ment of this Act, the Secretary of Defense shall brief the  
21 Committees on Armed Services of the Senate and House  
22 of Representatives regarding nominees, who have speech  
23 disorders, to each military service academy. Such briefing  
24 shall include the following:

1 (1) The number of such nominees were offered  
2 admission to the military service academy concerned.

3 (2) The number of nominees described in para-  
4 graph (1) who were denied admission on the basis  
5 of such disorder.

6 (3) Whether the admission process to a military  
7 service academy includes testing for speech dis-  
8 orders.

9 (4) The current medical standards of each mili-  
10 tary service academy regarding speech disorders.

11 (5) Whether the Superintendent of each mili-  
12 tary service academy provides speech therapy to  
13 mitigate speech disorders—

14 (A) of nominees to such military service  
15 academy to facilitate admission of such nomi-  
16 nees; and

17 (B) of the cadets or midshipman at such  
18 military service academy.

19 **Subtitle G—Military Family Readi-**  
20 **ness and Dependents' Education**

21 **SEC. 561. EXPANSION OF SUPPORT PROGRAMS FOR SPE-**  
22 **CIAL OPERATIONS FORCES PERSONNEL AND**  
23 **IMMEDIATE FAMILY MEMBERS.**

24 Section 1788a(e) of title 10, United States Code, is  
25 amended—

1 (1) in paragraph (4), by striking “covered per-  
2 sonnel” and inserting “covered individuals”; and

3 (2) in paragraph (5)—

4 (A) by striking “covered personnel” and  
5 inserting “covered individuals”;

6 (B) in subparagraph (B), by striking  
7 “and” at the end;

8 (C) in subparagraph (C), by striking the  
9 period at the end and inserting “; and”; and

10 (D) by adding at the end the following new  
11 subparagraph:

12 “(D) immediate family members of individ-  
13 uals described in subparagraphs (A) or (B) in  
14 a case in which such individual died—

15 “(i) as a direct result of armed con-  
16 flict;

17 “(ii) while engaged in hazardous serv-  
18 ice;

19 “(iii) in the performance of duty  
20 under conditions simulating war; or

21 “(iv) through an instrumentality of  
22 war.”.

1 **SEC. 562. IMPROVEMENTS TO THE EXCEPTIONAL FAMILY**  
2 **MEMBER PROGRAM.**

3 (a) EXPANSION OF ADVISORY PANEL ON COMMU-  
4 NITY SUPPORT FOR MILITARY FAMILIES WITH SPECIAL  
5 NEEDS.—Section 563(d)(2) of the National Defense Au-  
6 thorization Act for Fiscal Year 2010 (Public Law 111-  
7 84; 10 U.S.C. 1781c note) is amended—

8 (1) by striking “seven” and inserting “nine”;

9 (2) by inserting “, appointed by the Secretary  
10 of Defense,” after “individuals”;

11 (3) by inserting “each” before “a member”;

12 (4) by striking the second sentence and insert-  
13 ing “In appointing individuals to the panel, the Sec-  
14 retary shall ensure that—”; and

15 (5) by adding at the end the following:

16 “(A) one individual is the spouse of an en-  
17 listed member;

18 “(B) one individual is the spouse of an of-  
19 ficer in a grade below O-6;

20 “(C) one individual is a junior enlisted  
21 member;

22 “(D) one individual is a junior officer;

23 “(E) individuals reside in different geo-  
24 graphic regions;

1           “(F) one individual is a member serving at  
2           a remote installation or is a member of the  
3           family of such a member; and

4           “(G) at least two individuals are members  
5           serving on active duty, each with a dependent  
6           who—

7                   “(i) is enrolled in the Exceptional  
8                   Family Member Program; and

9                   “(ii) has an individualized education  
10                  program.”.

11           (b) RELOCATION.—The Secretary of the military de-  
12           partment concerned may, if such Secretary determines it  
13           feasible, permit a covered member who receives permanent  
14           change of station orders to elect, not later than 14 days  
15           after such receipt, from at least two locations that provide  
16           support for the dependent of such covered member with  
17           a special need.

18           (c) FAMILY MEMBER MEDICAL SUMMARY.—The Sec-  
19           retary of a military department, in coordination with the  
20           Director of the Defense Health Agency, shall require that  
21           a family member medical summary, completed by a li-  
22           censed and credentialed medical provider, is accessible in  
23           the electronic health record of the Department of Defense  
24           for subsequent review by a licensed medical provider.

1 (d) COVERED MEMBER DEFINED.—In this section,  
2 the term “covered member” means a member of an Armed  
3 Force—

4 (1) under the jurisdiction of the Secretary of a  
5 military department; and

6 (2) with a dependent with a special need.

7 **SEC. 563. CERTAIN ASSISTANCE TO LOCAL EDUCATIONAL**  
8 **AGENCIES THAT BENEFIT DEPENDENTS OF**  
9 **MILITARY AND CIVILIAN PERSONNEL.**

10 (a) CONTINUATION OF AUTHORITY TO ASSIST LOCAL  
11 EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS  
12 OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT  
13 OF DEFENSE CIVILIAN EMPLOYEES.—

14 (1) ASSISTANCE TO SCHOOLS WITH SIGNIFI-  
15 CANT NUMBERS OF MILITARY DEPENDENT STU-  
16 DENTS.—Of the amount authorized to be appro-  
17 priated for fiscal year 2022 by section 301 and  
18 available for operation and maintenance for Defense-  
19 wide activities as specified in the funding table in  
20 section 4301, \$50,000,000 shall be available only for  
21 the purpose of providing assistance to local edu-  
22 cational agencies under subsection (a) of section 572  
23 of the National Defense Authorization Act for Fiscal  
24 Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

1           (2) LOCAL EDUCATIONAL AGENCY DEFINED.—

2           In this subsection, the term “local educational agen-  
3           cy” has the meaning given that term in section  
4           7013(9) of the Elementary and Secondary Edu-  
5           cation Act of 1965 (20 U.S.C. 7713(9)).

6           (b) IMPACT AID FOR CHILDREN WITH SEVERE DIS-  
7           ABILITIES.—

8           (1) IN GENERAL.—Of the amount authorized to  
9           be appropriated for fiscal year 2022 pursuant to sec-  
10          tion 301 and available for operation and mainte-  
11          nance for Defense-wide activities as specified in the  
12          funding table in section 4301, \$10,000,000 shall be  
13          available for payments under section 363 of the  
14          Floyd D. Spence National Defense Authorization  
15          Act for Fiscal Year 2001 (as enacted into law by  
16          Public Law 106–398; 114 Stat. 1654A–77; 20  
17          U.S.C. 7703a).

18          (2) ADDITIONAL AMOUNT.—Of the amount au-  
19          thorized to be appropriated for fiscal year 2022 pur-  
20          suant to section 301 and available for operation and  
21          maintenance for Defense-wide activities as specified  
22          in the funding table in section 4301, \$10,000,000  
23          shall be available for use by the Secretary of Defense  
24          to make payments to local educational agencies de-

1       terminated by the Secretary to have higher concentra-  
2       tions of military children with severe disabilities.

3           (3) REPORT.—Not later than March 31, 2022,  
4       the Secretary shall brief the Committees on Armed  
5       Services of the Senate and the House of Representa-  
6       tives on the Department’s evaluation of each local  
7       educational agency with higher concentrations of  
8       military children with severe disabilities and subse-  
9       quent determination of the amounts of impact aid  
10      each such agency shall receive.

11 **SEC. 564. PILOT PROGRAM TO ESTABLISH EMPLOYMENT**  
12                           **FELLOWSHIP OPPORTUNITIES FOR MILITARY**  
13                           **SPOUSES.**

14      (a) ESTABLISHMENT.—Not later than one year after  
15      the date of the enactment of this Act, the Secretary of  
16      Defense may establish a three-year pilot program to pro-  
17      vide employment support to the spouses of members of  
18      the Armed Forces through a paid fellowship with employ-  
19      ers across a variety of industries. In carrying out the pilot  
20      program, the Secretary shall take the following steps:

21           (1) Enter into a contract or other agreement to  
22      conduct a career fellowship pilot program for mili-  
23      tary spouses.

24           (2) Determine the appropriate capacity for the  
25      pilot program based on annual funding availability.



1           (3) Establish evaluation criteria to determine  
2           measures of effectiveness and cost-benefit analysis of  
3           the pilot program in supporting military spouse em-  
4           ployment.

5           (b) LIMITATION ON TOTAL AMOUNT OF ASSIST-  
6 ANCE.—The total amount of the pilot program may not  
7 exceed \$5,000,000 over the life of the pilot.

8           (c) REPORTS.—Not later than two years after the  
9 Secretary establishes the pilot program, the Secretary  
10 shall submit to the Committees on Armed Services of the  
11 Senate and the House of Representatives an interim re-  
12 port that includes the following elements:

13           (1) The number of spouses who participated in  
14           the pilot program annually.

15           (2) The amount of funding spent through the  
16           pilot program annually.

17           (3) A recommendation of the Secretary regard-  
18           ing whether to discontinue, expand, or make the  
19           pilot program permanent.

20           (d) FINAL REPORT.—Not later than 180 days after  
21 the pilot program ends, the Secretary shall submit to the  
22 Committees on Armed Services of the Senate and the  
23 House of Representatives a final report that includes the  
24 following elements:

1           (1) The number of spouses who participated in  
2           the pilot program.

3           (2) The amount of funding spent through the  
4           pilot program.

5           (3) An evaluation of outcomes.

6           (4) A recommendation of the Secretary regard-  
7           ing whether to make the pilot program permanent.

8           (e) TERMINATION.—The pilot program shall termi-  
9           nate three years after the date on which the Secretary es-  
10          tablishes the pilot program.

11   **SEC. 565. POLICY REGARDING REMOTE MILITARY INSTAL-**  
12                                   **LATIONS.**

13          (a) POLICY.—Not later than December 1, 2022, the  
14          Secretary of Defense, in consultation with the Secretaries  
15          of the military departments, shall develop a uniform policy  
16          for how to—

17               (1) identify remote military installations; and

18               (2) assess and manage challenges associated  
19          with remote military installations and military per-  
20          sonnel assigned to remote locations.

21          (b) ELEMENTS.—The policy under subsection (a)  
22          shall address the following:

23               (1) Activities and facilities for the morale, wel-  
24          fare, and recreation of members of the Armed  
25          Forces.

1           (2) Availability of housing, located on and off  
2 remote military installations.

3           (3) Educational services for dependents of  
4 members of the Armed Forces, located on and off  
5 remote military installations.

6           (4) Availability of health care.

7           (5) Employment opportunities for military  
8 spouses.

9           (6) Risks associated with having insufficient  
10 support services for members of the Armed Forces  
11 and their dependents.

12       (c) REPORT.—Not later than March 1, 2023, the  
13 Secretary of Defense shall submit to the Committees on  
14 Armed Services of the Senate and the House of Represent-  
15 atives a report setting forth the policy under this section.

16       (d) MILITARY INSTALLATION DEFINED.—In this sec-  
17 tion, the term “military installation” has the meaning  
18 given that term in section 2801 of title 10, United States  
19 Code.

20 **SEC. 566. IMPLEMENTATION OF GAO RECOMMENDATION**  
21 **ON IMPROVED COMMUNICATION OF BEST**  
22 **PRACTICES TO ENGAGE MILITARY SPOUSES**  
23 **WITH CAREER ASSISTANCE RESOURCES.**

24       (a) PLAN REQUIRED.—The Secretary of Defense  
25 shall develop a plan to implement the recommendation of

1 the Comptroller General of the United States, to address  
2 strategies for sharing information on outreach to military  
3 spouses regarding career assistance resources, in the re-  
4 port of the Government Accountability Office titled “Mili-  
5 tary Spouse Employment: DOD Should Continue Assess-  
6 ing State Licensing Practices and Increase Awareness of  
7 Resources” (GAO–21–193). The plan shall include the fol-  
8 lowing elements:

9 (1) A summary of actions that have been taken  
10 to implement the recommendation.

11 (2) A summary of actions that will be taken to  
12 implement the recommendation, including how the  
13 Secretary plans to—

14 (A) engage military services and installa-  
15 tions, members of the Spouse Ambassador Net-  
16 work, and other local stakeholders to obtain in-  
17 formation on the outreach approaches and best  
18 practices used by military installations and  
19 stakeholders;

20 (B) overcome factors that may limit use of  
21 best practices;

22 (C) disseminate best practices to relevant  
23 stakeholders; and

1 (D) identify ways to and better coordinate  
2 with the Secretaries of Veterans Affairs, Labor,  
3 and Housing and Urban Development; and

4 (E) a schedule, with specific milestones,  
5 for completing implementation of the rec-  
6 ommendation.

7 (b) IMPLEMENTATION; DEADLINE.—Not later than  
8 18 months after the date of the enactment of this Act,  
9 the Secretary of Defense shall carry out activities to imple-  
10 ment the plan developed under subsection (a).

11 **SEC. 567. STUDY ON EMPLOYMENT OF MILITARY SPOUSES.**

12 (a) STUDY.—

13 (1) IN GENERAL.—The Secretary of Defense  
14 shall conduct a study to identify employment bar-  
15 riers affecting military spouses.

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

18 (A) The rate or prevalence of military  
19 spouses who are currently employed and wheth-  
20 er such military spouses have children.

21 (B) The rate or prevalence of military  
22 spouses who are underemployed.

23 (C) In connection with subparagraph (B),  
24 whether a military spouse would have taken a  
25 different position of employment if the military

1 spouse were not impacted by the spouse who is  
2 a member of the Armed Forces.

3 (D) The rate or prevalence of military  
4 spouses who, due to military affiliation, have  
5 experienced discrimination by civilian employ-  
6 ers, including loss of employment, denial of a  
7 promotion, and difficulty in being hired.

8 (E) Any other barriers of entry into the  
9 local workforce for military spouses, including—

- 10 (i) state licensure requirements;
- 11 (ii) availability of childcare;
- 12 (iii) access to broadband;
- 13 (iv) job availability in military com-  
14 munities; and
- 15 (v) access to housing.

16 (b) REPORT.—Not later than one year after the date  
17 of the enactment of this section, the Secretary of Defense  
18 shall submit to the congressional defense committees a re-  
19 port containing the results of the study conducted under  
20 this section, including any policy recommendations to ad-  
21 dress employment barriers identified by the study.

22 (c) DEFINITIONS.—In this section:

23 (1) MILITARY SPOUSE.—The term “military  
24 spouse” means the spouse of a member of the  
25 Armed Forces serving on active duty.

1           (2) CONGRESSIONAL DEFENSE COMMITTEES.—  
2           The term “congressional defense committees” has  
3           the meaning given that term in section 101(a)(16)  
4           of title 10, United States Code.

5 **SEC. 568. BRIEFING ON EFFORTS OF COMMANDERS OF**  
6           **MILITARY INSTALLATIONS TO CONNECT**  
7           **MILITARY FAMILIES WITH LOCAL ENTITIES**  
8           **THAT PROVIDE SERVICES TO MILITARY FAMI-**  
9           **LIES.**

10          Not later than 180 days after the date of the enact-  
11          ment of this Act, the Secretary of Defense shall brief the  
12          Committees on Armed Services of the Senate and House  
13          of Representatives on how and the extent to which com-  
14          manders of military installations connect military families  
15          with local nonprofit and government entities that provide  
16          services to military families, including assistance with  
17          housing.

18 **SEC. 569. BRIEFING ON PROCESS TO CERTIFY REPORTING**  
19           **OF ELIGIBLE FEDERALLY CONNECTED CHIL-**  
20           **DREN FOR PURPOSES OF FEDERAL IMPACT**  
21           **AID PROGRAMS.**

22          (a) BRIEFING.—Not later April 1, 2022, the Sec-  
23          retary of Defense shall brief the Committees on Armed  
24          Services of the Senate and House of Representatives on  
25          the following:

1           (1) The feasibility of developing a written proc-  
2           ess whereby an installation commander can certify  
3           the information contained in impact aid source check  
4           forms received by such installation commander from  
5           local educational agencies.

6           (2) Benefits of working with local educational  
7           agencies to certify impact aid source check forms are  
8           submitted in the appropriate manner.

9           (3) An estimated timeline to implement such a  
10          certification process.

11         (b) DEFINITIONS.—In this section:

12           (1) The term “impact aid source check form”  
13           means a form submitted to a military installation by  
14           a local educational agency to confirm the number  
15           and identity of children eligible to be counted for  
16           purposes of the Federal impact aid program under  
17           section 7003(a) of the Elementary and Secondary  
18           Education Act of 1965 (20 U.S.C. 7703(a)).

19           (2) The term “local educational agency” has  
20           the meaning given that term in section 8101 of the  
21           Elementary and Secondary Education Act of 1965  
22           (20 U.S.C. 7801).



1 **SEC. 569A. BRIEFING ON LEGAL SERVICES FOR FAMILIES**  
2 **ENROLLED IN THE EXCEPTIONAL FAMILY**  
3 **MEMBER PROGRAM.**

4 (a) BRIEFING REQUIRED.—Not later than 180 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense shall brief the Committees on Armed Services  
7 of the Senate and House of Representatives on the provi-  
8 sion of legal services, under section 582(b)(7) of the Wil-  
9 liam M. (Mac) Thornberry National Defense Authoriza-  
10 tion Act for Fiscal Year 2021 (Public Law 116–283), to  
11 families enrolled in EFMP.

12 (b) ELEMENTS.—The briefing shall include the fol-  
13 lowing elements:

14 (1) Training, provided by civilian attorneys or  
15 judge advocates general, regarding special education.

16 (2) Casework, relating to special education, of  
17 such civilian attorneys and judge advocates general.

18 (3) Information on how such legal services tie  
19 in to broader EFMP support under the Individuals  
20 with Disabilities Education Act (Public Law 91–  
21 230), including the geographic support model.

22 (4) Other matters regarding such legal services  
23 that the Secretary of Defense determines appro-  
24 priate.

25 (5) Costs of such elements described in para-  
26 graphs (1) through (4).

1 (c) DEFINITIONS.—In this section:

2 (1) The term “EFMP” means the Exceptional  
3 Family Member Program.

4 (2) The terms “child with a disability”, “free  
5 appropriate public education”, and “special edu-  
6 cation” have the meanings given those terms in sec-  
7 tion 602 of the Individuals with Disabilities Edu-  
8 cation Act (20 U.S.C. 1401).

9 **SEC. 569B. GAO REVIEW OF PRESERVATION OF THE FORCE**  
10 **AND FAMILY PROGRAM OF UNITED STATES**  
11 **SPECIAL OPERATIONS COMMAND: BRIEFING;**  
12 **REPORT.**

13 (a) REVIEW.—The Comptroller General of the United  
14 States shall conduct a review of POTFF. Such review  
15 shall include the following:

16 (1) With regards to current programs and ac-  
17 tivities of POTFF, an assessment of the sufficiency  
18 of the following domains:

19 (A) Human performance.

20 (B) Psychological and behavioral health.

21 (C) Social and family readiness.

22 (D) Spiritual.

23 (2) A description of efforts of the Commander  
24 of United States Special Operations Command to as-

1        assess the unique needs of members of special oper-  
2        ations forces, including women and minorities.

3            (3) A description of plans of the Commander to  
4        improve POTFF to better address the unique needs  
5        of members of special operations forces.

6            (4) Changes in costs to the United States to op-  
7        erate POTFF since implementation.

8            (5) Rates of participation in POTFF, includ-  
9        ing—

10            (A) the number of individuals who partici-  
11        pate;

12            (B) frequency of use by such individuals;  
13        and

14            (C) geographic locations where such indi-  
15        viduals participate.

16            (6) Methods by which data on POTFF is col-  
17        lected and analyzed.

18            (7) Outcomes used to determine the effects of  
19        POTFF on members of special operations forces and  
20        their immediate family members, including a de-  
21        scription of the effectiveness of POTFF in address-  
22        ing unique needs of such individuals.

23            (8) Any other matter the Comptroller General  
24        determines appropriate.

1 (b) BRIEFING.—Not later than 90 days after the date  
2 of the enactment of this Act, the Comptroller General shall  
3 brief the appropriate committees on the preliminary find-  
4 ings of the Comptroller General under such review.

5 (c) REPORT.—The Comptroller General shall submit  
6 to the appropriate committees a final report on such re-  
7 view at a date mutually agreed upon by the Comptroller  
8 General and the appropriate committees.

9 (d) DEFINITIONS.—In this section:

10 (1) The term “appropriate committees” means  
11 the Committees on Armed Services of the Senate  
12 and House of Representatives.

13 (2) 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 (3) The term “special operations forces” means  
18 the forces described in section 167(j) of title 10,  
19 United States Code.

1                   **Subtitle H—Diversity and**  
2                   **Inclusion**

3   **SEC. 571. REDUCTION OF GENDER-RELATED INEQUITIES IN**  
4                   **COSTS OF UNIFORMS TO MEMBERS OF THE**  
5                   **ARMED FORCES.**

6           (a) ESTABLISHMENT OF CRITERIA.—Not later than  
7 180 days after the date of the enactment of this Act, the  
8 Secretary of Defense, acting through the Under Secretary  
9 of Defense for Personnel and Readiness and in coordina-  
10 tion with the Secretaries of the military departments, shall  
11 establish criteria, consistent across the Armed Forces, for  
12 determining which uniform or clothing items across the  
13 Armed Forces are considered uniquely military for pur-  
14 poses of calculating the standard cash clothing replace-  
15 ment allowances, in part to reduce differences in out-of-  
16 pocket costs incurred by enlisted members of the Armed  
17 Forces across the military services and by gender within  
18 an Armed Force.

19           (b) REVIEWS.—

20           (1) QUINQUENNIAL REVIEW.—The Under Sec-  
21 retary shall review the criteria established under  
22 subsection (a) every five years after such establish-  
23 ment and recommend to the Secretaries of the mili-  
24 tary departments adjustments to clothing allowances  
25 for enlisted members if such allowances are insuffi-

1       cient to pay for uniquely military items determined  
2       pursuant to such criteria.

3           (2) PERIODIC REVIEWS.—The Secretary of De-  
4       fense, acting through the Under Secretary of De-  
5       fense for Personnel and Readiness, and in coordina-  
6       tion with the Secretaries of the military depart-  
7       ments, shall periodically review—

8           (A) all uniform clothing plans of each  
9       Armed Force under the jurisdiction of the Sec-  
10      retary of a military department to identify data  
11      needed to facilitate cost discussions and make  
12      recommendations described in paragraph (1);

13          (B) not less than once every five years, cal-  
14      culations of each Armed Force for standard  
15      clothing replacement allowances for enlisted  
16      members, in order to develop a standard by  
17      which to identify differences described in sub-  
18      section (a);

19          (C) not less than once every 10 years, ini-  
20      tial clothing allowances for officers, in order to  
21      identify data necessary to facilitate cost discus-  
22      sions and make recommendations described in  
23      paragraph (1); and

24          (D) all plans of each Armed Force under  
25      the jurisdiction of the Secretary of a military

1 department for changing uniform items to de-  
2 termine if such planned changes will result in  
3 differences described in subsection (a).

4 (c) REGULATIONS.—Not later than September 30,  
5 2022, each Secretary of a military department shall pre-  
6 scribe regulations that ensure the following:

7 (1) The out-of-pocket cost to an officer or en-  
8 listed member of an Armed Force for a mandatory  
9 uniform item (or part of such uniform) may not ex-  
10 ceed such cost to another officer or enlisted member  
11 of that Armed Force for such uniform (or part, or  
12 equivalent part, of such uniform) solely based on  
13 gender.

14 (2) If a change to a uniform of an Armed Force  
15 affects only enlisted members of one gender, an en-  
16 listed member of such gender in such Armed Force  
17 shall be entitled to an allowance equal to the out-of-  
18 pocket cost to the officer or enlisted member relating  
19 to such change.

20 (3) An individual who has separated or retired,  
21 or been discharged or dismissed, from the Armed  
22 Forces, shall not entitled to an allowance under  
23 paragraph (2).

24 (d) REPORT.—Not later than December 31, 2022,  
25 the Secretary of Defense, in coordination with the Secre-

1 taries of the military departments, shall submit to the  
2 Committees on Armed Services of the Senate and the  
3 House of Representatives a report on—

4 (1) the estimated production costs and average  
5 retail prices of military clothing items for members  
6 (including officers and enlisted members) of each  
7 Armed Force; and

8 (2) a comparison of costs for male and female  
9 military clothing items for members of each Armed  
10 Force.

11 **SEC. 572. STUDY ON NUMBER OF MEMBERS OF THE ARMED**  
12 **FORCES WHO IDENTIFY AS HISPANIC OR**  
13 **LATINO.**

14 The Secretary of Defense shall seek to enter into an  
15 agreement with a federally funded research and develop-  
16 ment center to conduct a study of the following:

17 (1) The number of members of the regular com-  
18 ponents of the Armed Forces (including cadets and  
19 midshipmen at the military service academies) who  
20 identify as Hispanic or Latino, separated by rank.

21 (2) A comparison of the percentage of the mem-  
22 bers described in paragraph (1) with the percentage  
23 of the population of the United States who are eligi-  
24 ble to enlist or commission in the Armed Forces who  
25 identify as Hispanic or Latino.



1           (3) A comparison of how each of the Armed  
2 Forces recruits individuals who identify as Hispanic  
3 or Latino.

4           (4) A comparison of how each of the Armed  
5 Forces retains both officer and enlisted members  
6 who identify as Hispanic or Latino.

7           (5) A comparison of how each of the Armed  
8 Forces promotes both officer and enlisted members  
9 who identify as Hispanic or Latino.

10 **SEC. 573. INCLUSION OF MILITARY SERVICE ACADEMIES,**  
11 **OFFICER CANDIDATE AND TRAINING**  
12 **SCHOOLS, AND THE SENIOR RESERVE OFFI-**  
13 **CERS' TRAINING CORPS DATA IN DIVERSITY**  
14 **AND INCLUSION REPORTING.**

15 Section 113 of title 10, United States Code, is  
16 amended—

17           (1) in subsection (c)(2), by inserting before the  
18 semicolon the following: “, including the status of di-  
19 versity and inclusion in the military service acad-  
20 emies, the Officer Candidate and Training Schools,  
21 and the Senior Reserve Officers' Training Corps  
22 programs of such department”; and

23           (2) in subsection (m)—

1 (A) by redesignating paragraphs (5), (6),  
2 and (7) as paragraphs (6), (7), and (8), respec-  
3 tively; and

4 (B) by inserting after paragraph (4) the  
5 following new paragraph:

6 “(5) The number of graduates of the Senior  
7 Reserve Officers’ Training Corps during the fiscal  
8 year covered by the report, disaggregated by gender,  
9 race, and ethnicity, for each military department.”.

10 **SEC. 574. EXTENSION OF DEADLINE FOR GAO REPORT ON**  
11 **EQUAL OPPORTUNITY AT THE MILITARY**  
12 **SERVICE ACADEMIES.**

13 Section 558 of the William M. (Mac) Thornberry Na-  
14 tional Defense Authorization Act for Fiscal Year 2021  
15 (Public Law 116–283) is amended, in the matter pre-  
16 ceding paragraph (1), by striking “one year after the date  
17 of the enactment of this Act” and inserting “May 31,  
18 2022”.

1 **Subtitle I—Decorations and**  
2 **Awards, Miscellaneous Reports,**  
3 **and Other Matters**

4 **SEC. 581. MODIFIED DEADLINE FOR ESTABLISHMENT OF**  
5 **SPECIAL PURPOSE ADJUNCT TO ARMED**  
6 **SERVICES VOCATIONAL APTITUDE BATTERY**  
7 **TEST.**

8 Section 594 of the William M. (Mac) Thornberry Na-  
9 tional Defense Authorization Act for Fiscal Year 2021  
10 (Public Law 116–283) is amended by striking “Not later  
11 than one year after the date of the enactment of this Act”  
12 and inserting “Not later than October 1, 2024”.

13 **SEC. 582. AUTHORIZATIONS FOR CERTAIN AWARDS.**

14 (a) **MEDAL OF HONOR TO CHARLES R. JOHNSON**  
15 **FOR ACTS OF VALOR DURING THE KOREAN WAR.—**

16 (1) **AUTHORIZATION.—**Notwithstanding the  
17 time limitations specified in section 7274 of title 10,  
18 United States Code, or any other time limitation  
19 with respect to the awarding of certain medals to  
20 persons who served in the Armed Forces, the Presi-  
21 dent may award the Medal of Honor under section  
22 7271 of such title to Charles R. Johnson for the acts  
23 of valor described in paragraph (2).

24 (2) **ACTS OF VALOR DESCRIBED.—**The acts of  
25 valor described in this paragraph are the actions of

1 Charles R. Johnson on June 11 and 12, 1953, as a  
2 member of the Army serving in Korea, for which he  
3 was awarded the Silver Star.

4 (b) MEDAL OF HONOR TO WATARU NAKAMURA FOR  
5 ACTS OF VALOR DURING THE KOREAN WAR.—

6 (1) AUTHORIZATION.—Notwithstanding the  
7 time limitations specified in section 7274 of title 10,  
8 United States Code, or any other time limitation  
9 with respect to the awarding of certain medals to  
10 persons who served in the Armed Forces, the Presi-  
11 dent may award the Medal of Honor under section  
12 7271 of such title to Wataru Nakamura for the acts  
13 of valor described in paragraph (2).

14 (2) ACTS OF VALOR DESCRIBED.—The acts of  
15 valor described in this paragraph are the actions of  
16 Wataru Nakamura on May 18, 1951, as a member  
17 of the Army serving in Korea, for which he was  
18 awarded the Distinguished-Service Cross.

19 (c) MEDAL OF HONOR TO BRUNO R. ORIG FOR ACTS  
20 OF VALOR DURING THE KOREAN WAR.—

21 (1) AUTHORIZATION.—Notwithstanding the  
22 time limitations specified in section 7274 of title 10,  
23 United States Code, or any other time limitation  
24 with respect to the awarding of certain medals to  
25 persons who served in the Armed Forces, the Presi-

1       dent may award the Medal of Honor under section  
2       7271 of such title to Bruno R. Orig for the acts of  
3       valor described in paragraph (2).

4           (2) ACTS OF VALOR DESCRIBED.—The acts of  
5       valor described in this paragraph are the actions of  
6       Bruno R. Orig on Februray 15, 1951, as a member  
7       of the Army serving in Korea, for which he was  
8       awarded the Distinguished-Service Cross.

9       (d) MEDAL OF HONOR TO DENNIS M. FUJII FOR  
10      ACTS OF VALOR DURING THE VIETNAM WAR.—

11           (1) AUTHORIZATION.—Notwithstanding the  
12      time limitations specified in section 7274 of title 10,  
13      United States Code, or any other time limitation  
14      with respect to the awarding of certain medals to  
15      persons who served in the Armed Forces, the Presi-  
16      dent may award the Medal of Honor under section  
17      7271 of such title to Dennis M. Fujii for the acts  
18      of valor described in paragraph (2).

19           (2) ACTS OF VALOR DESCRIBED.—The acts of  
20      valor described in this paragraph are the actions of  
21      Dennis M. Fujii on February 18 through 22, 1971,  
22      as a member of the Army serving in the Republic of  
23      Vietnam, for which he was awarded the Distin-  
24      guished-Service Cross.

1 (e) MEDAL OF HONOR TO EDWARD N. KANESHIRO,  
2 FOR ACTS OF VALOR DURING THE VIETNAM WAR.—

3 (1) AUTHORIZATION.—Notwithstanding the  
4 time limitations specified in section 7274 of title 10,  
5 United States Code, or any other time limitation  
6 with respect to the awarding of certain medals to  
7 persons who served in the Armed Forces, the Presi-  
8 dent may award the Medal of Honor under section  
9 7271 of such title to Edward N. Kaneshiro for the  
10 acts of valor described in paragraph (2).

11 (2) ACTS OF VALOR DESCRIBED.—The acts of  
12 valor described in this paragraph are the actions of  
13 Edward N. Kaneshiro on December 1, 1966, as a  
14 member of the Army serving in Vietnam, for which  
15 he was awarded the Distinguished-Service Cross.

16 (f) DISTINGUISHED-SERVICE CROSS TO EARL R.  
17 FILLMORE, JR. FOR ACTS OF VALOR IN SOMALIA.—

18 (1) AUTHORIZATION.—Notwithstanding the  
19 time limitations specified in section 7274 of title 10,  
20 United States Code, or any other time limitation  
21 with respect to the awarding of certain medals to  
22 persons who served in the Armed Forces, the Presi-  
23 dent may award the Distinguished-Service Cross  
24 under section 7272 of such title to Earl R. Fillmore,  
25 Jr. for the acts of valor described in paragraph (2).

1           (2) ACTS OF VALOR DESCRIBED.—The acts of  
2           valor described in this paragraph are the actions of  
3           Earl R. Fillmore, Jr. on October 3, 1993, as a mem-  
4           ber of the Army serving in Somalia, for which he  
5           was awarded the Silver Star.

6           (g) DISTINGUISHED-SERVICE CROSS TO ROBERT L.  
7           MABRY FOR ACTS OF VALOR IN SOMALIA.—

8           (1) AUTHORIZATION.—Notwithstanding the  
9           time limitations specified in section 7274 of title 10,  
10          United States Code, or any other time limitation  
11          with respect to the awarding of certain medals to  
12          persons who served in the Armed Forces, the Presi-  
13          dent may award the Distinguished-Service Cross  
14          under section 7272 of such title to Robert L. Mabry  
15          for the acts of valor described in paragraph (2).

16          (2) ACTS OF VALOR DESCRIBED.—The acts of  
17          valor described in this paragraph are the actions of  
18          Robert L. Mabry on October 3 and 4, 1993, as a  
19          member of the Army serving in Somalia, for which  
20          he was awarded the Silver Star.

21          (h) DISTINGUISHED-SERVICE CROSS TO JOHN G.  
22          MACEJUNAS FOR ACTS OF VALOR IN SOMALIA.—

23          (1) AUTHORIZATION.—Notwithstanding the  
24          time limitations specified in section 7274 of title 10,  
25          United States Code, or any other time limitation

1 with respect to the awarding of certain medals to  
2 persons who served in the Armed Forces, the Presi-  
3 dent may award the Distinguished-Service Cross  
4 under section 7272 of such title to John G.  
5 Macejunas for the acts of valor described in para-  
6 graph (2).

7 (2) ACTS OF VALOR DESCRIBED.—The acts of  
8 valor described in this paragraph are the actions of  
9 John G. Macejunas on October 3 and 4, 1993, as  
10 a member of the Army serving in Somalia, for which  
11 he was awarded the Silver Star.

12 (i) DISTINGUISHED-SERVICE CROSS TO WILLIAM F.  
13 THETFORD FOR ACTS OF VALOR IN SOMALIA.—

14 (1) AUTHORIZATION.—Notwithstanding the  
15 time limitations specified in section 7274 of title 10,  
16 United States Code, or any other time limitation  
17 with respect to the awarding of certain medals to  
18 persons who served in the Armed Forces, the Presi-  
19 dent may award the Distinguished-Service Cross  
20 under section 7272 of such title to William F.  
21 Thetford for the acts of valor described in paragraph  
22 (2).

23 (2) ACTS OF VALOR DESCRIBED.—The acts of  
24 valor described in this paragraph are the actions of  
25 William F. Thetford on October 3 and 4, 1993, as



1 a member of the Army serving in Somalia, for which  
2 he was awarded the Silver Star.

3 **SEC. 583. ESTABLISHMENT OF THE ATOMIC VETERANS**  
4 **COMMEMORATIVE SERVICE MEDAL.**

5 (a) SERVICE MEDAL REQUIRED.—The Secretary of  
6 Defense shall design and produce a commemorative mili-  
7 tary service medal, to be known as the “Atomic Veterans  
8 Commemorative Service Medal”, to commemorate the  
9 service and sacrifice of veterans who were instrumental in  
10 the development of our nations atomic and nuclear weap-  
11 ons programs.

12 (b) ELIGIBILITY REQUIREMENTS.—(1) The Sec-  
13 retary of Defense shall, within 180 days after the date  
14 of enactment of this Act, determine eligibility require-  
15 ments for this medal.

16 (2) Sixty days prior to publishing the eligibility re-  
17 quirements for this medal, the Secretary of Defense shall  
18 submit proposed eligibility criteria under paragraph (1) to  
19 the Committees on Armed Services of the Senate and  
20 House of Representatives for comment.

21 (3) The Secretary of Defense may require persons to  
22 submit supporting documentation for the medal author-  
23 ized in subsection (a) to determine eligibility under para-  
24 graph (1).

25 (c) DISTRIBUTION OF MEDAL.—

1           (1) ISSUANCE TO RETIRED AND FORMER MEM-  
2           BERS.—At the request of an eligible veteran, the  
3           Secretary of Defense shall issue the Atomic Veterans  
4           Commemorative Service Medal to the eligible vet-  
5           eran.

6           (2) ISSUANCE TO NEXT-OF-KIN.—In the case of  
7           a veteran who is deceased, the Secretary may pro-  
8           vide for issuance of the Atomic Veterans Commemo-  
9           rative Service Medal to the next-of-kin of the per-  
10          sons. If applications for a medal are filed by more  
11          than one next of kin of a person eligible to receive  
12          a medal under this section, the Secretary of Defense  
13          shall determine which next-of-kin will receive the  
14          medal.

15          (3) APPLICATION.—The Secretary shall prepare  
16          and disseminate as appropriate an application by  
17          which veterans and their next-of-kin may apply to  
18          receive the Atomic Veterans Service Medal.

19          (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
20          authorized to be appropriated such sum as may be nec-  
21          essary to carry out this section.

22   **SEC. 584. UPDATES AND PRESERVATION OF MEMORIALS TO**  
23                           **CHAPLAINS AT ARLINGTON NATIONAL CEME-**  
24                           **TERY.**

25          (a) UPDATES AND PRESERVATION OF MEMORIALS.—

1           (1) PROTESTANT CHAPLAINS MEMORIAL.—The  
2       Secretary of the Army may permit NCMAF—

3           (A) to modify the memorial to Protestant  
4       chaplains located on Chaplains Hill to include a  
5       granite, marble, or other stone base for the  
6       bronze plaque of the memorial;

7           (B) to provide an updated bronze plaque,  
8       described in subparagraph (A), including the  
9       name of each chaplain, verified as described in  
10      subsection (b), who died while serving on active  
11      duty in the Armed Forces after the date on  
12      which the original memorial was placed; and

13          (C) to make such other updates and cor-  
14      rections to the memorial that the Secretary de-  
15      termines necessary.

16          (2) CATHOLIC AND JEWISH CHAPLAIN MEMO-  
17      RIALS.—The Secretary of the Army may permit  
18      NCMAF to update and make corrections to the  
19      Catholic and Jewish chaplain memorials located on  
20      Chaplains Hill that the Secretary determines nec-  
21      essary.

22          (3) NO COST TO FEDERAL GOVERNMENT.—The  
23      activities of NCMAF authorized by this subsection  
24      shall be carried out at no cost to the Federal Gov-  
25      ernment.

1 (b) VERIFICATION OF NAMES.—NCMAF may not in-  
2 clude the name of a chaplain on a memorial on Chaplains  
3 Hill under subsection (a) unless that name has been  
4 verified by the Chief of Chaplains of the Army, Navy, or  
5 Air Force or the Chaplain of the United States Marine  
6 Corps, depending on the branch of the Armed Forces in  
7 which the chaplain served.

8 (c) PROHIBITION ON EXPANSION OF MEMORIALS.—  
9 Except as provided in subsection (a)(1)(A), this section  
10 may not be construed as authorizing the expansion of any  
11 memorial that is located on Chaplains Hill as of the date  
12 of the enactment of this Act.

13 (d) DEFINITIONS.—In this section:

14 (1) The term “Chaplains Hill” means the area  
15 in Arlington National Cemetery that, as of the date  
16 of the enactment of this Act, is generally identified  
17 and recognized as Chaplains Hill.

18 (2) The term “NCMAF” means the National  
19 Conference on Ministry to the Armed Forces or any  
20 successor organization recognized in law for pur-  
21 poses of the operation of this section.

22 **SEC. 585. REPORTS ON SECURITY FORCE PERSONNEL PER-**  
23 **FORMING PROTECTION LEVEL ONE DUTIES.**

24 (a) IN GENERAL.—The Secretary of the Air Force  
25 shall submit to the congressional defense committees a re-

1 port on the status of security force personnel performing  
2 protection level one (PL-1) duties—

3 (1) not later than 90 days after the date of the  
4 enactment of this Act; and

5 (2) concurrent with the submission to Congress  
6 of the budget of the President for each of fiscal  
7 years 2023 through 2027 pursuant to section  
8 1105(a) of title 31, United States Code.

9 (b) ELEMENTS.—Each report required by subsection  
10 (a) shall include the following:

11 (1) The number of Air Force personnel per-  
12 forming, and the number of unfilled billets des-  
13 igned for performance of, PL-1 duties on a full-  
14 time basis during the most recent fiscal year that  
15 ended before submission of the report.

16 (2) The number of such personnel  
17 disaggregated by mission assignment during that fis-  
18 cal year.

19 (3) The number of such personnel and unfilled  
20 billets at each major PL-1 installation during that  
21 fiscal year and a description of the rank structure  
22 of such personnel.

23 (4) A statement of the time, by rank structure,  
24 such personnel were typically assigned to perform

1 PL-1 duties at each major PL-1 installation during  
2 that fiscal year.

3 (5) The retention rate for security personnel  
4 performing such duties during that fiscal year.

5 (6) The number of Air Force PL-1 security  
6 force members deployed to support another Air  
7 Force mission or a joint mission with another mili-  
8 tary department during that fiscal year.

9 (7) A description of the type of training for se-  
10 curity personnel performing PL-1 duties during that  
11 fiscal year.

12 (8) An assessment of the status of replacing the  
13 existing fleet of high mobility multipurpose wheeled  
14 vehicles (HMMWV) and BearCat armored vehicles,  
15 by PL-1 installation.

16 (9) Such other matters as the Secretary con-  
17 siders appropriate relating to security force per-  
18 sonnel performing PL-1 duties during the period of  
19 five fiscal years after submission of the report.

20 **SEC. 586. GAO STUDY ON TATTOO POLICIES OF THE ARMED**  
21 **FORCES.**

22 (a) STUDY.—The Comptroller General of the United  
23 States shall evaluate the tattoo policies of each Armed  
24 Force, including—

1 (1) the effects of such policies on recruitment,  
2 retention, reenlistment of members of the Armed  
3 Forces; and

4 (2) processes for waivers to such policies to re-  
5 cruit, retain, or reenlist members who have unau-  
6 thorized tattoos.

7 (b) BRIEFING.—Not later than March 31, 2022, the  
8 Comptroller General shall brief the Committees on Armed  
9 Services of the Senate and House of Representatives on  
10 preliminary findings of such evaluation.

11 (c) REPORT.—Not later than July 1, 2022, the  
12 Comptroller General shall submit to the Committees on  
13 Armed Services of the Senate and House of Representa-  
14 tives a report containing the final results of such evalua-  
15 tion.

16 **SEC. 587. BRIEFING REGARDING BEST PRACTICES FOR**  
17 **COMMUNITY ENGAGEMENT IN HAWAII.**

18 (a) BRIEFING REQUIRED.—Not later than 90 days  
19 after the date of the enactment of this Act, the Assistant  
20 Secretary of Defense and the Secretaries of the military  
21 departments shall jointly submit to Congress a briefing  
22 on best practices for coordinating relations with State and  
23 local governmental entities in the State of Hawaii.

24 (b) BEST PRACTICES.—The best practices referred to  
25 in subsection (a) shall address each of the following issues:

1           (1) Identify comparable locations with joint  
2 base military installations or of other densely popu-  
3 lated metropolitan areas with multiple military in-  
4 stallations and summarize lessons learned from any  
5 similar efforts to engage with the community and  
6 public officials.

7           (2) Identify all the major community engage-  
8 ment efforts by the services, commands, installations  
9 and other military organizations in the State of Ha-  
10 waii.

11           (3) Evaluate the current community outreach  
12 efforts to identify any outreach gaps or coordination  
13 challenges that undermine the military engagement  
14 with the local community and elected official in the  
15 State of Hawaii.

16           (4) Propose options available to create an en-  
17 hanced, coordinated community engagement effort in  
18 the State of Hawaii based on the department's eval-  
19 uation.

20           (5) Resources to support the coordination de-  
21 scribed in this subsection, including the creation of  
22 joint liaison offices that are easily accessible to pub-  
23 lic officials to facilitate coordinating relations with  
24 State and local governmental agencies.



1 **TITLE VI—COMPENSATION AND**  
2 **OTHER PERSONNEL BENEFITS**

Subtitle A—Pay and Allowances

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

Subtitle B—Bonus and Incentive Pays

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

Subtitle C—Family and Survivor Benefits

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

Subtitle D—Defense Resale Matters

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

Subtitle E—Miscellaneous Rights and Benefits

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

## 1       **Subtitle A—Pay and Allowances**

### 2       **SEC. 601. BASIC NEEDS ALLOWANCE FOR MEMBERS ON AC-** 3                                   **TIVE SERVICE IN THE ARMED FORCES.**

4           (a) IN GENERAL.—Chapter 7 of title 37, United  
5 States Code, is amended by inserting after section 402a  
6 the following new section:

#### 7       **“§ 402b. Basic needs allowance for members on active** 8                                   **service in the Armed Forces**

9           “(a) ALLOWANCE REQUIRED.—The Secretary con-  
10 cerned shall pay to each member who is eligible under sub-  
11 section (b) a basic needs allowance in the amount deter-  
12 mined for such member under subsection (c).

13           “(b) ELIGIBLE MEMBERS.—A member on active  
14 service in the armed forces is eligible for the allowance  
15 under subsection (a) if—

16                   “(1) the member has completed initial entry  
17 training;

18                   “(2) the gross household income of the member  
19 during the most recent calendar year did not exceed  
20 an amount equal to 130 percent of the Federal pov-  
21 erty guidelines of the Department of Health and  
22 Human Services for the location of the member and  
23 the number of individuals in the household of the  
24 member for such year; and

25                   “(3) the member—

1           “(A) is not ineligible for the allowance  
2           under subsection (d); and

3           “(B) does not elect under subsection (g)  
4           not to receive the allowance.

5           “(c) AMOUNT OF ALLOWANCE.—The amount of the  
6           monthly allowance payable to a member under subsection  
7           (a) shall be the amount equal to—

8           “(1)(A) 130 percent of the Federal poverty  
9           guidelines of the Department of Health and Human  
10          Services for the calendar year during which the al-  
11          lowance is paid based on the location of the member  
12          and the number of individuals in the household of  
13          the member during the month for which the allow-  
14          ance is paid; minus

15          “(B) the gross household income of the member  
16          during the preceding calendar year; divided by

17          “(2) 12.

18          “(d) BASES OF INELIGIBILITY.—

19          “(1) IN GENERAL.—The following members are  
20          ineligible for the allowance under subsection (a):

21                 “(A) A member who does not have any de-  
22                 pendents.

23                 “(B) A cadet at the United States Military  
24                 Academy, the United States Air Force Acad-  
25                 emy, or the Coast Guard Academy, a mid-

1 shipman at the United States Naval Academy,  
2 or a cadet or midshipman serving elsewhere in  
3 the armed forces.

4 “(2) HOUSEHOLD WITH MORE THAN ONE ELI-  
5 GIBLE MEMBER.—In the event a household contains  
6 two or more members determined under subsection  
7 (f) to be eligible to receive the allowance under sub-  
8 section (a), only one allowance may be paid to a  
9 member among such members as such members  
10 shall jointly elect.

11 “(3) AUTOMATIC INELIGIBILITY OF MEMBERS  
12 RECEIVING CERTAIN PAY INCREASES.—A member  
13 determined to be eligible under subsection (f) for the  
14 allowance under subsection (a) whose monthly gross  
15 household income increases as a result of a pro-  
16 motion or other permanent increase to pay or allow-  
17 ances under this title to an amount that, on an  
18 annualized basis, would exceed the amount described  
19 in subsection (b)(2) is ineligible for the allowance. If  
20 such member is receiving the allowance, payment of  
21 the allowance shall automatically terminate within a  
22 reasonable time, as determined by the Secretary of  
23 Defense in regulations prescribed under subsection  
24 (j).

1           “(4) INELIGIBILITY OF CERTAIN CHANGES IN  
2 INCOME.—A member whose gross household income  
3 for the preceding year decreases because of a fine,  
4 forfeiture, or reduction in rank imposed as a part of  
5 disciplinary action or an action under chapter 47 of  
6 title 10 (the Uniform Code of Military Justice) is  
7 not eligible for the allowance under subsection (a)  
8 solely as a result of the fine, forfeiture, or reduction  
9 in rank.

10          “(e) APPLICATION BY MEMBERS SEEKING ALLOW-  
11 ANCE.—

12           “(1) IN GENERAL.—A member who seeks to re-  
13 ceive the allowance under subsection (a) shall submit  
14 to the Secretary concerned an application for the al-  
15 lowance that includes such information as the Sec-  
16 retary may require in order to determine whether or  
17 not the member is eligible to receive the allowance.

18           “(2) TIMING OF SUBMISSION.—A member who  
19 receives the allowance under subsection (a) and  
20 seeks to continue to receive the allowance shall sub-  
21 mit to the Secretary concerned an updated applica-  
22 tion under paragraph (1) at such times as the Sec-  
23 retary may require, but not less frequently than an-  
24 nually.

1           “(3) VOLUNTARY SUBMISSION.—The submis-  
2           sion of an application under paragraph (1) is vol-  
3           untary.

4           “(4) SCREENING OF MEMBERS FOR ELIGI-  
5           BILITY.—The Secretary of Defense shall—

6                   “(A) ensure that all members of the armed  
7                   forces are screened during initial entry training  
8                   and regularly thereafter for eligibility for the al-  
9                   lowance under subsection (a); and

10                   “(B) notify any member so screened who  
11                   may be eligible that the member may apply for  
12                   the allowance by submitting an application  
13                   under paragraph (1).

14           “(f) DETERMINATIONS OF ELIGIBILITY.—

15                   “(1) IN GENERAL.—The Secretary concerned  
16                   shall—

17                           “(A) determine which members of the  
18                           armed forces are eligible under subsection (b);  
19                           and

20                           “(B) notify each such member, in writing,  
21                           of that determination.

22                   “(2) INFORMATION INCLUDED IN NOTICE.—  
23                   The notice under paragraph (1) shall include infor-  
24                   mation regarding financial management and assist-

1       ance programs for which the member may be eligi-  
2       ble.

3       “(g) ELECTION NOT TO RECEIVE ALLOWANCE.—

4             “(1) IN GENERAL.—A member determined  
5       under subsection (f) to be eligible for the allowance  
6       under subsection (a) may elect, in writing, not to re-  
7       ceive the allowance.

8             “(2) DEEMED INELIGIBLE.—A member who  
9       does not submit an application under subsection (e)  
10       within a reasonable time (as determined by the Sec-  
11       retary concerned) shall be deemed ineligible for the  
12       allowance under subsection (a).

13       “(h) SPECIAL RULE FOR MEMBERS STATIONED  
14       OUTSIDE UNITED STATES.—In the case of a member as-  
15       signed to a duty location outside the United States, the  
16       Secretary concerned shall make the calculations described  
17       in subsections (b)(2) and (c)(1) using the Federal poverty  
18       guidelines of the Department of Health and Human Serv-  
19       ices for the continental United States.

20       “(i) REGULATIONS.—Not later than one year after  
21       the date of the enactment of the National Defense Author-  
22       ization Act for Fiscal Year 2022, the Secretary of Defense  
23       shall prescribe regulations for the administration of this  
24       section.

25       “(j) EFFECTIVE PERIOD.—

1           “(1) IMPLEMENTATION PERIOD.—The allow-  
2           ance under subsection (a) is payable for months be-  
3           ginning on or after the date that is one year after  
4           the date of the enactment of the National Defense  
5           Authorization Act for Fiscal Year 2022.

6           “(2) TERMINATION.—The allowance under sub-  
7           section (a) may not be paid for any month beginning  
8           after December 31, 2027.

9           “(k) DEFINITIONS.—In this section:

10           “(1) GROSS HOUSEHOLD INCOME.—The term  
11           ‘gross household income’, with respect to a member  
12           of the armed forces, includes—

13                   “(A) all household income, derived from  
14                   any source; minus

15                   “(B) in the case of a member whom the  
16                   Secretary concerned determines resides in an  
17                   area with a high cost of living, any portion of  
18                   the basic allowance for housing under section  
19                   403 of this title that the Secretary concerned  
20                   elects to exclude.

21           “(2) HOUSEHOLD.—The term ‘household’  
22           means a member of the armed forces and any de-  
23           pendents of the member enrolled in the Defense En-  
24           rollment Eligibility Reporting System, regardless of  
25           the location of those dependents.”.



1 (b) STUDY.—

2 (1) IN GENERAL.—The Secretary of Defense  
3 shall conduct a study on food insecurity in the  
4 Armed Forces. Results of such study shall include  
5 the following elements:

6 (A) An analysis of food deserts that affect  
7 members of the Armed Forces, and their fami-  
8 lies, who live in areas with high costs of living.

9 (B) A comparison of—

10 (i) the current method employed by  
11 the Secretary of Defense to determine  
12 areas with high costs of living;

13 (ii) local level indicators used by the  
14 Bureau of Labor Statistics that indicate  
15 buying power and consumer spending in  
16 specific geographic areas;

17 (iii) indicators used by the Depart-  
18 ment of Agriculture in market basket anal-  
19 yses and other measures of local and re-  
20 gional food costs.

21 (C) The feasibility of implementing a web  
22 portal for a member of any Armed Force to  
23 apply for the allowance under section 402b of  
24 title 37, United States Code, added by sub-  
25 section (a), including—

- 1 (i) cost;
- 2 (ii) ease of use;
- 3 (iii) access;
- 4 (iv) privacy; and
- 5 (v) any other factor the Secretary de-
- 6 termines appropriate.

7 (D) The development of a process to deter-

8 mine an appropriate allowance to supplement

9 the income of members who suffer food insecu-

10 rity.

11 (E) Outcomes of forums with beneficiaries,

12 military service organizations, and advocacy

13 groups to elicit information regarding the ef-

14 fects of food insecurity on members and their

15 dependents. The Secretary of Defense and each

16 Secretary of a military department shall con-

17 duct at least one such forum, only one of which

18 may be conducted in the National Capital Re-

19 gion.

20 (F) An estimate of costs to implement

21 each recommendation of the Secretary devel-

22 oped pursuant to this paragraph.

23 (G) Any other information the Secretary

24 determines appropriate.

1           (2) BRIEFING.—Not later than April 1, 2022,  
2           the Secretary shall brief the Committees on Armed  
3           Services of the Senate and House of Representatives  
4           on initial findings of the study.

5           (3) REPORT.—Not later than October 1, 2022,  
6           the Secretary shall submit to the Committees on  
7           Armed Services of the Senate and House of Rep-  
8           resentatives a report containing the final results of  
9           the study.

10          (4) DEFINITIONS.—In this subsection:

11           (A) The term “food desert” means an  
12           area, determined by the Secretary of Defense,  
13           where it is difficult to obtain affordable or high-  
14           quality fresh food.

15           (B) The term “National Capital Region”  
16           has the meaning given such term in section  
17           2674 of title 10, United States Code.

18          (c) REPORTS ON EFFECTS OF ALLOWANCE ON FOOD  
19          INSECURITY.—Not later than December 31, 2025, and  
20          June 1, 2028, the Secretary of Defense shall submit to  
21          the congressional defense committees a report regarding  
22          the effect of the allowance under section 402b of title 37,  
23          United States Code, added by subsection (a), on food inse-  
24          curity among members of the Armed Forces.

1 (d) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 7 of such title is amended by  
3 inserting after the item relating to section 402a the fol-  
4 lowing new item:

“402b. Basic needs allowance for members on active service in the Armed  
Forces.”.

5 **SEC. 602. EQUAL INCENTIVE PAY FOR MEMBERS OF THE**  
6 **RESERVE COMPONENTS OF THE ARMED**  
7 **FORCES.**

8 (a) IN GENERAL.—Subchapter II of chapter 5 of title  
9 37, United States Code, is amended by adding at the end  
10 the following new section:

11 **“§ 357. Incentive pay authorities for members of the**  
12 **reserve components of the armed forces**

13 “Notwithstanding section 1004 of this title, the Sec-  
14 retary concerned shall pay a member of the reserve compo-  
15 nent of an armed force incentive pay in the same monthly  
16 amount as that paid to a member in the regular compo-  
17 nent of such armed force performing comparable work re-  
18 quiring comparable skills.”.

19 (b) TECHNICAL AMENDMENT.—The table of sections  
20 at the beginning of such chapter is amended by inserting  
21 after the item relating to section 356 the following:

“357. Incentive pay authorities for members of the reserve components of the  
armed forces.”.

22 (c) REPORT.—Not later than September 30, 2022,  
23 the Secretary of Defense shall submit to the Committees

1 on Armed Services of the Senate and House of Represent-  
2 atives a report containing—

3 (1) the plan of the Secretary to implement sec-  
4 tion 357 of such title, as added by subsection (a);

5 (2) an estimate of the costs of such implemen-  
6 tation;

7 (3) the number of members described in such  
8 section; and

9 (4) any other matter the Secretary determines  
10 relevant.

11 (d) IMPLEMENTATION DATE.—The Secretary may  
12 not implement section 357 of such title, as added by sub-  
13 section (a) until after—

14 (1) submission of the report under subsection  
15 (b); and

16 (2) the Secretary determines and certifies in  
17 writing to the Committees on Armed Services of the  
18 Senate and House of Representatives that such im-  
19 plementation shall not have a detrimental effect on  
20 the force structure of an Armed Force concerned, in-  
21 cluding with regard to recruiting or retention of  
22 members in the regular component of such Armed  
23 Force.

1 **SEC. 603. EXPANSIONS OF CERTAIN TRAVEL AND TRANS-**  
2 **PORTATION AUTHORITIES.**

3 (a) LODGING IN KIND FOR RESERVE COMPONENT  
4 MEMBERS PERFORMING TRAINING.—

5 (1) IN GENERAL.—Section 12604 of title 10,  
6 United States Code, is amended by adding at the  
7 end the following new subsection:

8 “(c) LODGING IN KIND.—(1) In the case of a mem-  
9 ber of a reserve component performing active duty for  
10 training or inactive-duty training who is not otherwise en-  
11 titled to travel and transportation allowances in connec-  
12 tion with such duty, the Secretary concerned may reim-  
13 burse the member for housing service charge expenses in-  
14 curred by the member in occupying transient government  
15 housing during the performance of such duty. If transient  
16 government housing is unavailable or inadequate, the Sec-  
17 retary concerned may provide the member with lodging in  
18 kind.

19 “(2) Any payment or other benefit under this sub-  
20 section shall be provided in accordance with regulations  
21 prescribed by the Secretary concerned.

22 “(3) The Secretary may pay service charge expenses  
23 under paragraph (1) and expenses of providing lodging in  
24 kind under such paragraph out of funds appropriated for  
25 operation and maintenance for the reserve component con-

1 cerned. Use of a Government charge card is authorized  
2 for payment of these expenses.

3 “(4) Decisions regarding the availability or adequacy  
4 of government housing at a military installation under  
5 paragraph (1) shall be made by the installation com-  
6 mander.”.

7 (2) CONFORMING AMENDMENT.—Section 474  
8 of title 37, United States Code, is amended by strik-  
9 ing subsection (i).

10 (b) MANDATORY PET QUARANTINE FEES FOR  
11 HOUSEHOLD PETS.—Section 451(b)(8) of title 37, United  
12 States Code, is amended by adding at the end the fol-  
13 lowing: “Such costs include pet quarantine expenses.”.

14 (c) STUDENT DEPENDENT TRANSPORTATION.—

15 (1) IN GENERAL.—Section 452(b) of title 37,  
16 United States Code, is amended by adding at the  
17 end the following new paragraphs:

18 “(18) Travel by a dependent child to the United  
19 States to obtain formal secondary, undergraduate,  
20 graduate, or vocational education, if the permanent  
21 duty assignment location of the member of the uni-  
22 formed services is outside the continental United  
23 States (other than in Alaska or Hawaii).

24 “(19) Travel by a dependent child within the  
25 United States to obtain formal secondary, under-

1 graduate, graduate, or vocational education, if the  
2 permanent duty assignment location of the member  
3 of the uniformed services is in Alaska or Hawaii and  
4 the school is located in a State outside of the perma-  
5 nent duty assignment location.”.

6 (2) DEFINITIONS.—Section 451 of title 37,  
7 United States Code, as amended by subsection (b) of  
8 this section, is amended—

9 (A) in subsection (a)(2)(H), by adding at  
10 the end the following new clauses:

11 “(vii) Transportation of a dependent  
12 child of a member of the uniformed serv-  
13 ices to the United States to obtain formal  
14 secondary, undergraduate, graduate, or vo-  
15 cational education, if the permanent duty  
16 assignment location of the member is out-  
17 side the continental United States (other  
18 than in Alaska or Hawaii).

19 “(viii) Transportation of a dependent  
20 child of a member of the uniformed serv-  
21 ices within the United States to obtain for-  
22 mal secondary, undergraduate, graduate,  
23 or vocational education, if the permanent  
24 duty assignment location of the member is  
25 in Alaska or Hawaii and the school is lo-



1 cated in a State outside of the permanent  
2 duty assignment location.”; and

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

5 “(10)(A) The term ‘permanent duty assignment  
6 location’ means—

7 “(i) the official station of a member of the  
8 uniformed services; or

9 “(ii) the residence of a dependent of a  
10 member of the uniformed services.

11 “(B) As used in subparagraph (A)(ii), the resi-  
12 dence of a dependent who is a student not living  
13 with the member while at school is the permanent  
14 duty assignment location of the dependent student.”.

15 (d) DEPENDENT TRANSPORTATION INCIDENT TO  
16 SHIP CONSTRUCTION, INACTIVATION, AND OVER-  
17 HAULING.—

18 (1) IN GENERAL.—Section 452 of title 37,  
19 United States Code, as amended by subsection (c) of  
20 this section, is further amended—

21 (A) in subsection (b), by adding at the end  
22 the following new paragraph:

23 “(20) Subject to subsection (i), travel by a de-  
24 pendent to a location where a member of the uni-  
25 formed services is on permanent duty aboard a ship

1 that is overhauling, inactivating, or under construc-  
2 tion.”; and

3 (B) by adding at the end the following new  
4 subsection:

5 “(i) DEPENDENT TRANSPORTATION INCIDENT TO  
6 SHIP CONSTRUCTION, INACTIVATION, AND OVER-  
7 HAULING.—The authority under subsection (a) for travel  
8 in connection with circumstances described in subsection  
9 (b)(20) shall be subject to the following terms and condi-  
10 tions:

11 “(1) The member of the uniformed services  
12 must be permanently assigned to the ship for 31 or  
13 more consecutive days to be eligible for allowances,  
14 and the transportation allowances accrue on the 31st  
15 day and every 60 days thereafter.

16 “(2) Transportation in kind, reimbursement for  
17 personally procured transportation, or a monetary  
18 allowance for mileage in place of the cost of trans-  
19 portation may be provided, in lieu of the member’s  
20 entitlement to transportation, for the member’s de-  
21 pendents from the location that was the home port  
22 of the ship before commencement of overhaul or in-  
23 activation to the port of overhaul or inactivation.

24 “(3) The total reimbursement for transpor-  
25 tation for the member’s dependents may not exceed

1 the cost of one Government-procured commercial  
2 round-trip travel.”.

3 (2) DEFINITIONS.—Section 451(a)(2)(H) of  
4 title 37, United States Code, as amended by sub-  
5 section (e) of this section, is further amended by  
6 adding at the end the following new clause:

7 “(ix) Transportation of a dependent  
8 to a location where a member of the uni-  
9 formed services is on permanent duty  
10 aboard a ship that is overhauling, inac-  
11 tivating, or under construction.”.

12 (e) TECHNICAL CORRECTION.—Section 2784a(a)(3)  
13 of title 10, United States Code, is amended by striking  
14 “section 474” and inserting “section 452”.

15 **SEC. 604. REPEAL OF EXPIRING TRAVEL AND TRANSPOR-**  
16 **TATION AUTHORITIES.**

17 (a) IN GENERAL.—Effective December 31, 2021,  
18 subchapter III of chapter 8 of title 37, United States  
19 Code, is repealed.

20 (b) CLERICAL AMENDMENT.—The table of sections  
21 at the beginning of chapter 8 of such title is amended by  
22 striking the items relating to subchapter III and sections  
23 471 through 495.

1 **SEC. 605. REQUIREMENTS IN CONNECTION WITH SUSPEN-**  
2 **SION OF RETIRED PAY AND RETIREMENT AN-**  
3 **NUITIES.**

4 (a) ANNUAL ELIGIBILITY DETERMINATION PROCE-  
5 DURES.—Not later than 180 days after the date of the  
6 enactment of this Act, the Secretary of Defense shall pre-  
7 scribe in regulations a single annual eligibility determina-  
8 tion procedure for determinations of eligibility for military  
9 retired or retainer pay and survivor annuities in connec-  
10 tion with military service as a replacement of the current  
11 procedures in connection with the Certificate of Eligibility  
12 and Report of Existence for military retirees and annu-  
13 itants.

14 (b) REPORT.—Not later than one year after the date  
15 of the enactment of this Act, the Secretary of Defense  
16 shall submit to the Committees on Armed Services of the  
17 Senate and House of Representatives a report on a proc-  
18 ess by which notifications of the death of a military retiree  
19 or annuitant may be determined with respect to the termi-  
20 nation of eligibility for benefits.

21 **SEC. 606. REPORT ON RELATIONSHIP BETWEEN BASIC AL-**  
22 **LOWANCE FOR HOUSING AND SIZES OF MILI-**  
23 **TARY FAMILIES.**

24 Not later than 180 days after the date of the enact-  
25 ment of this Act, the Secretary of Defense shall submit  
26 to the Committees on Armed Services of the Senate and

1 House of Representatives a report on whether the basic  
2 allowance for housing under section 403 of title 37, United  
3 States Code, is sufficient for the average family size of  
4 members of the Armed Forces, disaggregated by rank and  
5 military housing area.

6 **SEC. 607. REPORT ON CERTAIN MOVING EXPENSES FOR**  
7 **MEMBERS OF THE ARMED FORCES.**

8 Not later than 180 days after the date of the enact-  
9 ment of this Act, the Secretary of Defense shall submit  
10 to the Committees on Armed Services of the Senate and  
11 House of Representatives a report on moving expenses in-  
12 curred by members of the Armed Forces and their families  
13 that exceed such expenses covered by the Joint Travel  
14 Regulations for the Uniformed Services, disaggregated by  
15 Armed Force, rank, and military housing area. In such  
16 report, the Secretary shall examine the root causes of such  
17 expenses.

18 **SEC. 608. REPORT ON TEMPORARY LODGING EXPENSES IN**  
19 **COMPETITIVE HOUSING MARKETS.**

20 Not later than 180 days after the date of the enact-  
21 ment of this Act, the Secretary of Defense shall submit  
22 to the Committees on Armed Services of the Senate and  
23 House of Representatives a report on the appropriateness  
24 of the maximum payment period of 10 days under sub-  
25 section (c) of section 474a of title 37, United States Code

1 in highly competitive housing markets. Such report shall  
2 include how the Secretary educates members of the Armed  
3 Forces and their families about their ability to request  
4 payment under such section.

5 **SEC. 609. REPORT ON RENTAL PARTNERSHIP PROGRAMS.**

6 Not later than 120 days after the date of the enact-  
7 ment of this Act, the Secretary of Defense shall submit  
8 to the Committees on Armed Services of the Senate and  
9 House of Representatives a report on the rental partner-  
10 ship programs of the Armed Forces. Such report shall in-  
11 clude—

12 (1) the numbers and percentages of members of  
13 the Armed Forces who do not live in housing located  
14 on military installations who participate in such pro-  
15 grams; and

16 (2) the recommendation of the Secretary wheth-  
17 er Congress should establish annual funding for  
18 such programs and, if so, what in amounts.

19 **Subtitle B—Bonus and Incentive**  
20 **Pays**

21 **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**  
22 **BONUS AND SPECIAL PAY AUTHORITIES.**

23 (a) **AUTHORITIES RELATING TO RESERVE**  
24 **FORCES.**—Section 910(g) of title 37, United States Code,  
25 relating to income replacement payments for reserve com-

1 ponent members experiencing extended and frequent mo-  
2 bilization for active duty service, is amended by striking  
3 “December 31, 2021” and inserting “December 31,  
4 2022”.

5 (b) TITLE 10 AUTHORITIES RELATING TO HEALTH  
6 CARE PROFESSIONALS.—The following sections of title  
7 10, United States Code, are amended by striking “Decem-  
8 ber 31, 2021” and inserting “December 31, 2022”:

9 (1) Section 2130a(a)(1), relating to nurse offi-  
10 cer candidate accession program.

11 (2) Section 16302(d), relating to repayment of  
12 education loans for certain health professionals who  
13 serve in the Selected Reserve.

14 (c) AUTHORITIES RELATING TO NUCLEAR OFFI-  
15 CERS.—Section 333(i) of title 37, United States Code, is  
16 amended by striking “December 31, 2021” and inserting  
17 “December 31, 2022”.

18 (d) AUTHORITIES RELATING TO TITLE 37 CONSOLI-  
19 DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-  
20 THORITIES.—The following sections of title 37, United  
21 States Code, are amended by striking “December 31,  
22 2021” and inserting “December 31, 2022”:

23 (1) Section 331(h), relating to general bonus  
24 authority for enlisted members.

1           (2) Section 332(g), relating to general bonus  
2 authority for officers.

3           (3) Section 334(i), relating to special aviation  
4 incentive pay and bonus authorities for officers.

5           (4) Section 335(k), relating to special bonus  
6 and incentive pay authorities for officers in health  
7 professions.

8           (5) Section 336(g), relating to contracting  
9 bonus for cadets and midshipmen enrolled in the  
10 Senior Reserve Officers' Training Corps.

11          (6) Section 351(h), relating to hazardous duty  
12 pay.

13          (7) Section 352(g), relating to assignment pay  
14 or special duty pay.

15          (8) Section 353(i), relating to skill incentive  
16 pay or proficiency bonus.

17          (9) Section 355(h), relating to retention incen-  
18 tives for members qualified in critical military skills  
19 or assigned to high priority units.

20          (e) AUTHORITY TO PROVIDE TEMPORARY INCREASE  
21 IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section  
22 403(b)(7)(E) of title 37, United States Code, is amended  
23 by striking “December 31, 2021” and inserting “Decem-  
24 ber 31, 2022”.



1     **Subtitle C—Family and Survivor**  
2                     **Benefits**

3     **SEC. 621. EXTENSION OF PAID PARENTAL LEAVE.**

4             (a) IN GENERAL.—Section 701 of title 10, United  
5 States Code, is amended—

6                     (1) in subsection (i)—

7                             (A) in paragraph (1)—

8                                     (i) in subparagraph (A), by striking  
9                                     “a member” and all that follows through  
10                                    the period at the end and inserting the fol-  
11                                   lowing: “a member of the armed forces de-  
12                                   scribed in paragraph (2) is allowed up to  
13                                   a total of 12 weeks of parental leave dur-  
14                                   ing the one-year period beginning after the  
15                                   following events:

16                                    “(i) The birth or adoption of a child  
17                                   of the member and in order to care for  
18                                   such child.

19                                    “(ii) The placement of a minor child  
20                                   with the member for adoption or long-term  
21                                   foster care.”; and

22                                    (ii) by striking subparagraph (B) and  
23                                   inserting the following:

24                                    “(B)(i) The Secretary concerned, under  
25                                   uniform regulations to be prescribed by the Sec-

1           retary of Defense, may authorize leave de-  
2           scribed under subparagraph (A) to be taken  
3           after the one-year period described in such  
4           paragraph in the case of a member described in  
5           paragraph (2) who, except for this subpara-  
6           graph, would lose unused parental leave at the  
7           end of the one-year period described in subpara-  
8           graph (A) as a result of—

9                     “(I) operational requirements;

10                    “(II) professional military education  
11                    obligations; or

12                    “(III) other circumstances that the  
13                    Secretary determines reasonable and ap-  
14                    propriate.

15                    “(ii) The regulations prescribed under  
16                    clause (i) shall require that any leave author-  
17                    ized to be taken after the one-year period de-  
18                    scribed in subparagraph (A) shall be taken  
19                    within a reasonable period of time, as deter-  
20                    mined by the Secretary of Defense, after ces-  
21                    sation of the circumstances warranting the ex-  
22                    tended deadline.”;

23                    (B) by striking paragraphs (3), (8), and  
24                    (10) and redesignating paragraphs (4), (5), (6),

1 (7), and (9) as paragraphs (3), (4), (5), (6),  
2 and (7), respectively;

3 (C) in paragraph (3), as redesignated by  
4 subparagraph (B), by striking the matter pre-  
5 ceding the em dash and inserting “A member  
6 who has given birth may receive medical con-  
7 valescent leave in conjunction with such birth.  
8 Medical convalescent leave in excess of the leave  
9 under paragraph (1) may be authorized if such  
10 additional medical convalescent leave”;

11 (D) in paragraph (4), as so redesignated,  
12 by striking “paragraphs (1) and (4)” and in-  
13 serting “paragraphs (1) and (3)”;

14 (E) in paragraph (5)(A), as so redesign-  
15 ated, by inserting “, subject to the exceptions  
16 in paragraph (1)(B)(ii)” after “shall be for-  
17 feited”; and

18 (F) in paragraph (7)(B), as so redesign-  
19 ated, by striking “paragraph (4)” and insert-  
20 ing “paragraph (3)”;

21 (2) by striking subsection (j) and redesignating  
22 subsections (k) and (l) as subsections (j) and (k), re-  
23 spectively; and

24 (3) by adding at the end the following new sub-  
25 section (l):

1           “(1) A member of the armed forces who gives birth  
2 while on active duty may be required to meet body com-  
3 position standards or pass a physical fitness test during  
4 the period of 12 months beginning on the date of such  
5 birth only with the approval of a health care provider em-  
6 ployed at a military medical treatment facility and—

7                   “(1) at the election of such member; or

8                   “(2) in the interest of national security, as de-  
9           termined by the Secretary of Defense.”.

10           (b) EFFECTIVE DATE.—The amendments made by  
11 subsection (a) shall take effect one year after the date of  
12 the enactment of this Act.

13           (c) REGULATIONS.—Not later than one year after the  
14 date of the enactment of this Act, the Secretary of Defense  
15 shall prescribe regulations implementing the amendments  
16 made by subsection (a).

17           (d) REPORTING.—Not later than January 1, 2023,  
18 and annually thereafter, each Secretary of a military de-  
19 partment shall submit, to the Committees on Armed Serv-  
20 ices of the Senate and House of Representatives, a report  
21 regarding the use, during the preceding fiscal year, of  
22 leave under subsections (i) and (j) of section 701 of such  
23 title, as amended by subsection (a), disaggregated by  
24 births, adoptions, and foster placements, including the  
25 number of members of the Armed Forces who—

1           (1) used the maximum amount of primary care-  
2           giver leave; and

3           (2) used leave in multiple increments.

4 **SEC. 622. BEREAVEMENT LEAVE FOR MEMBERS OF THE**  
5 **ARMED FORCES.**

6           (a) IN GENERAL.—Section 701 of title 10, United  
7 States Code, is amended by adding at the end the fol-  
8 lowing new subsection:

9           “(m)(1)(A) Under regulations prescribed by the Sec-  
10 retary of Defense, a member of the armed forces described  
11 in subparagraph (B) is allowed up to two weeks of leave  
12 to be used in connection with the death of an immediate  
13 family member.

14           “(B) Subparagraph (A) applies to the following mem-  
15 bers:

16           “(A) A member on active duty.

17           “(B) A member of a reserve component per-  
18 forming active Guard and Reserve duty.

19           “(C) A member of a reserve component subject  
20 to an active duty recall or mobilization order in ex-  
21 cess of 12 months.

22           “(2) Under the regulations prescribed for purposes  
23 of this subsection, a member taking leave under paragraph  
24 (1) shall not have his or her leave account reduced as a  
25 result of taking such leave if such member’s accrued leave

1 is fewer than 30 days. Members with 30 or more days  
2 of accrued leave shall be charged for bereavement leave  
3 until such point that the member's accrued leave is less  
4 than 30 days. Any remaining bereavement leave taken by  
5 such member in accordance with paragraph (1) after such  
6 point shall not be chargeable to the member.

7 “(3) In this section, the term ‘immediate family mem-  
8 ber’, with respect to a member of the armed forces,  
9 means—

10 “(A) the member's spouse; or

11 “(B) a child of the member.”.

12 (b) EFFECTIVE DATE.—The amendment made by  
13 subsection (a) shall take effect 180 days after the date  
14 of the enactment of this Act.

15 **SEC. 623. TRAVEL AND TRANSPORTATION ALLOWANCES**  
16 **FOR FAMILY MEMBERS TO ATTEND THE FU-**  
17 **NERAL AND MEMORIAL SERVICES OF MEM-**  
18 **BERS.**

19 Section 452(b) of title 37, United States Code, is  
20 amended by adding at the end the following new para-  
21 graph:

22 “(18) Presence of family members at the fu-  
23 neral and memorial services of members.”.

1 **SEC. 624. EXPANSION OF PILOT PROGRAM TO PROVIDE FI-**  
2 **NANCIAL ASSISTANCE TO MEMBERS OF THE**  
3 **ARMED FORCES FOR IN-HOME CHILD CARE.**

4 Section 589(b) of the William M. (Mac) Thornberry  
5 National Defense Authorization Act for Fiscal Year 2021  
6 (Public Law 116–283) is amended—

7 (1) by inserting “(1)” before “The Secretary”;

8 and

9 (2) by adding at the end the following new  
10 paragraph:

11 “(2) The Secretary may carry out the pilot program  
12 at other locations the Secretary determines appropriate.”.

13 **SEC. 625. PILOT PROGRAM ON DIRECT HIRE AUTHORITY**  
14 **FOR SPOUSES OF MEMBERS OF THE UNI-**  
15 **FORMED SERVICES AT LOCATIONS OUTSIDE**  
16 **THE UNITED STATES.**

17 (a) IN GENERAL.—The Secretary of Defense may  
18 carry out a pilot program to assess the feasibility and ad-  
19 visability of using the authority under subsection (b) to  
20 hire spouses of members of the uniformed services at loca-  
21 tions outside the United States.

22 (b) AUTHORITY.—In carrying out the pilot program  
23 under this section, the Secretary may appoint, without re-  
24 gard to the provisions of subchapter I of chapter 33 of  
25 title 5, United States Code (other than sections 3303 and  
26 3328 of such chapter), a spouse of a member of the uni-

1 formed services stationed at a duty location outside the  
2 United States to a position described in subsection (c) if—

3 (1) the spouse has been authorized to accom-  
4 pany the member to the duty location at Govern-  
5 ment expense; and

6 (2) the duty location is within reasonable com-  
7 muting distance, as determined by the Secretary  
8 concerned, of the location of the position.

9 (c) POSITION DESCRIBED.—A position described in  
10 this subsection is a competitive service position within the  
11 Department of Defense that is located outside the United  
12 States.

13 (d) TERM OF APPOINTMENT.—

14 (1) IN GENERAL.—An appointment made under  
15 this section shall be for a term not exceeding two  
16 years.

17 (2) RENEWAL.—The Secretary of Defense may  
18 renew an appointment made under this section for  
19 not more than two additional terms, each not ex-  
20 ceeding two years.

21 (3) TERMINATION.—An appointment made  
22 under this section shall terminate on the date on  
23 which the member of the uniformed services relo-  
24 cates back to the United States in connection with  
25 a permanent change of station.



1 (e) PAYMENT OF TRAVEL AND TRANSPORTATION AL-  
2 LOWANCES.—Nothing in this section may be construed to  
3 authorize additional travel or transportation allowances in  
4 connection with an appointment made under this section.

5 (f) RELATIONSHIP TO OTHER LAW.—Nothing in this  
6 section may be construed to interfere with—

7 (1) the authority of the President under section  
8 3304 of title 5, United States Code;

9 (2) the authority of the President under section  
10 1784 of title 10, United States Code;

11 (3) the ability of the head of an agency to make  
12 noncompetitive appointments pursuant to section  
13 3330d of title 5, United States Code; or

14 (4) any obligation under any applicable treaty,  
15 status of forces agreement, or other international  
16 agreement between the United States Government  
17 and the government of the country in which the po-  
18 sition is located.

19 (g) REPORTS REQUIRED.—

20 (1) IN GENERAL.—Not later than one year  
21 after the date of the enactment of this Act, and an-  
22 nually thereafter, the Secretary of Defense shall sub-  
23 mit to the appropriate committees of Congress a re-  
24 port setting forth the following:

1 (A) The number of individuals appointed  
2 under this section.

3 (B) The position series and grade to which  
4 each individual described in subparagraph (A)  
5 was appointed.

6 (C) Demographic data on the individuals  
7 described in subparagraph (A), including with  
8 respect to race, gender, age, and education level  
9 attained.

10 (D) Data on the members of the uniformed  
11 services whose spouses have been appointed  
12 under this section, including the rank of each  
13 such member.

14 (E) Such recommendations for legislative  
15 or administrative action as the Secretary con-  
16 siders appropriate relating to continuing or ex-  
17 panding the pilot program.

18 (2) FINAL REPORT.—Not later than December  
19 31, 2026, the Secretary shall submit to the appro-  
20 priate committees of Congress a final report setting  
21 forth the information under paragraph (1).

22 (h) TERMINATION.—The pilot program under this  
23 section shall terminate on December 31, 2026.

24 (i) DEFINITIONS.—In this section:

1           (1) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Armed Services and  
5                   the Committee on Homeland Security and Gov-  
6                   ernmental Affairs of the Senate; and

7                   (B) the Committee on Armed Services and  
8                   the Committee on Oversight and Reform of the  
9                   House of Representatives.

10          (2) SECRETARY CONCERNED.—The term “Sec-  
11          retary concerned”—

12                   (A) has the meaning given the term in sec-  
13                   tion 101(a)(9) of title 10, United States Code;  
14                   and

15                   (B) includes—

16                           (i) the Secretary of Commerce, with  
17                           respect to matters concerning the commis-  
18                           sioned officer corps of the National Oce-  
19                           anic and Atmospheric Administration; and

20                           (ii) the Secretary of Health and  
21                           Human Services, with respect to matters  
22                           concerning the commissioned corps of the  
23                           Public Health Service.

1           (3) UNIFORMED SERVICES.—The term “uni-  
2           formed services” has the meaning given the term in  
3           section 101(a)(5) of title 10, United States Code.

4           (4) UNITED STATES.—The term “United  
5           States” has the meaning given that term in section  
6           101(a)(1) of title 10, United States Code.

7   **SEC. 626. CASUALTY ASSISTANCE PROGRAM: REFORM; ES-**  
8                           **TABLISHMENT OF WORKING GROUP.**

9           (a) CASUALTY ASSISTANCE REFORM WORKING  
10          GROUP.—

11           (1) ESTABLISHMENT.—Not later than 180 days  
12           after the date of the enactment of this Act, the Sec-  
13           retary of Defense shall establish a working group to  
14           be known as the “Casualty Assistance Reform  
15           Working Group” (in this section referred to as the  
16           “Working Group”).

17           (2) DUTIES.—The Working Group shall per-  
18           form the following duties:

19                   (A) Create standards and training for  
20                   CAOs across the military departments.

21                   (B) Explore the possibility of establishing  
22                   a unique badge designation for—

23                           (i) CAOs who have performed CAO  
24                           duty more than five times; or

25                           (ii) professional CAOs.

1 (C) Examine the current workflow of cas-  
2 ualty affairs support across the military depart-  
3 ments, including administrative processes and  
4 survivor engagements.

5 (D) Perform a gap analysis and solution  
6 document that clearly identifies and prioritizes  
7 critical changes to modernize and profes-  
8 sionalize the casualty experience for survivors.

9 (E) Review the organization of the Office  
10 of Casualty, Mortuary Affairs and Military Fu-  
11 neral Honors to ensure it is positioned to co-  
12 ordinate policy and assist in all matters under  
13 its jurisdiction, across the Armed Forces, in-  
14 cluding any potential intersections with the De-  
15 fense Prisoner of War and Missing in Action  
16 Accounting Agency.

17 (F) Explore the establishment of—

18 (i) an annual meeting, led by the Sec-  
19 retary of Defense, with gold star families;  
20 and

21 (ii) a surviving and gold star family  
22 leadership council.

23 (G) Recommend improvements to the fam-  
24 ily notification process of Arlington National  
25 Cemetery.

1 (H) Explore the redesign of the Days  
2 Ahead Binder, including creating an electronic  
3 version.

4 (I) Consider the expansion of the DD  
5 Form 93 to include more details regarding the  
6 last wishes of the deceased member.

7 (J) Assess coordination between the De-  
8 partment of Defense and the Office of Sur-  
9 vivors Assistance of the Department of Vet-  
10 erans Affairs.

11 (3) MEMBERSHIP.—The membership of the  
12 Working Group shall be composed of the following:

13 (A) The Under Secretary of Defense for  
14 Personnel and Readiness, who shall serve as  
15 Chair of the Working Group.

16 (B) At least one person furnished with a  
17 gold star lapel button under section 1126 of  
18 title 10, United States Code, by each Secretary  
19 of a military department.

20 (C) Other members of the Armed Forces  
21 or civilian employees of the Department of De-  
22 fense, appointed by the Secretary of Defense,  
23 based on knowledge of, and experience with,  
24 matters described in paragraph (2).

1           (4) REPORT.—Not later than September 30,  
2           2022, the Working Group shall submit to the Sec-  
3           retary of Defense a report containing the determina-  
4           tions and recommendations of the Working Group.

5           (5) TERMINATION.—The Working Group shall  
6           terminate upon submission of the report under para-  
7           graph (4).

8           (b) REPORT REQUIRED.—Not later than November  
9           1, 2022, the Secretary of Defense shall submit to the  
10          Committees on Armed Services of the Senate and the  
11          House of Representatives a report setting forth the results  
12          of a review and assessment of the casualty assistance offi-  
13          cer program, including the report of the Working Group.

14          (c) ESTABLISHMENT OF CERTAIN DEFINITIONS.—  
15          Not later than one year after the date of the enactment  
16          of this Act, the Secretary of Defense, in coordination with  
17          the Secretaries of the military departments, shall publish  
18          an interim rule that establishes standard definitions, for  
19          use across the military departments, of the terms “gold  
20          star family” and “gold star survivor”.

21          (d) CAO DEFINED.—In this section, the term  
22          “CAO” means a casualty assistance officer of the Armed  
23          Forces.

## 1 **Subtitle D—Defense Resale Matters**

### 2 **SEC. 631. ADDITIONAL SOURCES OF FUNDS AVAILABLE FOR** 3 **CONSTRUCTION, REPAIR, IMPROVEMENT,** 4 **AND MAINTENANCE OF COMMISSARY** 5 **STORES.**

6 Section 2484(h) of title 10, United States Code, is  
7 amended—

8 (1) in paragraph (5), by adding at the end the  
9 following new subparagraphs:

10 “(F) Amounts made available for any purpose  
11 set forth in paragraph (1) pursuant to an agreement  
12 with a host nation.

13 “(G) Amounts appropriated for repair or recon-  
14 struction of a commissary store in response to a dis-  
15 aster or emergency.”; and

16 (2) by adding at the end the following new  
17 paragraph:

18 “(6) Revenues made available under paragraph (5)  
19 for the purposes set forth in paragraphs (1), (2), and (3)  
20 may be supplemented with additional funds derived  
21 from—

22 “(A) improved management practices imple-  
23 mented pursuant to sections 2481(c)(3), 2485(b),  
24 and 2487(c) of this title; and



1           “(B) the variable pricing program implemented  
2           pursuant to subsection (i).”.

3           **Subtitle E—Miscellaneous Rights**  
4           **and Benefits**

5           **SEC. 641. ALEXANDER LOFGREN VETERANS IN PARKS PRO-**  
6           **GRAM.**

7           Section 805 of the Federal Lands Recreation En-  
8           hancement Act (Public Law 108–447; 118 Stat. 3385; 16  
9           U.S.C. 6804) is amended—

10           (1) in subsection (a)(4), by striking “age and  
11           disability discounted” and inserting “age discount  
12           and lifetime”; and

13           (2) in subsection (b)—

14           (A) in the heading, by striking “DIS-  
15           COUNTED” and inserting “FREE AND DIS-  
16           COUNTED”;

17           (B) in paragraph (2)—

18           (i) in the heading, by striking “DIS-  
19           ABILITY DISCOUNT” and inserting “LIFE-  
20           TIME PASSES”; and

21           (ii) by striking subparagraph (B) and  
22           inserting the following:

23           “(B) Any veteran who provides adequate  
24           proof of military service as determined by the  
25           Secretary.

1           “(C) Any member of a Gold Star Family  
2           who meets the eligibility requirements of section  
3           3.2 of Department of Defense Instruction  
4           1348.36 (or a successor instruction).”; and

5           (C) in paragraph (3)—

6           (i) in the heading, by striking “GOLD  
7           STAR FAMILIES PARKS PASS” and inserting  
8           “ANNUAL PASSES”; and

9           (ii) by striking “members of” and all  
10          that follows through the end of the sen-  
11          tence and inserting “members of the  
12          Armed Forces and their dependents who  
13          provide adequate proof of eligibility for  
14          such pass as determined by the Sec-  
15          retary.”.

## 16           **TITLE VII—HEALTH CARE** 17           **PROVISIONS**

### TITLE VII—HEALTH CARE PROVISIONS

#### Subtitle A—TRICARE and Other Health Care Benefits

- Sec. 701. Eating disorders treatment for certain members of the Armed Forces and dependents.
- Sec. 702. Addition of preconception and prenatal carrier screening coverage as benefits under TRICARE program.
- Sec. 703. Revisions to TRICARE provider networks.
- Sec. 704. Self-initiated referral process for mental health evaluations of members of the Armed Forces.
- Sec. 705. Modifications to pilot program on health care assistance system.
- Sec. 706. Modification of pilot program on receipt of non-generic prescription maintenance medications under TRICARE pharmacy benefits program.
- Sec. 707. Improvement of postpartum care for members of the Armed Forces and dependents.

## Subtitle B—Health Care Administration

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

## Subtitle C—Reports and Other Matters

- Sec. 731. Modifications and reports related to military medical manning and medical billets.
- Sec. 732. Access by United States Government employees and their family members to certain facilities of Department of Defense for assessment and treatment of anomalous health conditions.
- Sec. 733. Pilot program on cardiac screening at certain military service academies.
- Sec. 734. Pilot program on assistance for mental health appointment scheduling at military medical treatment facilities.
- Sec. 735. Prohibition on availability of funds for certain research connected to China.
- Sec. 736. Limitation on certain discharges solely on the basis of failure to obey lawful order to receive COVID-19 vaccine.
- Sec. 737. Independent analysis of Department of Defense Comprehensive Autism Care Demonstration program.
- Sec. 738. Independent review of suicide prevention and response at military installations.
- Sec. 739. Feasibility and advisability study on establishment of aeromedical squadron at Joint Base Pearl Harbor-Hickam.

- Sec. 740. Study on incidence of breast cancer among members of the Armed Forces serving on active duty.
- Sec. 741. GAO biennial study on Individual Longitudinal Exposure Record program.
- Sec. 742. Comptroller General study on implementation by Department of Defense of recent statutory requirements to reform the military health system.
- Sec. 743. Study to determine need for a joint fund for Federal Electronic Health Record Modernization Office.
- Sec. 744. Briefing on domestic production of critical active pharmaceutical ingredients for national security purposes.
- Sec. 745. Briefing on substance abuse in the Armed Forces.

1     **Subtitle A—TRICARE and Other**  
2                     **Health Care Benefits**

3     **SEC. 701. EATING DISORDERS TREATMENT FOR CERTAIN**  
4                     **MEMBERS OF THE ARMED FORCES AND DE-**  
5                     **PENDENTS.**

6             (a) EATING DISORDERS TREATMENT FOR CERTAIN  
7     DEPENDENTS.—Section 1079 of title 10, United States  
8     Code, is amended—

9                     (1) in subsection (a), by adding at the end the  
10     following new paragraph:

11                     “(18) Treatment for eating disorders may be  
12     provided in accordance with subsection (r).”; and

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

15                     “(r)(1) The provision of health care services for an  
16     eating disorder under subsection (a)(18) may include the  
17     following services:

18                     “(A) Outpatient services for in-person or tele-  
19     health care, including partial hospitalization services  
20     and intensive outpatient services.

1           “(B) Inpatient services, which shall include res-  
2           idential services only if medically indicated for treat-  
3           ment of a primary diagnosis of an eating disorder.

4           “(2) A dependent provided health care services for  
5           an eating disorder under subsection (a)(18) shall be pro-  
6           vided such services without regard to—

7           “(A) the age of the dependent, except with re-  
8           spect to residential services under paragraph (1)(B),  
9           which may be provided only to a dependent who is  
10          not eligible for hospital insurance benefits under  
11          part A of title XVIII of the Social Security Act (42  
12          U.S.C. 1395c et seq.); and

13          “(B) except as otherwise specified in paragraph  
14          (1)(B), whether the eating disorder is the primary or  
15          secondary diagnosis of the dependent.

16          “(3) In this section, the term ‘eating disorder’ has  
17          the meaning given the term ‘feeding and eating disorders’  
18          in the Diagnostic and Statistical Manual of Mental Dis-  
19          orders, 5th Edition (or successor edition), published by the  
20          American Psychiatric Association.”.

21          (b) LIMITATION WITH RESPECT TO RETIREES.—

22                 (1) IN GENERAL.—Section 1086(a) of title 10,  
23                 United States Code, is amended by inserting “and  
24                 (except as provided in subsection (i)) treatments for  
25                 eating disorders” after “eye examinations”.

1           (2) EXCEPTION.—Such section is further  
2           amended by adding at the end the following new  
3           subsection:

4           “(i) If, prior to October 1, 2022, a category of per-  
5           sons covered by this section was eligible to receive a spe-  
6           cific type of treatment for eating disorders under a plan  
7           contracted for under subsection (a), the general prohibi-  
8           tion on the provision of treatments for eating disorders  
9           specified in such subsection shall not apply with respect  
10          to the provision of the specific type of treatment to such  
11          category of persons.”.

12          (c) IDENTIFICATION AND TREATMENT OF EATING  
13          DISORDERS FOR MEMBERS OF THE ARMED FORCES.—

14               (1) IN GENERAL.—Chapter 55 of title 10,  
15          United States Code, is amended by—

16                       (A) redesignating section 1090a as section  
17                       1090b; and

18                       (B) inserting after section 1090 the fol-  
19                       lowing new section:

20          “**§ 1090a. Identifying and treating eating disorders.**

21               “(a) IDENTIFICATION, TREATMENT, AND REHABILI-  
22          TATION.—The Secretary of Defense, and the Secretary of  
23          Homeland Security with respect to the Coast Guard when  
24          it is not operating as a service in the Navy, shall prescribe  
25          regulations, implement procedures using each practical

1 and available method, and provide necessary facilities to  
2 identify, treat, and rehabilitate members of the armed  
3 forces who have an eating disorder.

4 “(b) FACILITIES AVAILABLE.—(1) In this section,  
5 the term ‘necessary facilities’ includes facilities that pro-  
6 vide the services specified in section 1079(r)(1) of this  
7 title.

8 “(2) Consistent with section 1079(r)(1)(B) of this  
9 title, residential services shall be provided to a member  
10 pursuant to this section only if the member has a primary  
11 diagnosis of an eating disorder and treatment at such fa-  
12 cility is medically indicated for treatment of that eating  
13 disorder.

14 “(c) EATING DISORDER DEFINED.—In this section,  
15 the term ‘eating disorder’ has the meaning given that term  
16 in section 1079(r) of this title.”.

17 (2) CLERICAL AMENDMENT.—The table of sec-  
18 tions at the beginning of chapter 55 of title 10,  
19 United States Code, is amended by striking the item  
20 relating to section 1090a and inserting the following  
21 new items:

“1090a. Identifying and treating eating disorders.

“1090b. Commanding officer and supervisor referrals of members for mental  
health evaluations.”.

22 (d) EFFECTIVE DATE.—The amendments made by  
23 this section shall take effect on October 1, 2022.

1 **SEC. 702. ADDITION OF PRECONCEPTION AND PRENATAL**  
2 **CARRIER SCREENING COVERAGE AS BENE-**  
3 **FITS UNDER TRICARE PROGRAM.**

4 Section 1079(a) of title 10, United States Code, as  
5 amended by section 701, is further amended by adding  
6 at the end the following new paragraph:

7 “(19) Preconception and prenatal carrier  
8 screening tests shall be provided to eligible covered  
9 beneficiaries, with a limit per beneficiary of one test  
10 per condition per lifetime, for the following condi-  
11 tions:

12 “(A) Cystic Fibrosis.

13 “(B) Spinal Muscular Atrophy.

14 “(C) Fragile X Syndrome.

15 “(D) Tay-Sachs Disease.

16 “(E) Hemoglobinopathies.

17 “(F) Conditions linked with Ashkenazi  
18 Jewish descent.”.

19 **SEC. 703. REVISIONS TO TRICARE PROVIDER NETWORKS.**

20 (a) TRICARE SELECT.—Section 1075 of title 10,  
21 United States Code, is amended—

22 (1) by redesignating subsection (h) as sub-  
23 section (i); and

24 (2) by inserting after subsection (g) the fol-  
25 lowing new subsection (h):



1           “(h) AUTHORITY FOR MULTIPLE NETWORKS IN THE  
2 SAME GEOGRAPHIC AREA.—(1) The Secretary may estab-  
3 lish a system of multiple networks of providers under  
4 TRICARE Select in the same geographic area or areas.

5           “(2) Under a system established under paragraph  
6 (1), the Secretary may—

7                   “(A) require a covered beneficiary enrolling in  
8 TRICARE Select to enroll in a specific provider net-  
9 work established pursuant to such system, in which  
10 case any provider not in that specific provider net-  
11 work shall be deemed an out-of-network provider  
12 with respect to the covered beneficiary (regardless of  
13 whether the provider is in a different TRICARE Se-  
14 lect provider network) for purposes of this section or  
15 any other provision of law limiting the coverage or  
16 provision of health care services to those provided by  
17 network providers under the TRICARE program;  
18 and

19                   “(B) include beneficiaries covered by subsection  
20 (e)(2).”.

21           (b) TRICARE PRIME.—Section 1097a of such title  
22 is amended—

23                   (1) by redesignating subsection (e) as sub-  
24 section (f); and

1           (2) by inserting after subsection (d) the fol-  
2           lowing new subsection (e):

3           “(e) **AUTHORITY FOR MULTIPLE NETWORKS IN THE**  
4 **SAME GEOGRAPHIC AREA.**—(1) The Secretary may estab-  
5 lish a system of multiple networks of providers under  
6 **TRICARE Prime** in the same geographic area or areas.

7           “(2) Under a system established under paragraph  
8 (1), the Secretary may require a covered beneficiary en-  
9 rolling in **TRICARE Prime** to enroll in a specific provider  
10 network established pursuant to such system, in which  
11 case any provider not in that specific provider network  
12 shall be deemed an out-of-network provider with respect  
13 to the covered beneficiary (regardless of whether the pro-  
14 vider is in a different **TRICARE Prime** provider network)  
15 for purposes of this section or any other provision of law  
16 limiting the coverage or provision of health care services  
17 to those provided by network providers under the  
18 **TRICARE** program.”.

19 **SEC. 704. SELF-INITIATED REFERRAL PROCESS FOR MEN-**  
20 **TAL HEALTH EVALUATIONS OF MEMBERS OF**  
21 **THE ARMED FORCES.**

22           Section 1090a of title 10, United States Code, is  
23 amended—

24           (1) in subsection (c), by inserting “or is re-  
25           quired to make such a referral pursuant to the proc-

1       ess described in subsection (e)(1)(A)” after “mental  
2       health evaluation”;

3           (2) by redesignating subsection (e) as sub-  
4       section (g); and

5           (3) by inserting after subsection (d) the fol-  
6       lowing new subsections:

7       “(e) SELF-INITIATED REFERRAL PROCESS.—(1) The  
8       regulations required by subsection (a) shall, with respect  
9       to a member of the armed forces—

10           “(A) provide for a self-initiated process that en-  
11       ables the member to trigger a referral for a mental  
12       health evaluation by requesting such a referral from  
13       a commanding officer or supervisor who is in a  
14       grade above E-5;

15           “(B) ensure the function of the process de-  
16       scribed in subparagraph (A) by—

17           “(i) requiring the commanding officer or  
18       supervisor of the member to refer the member  
19       to a mental health provider for a mental health  
20       evaluation as soon as practicable following the  
21       request of the member (including by providing  
22       to the mental health provider the name and  
23       contact information of the member and pro-  
24       viding to the member the date, time, and place  
25       of the scheduled mental health evaluation); and

1           “(ii) ensure the member may request a re-  
2           ferral pursuant to subparagraph (A) on any  
3           basis (including on the basis of a concern relat-  
4           ing to fitness for duty, occupational require-  
5           ments, safety issues, significant changes in per-  
6           formance, or behavioral changes that may be  
7           attributable to possible changes in mental sta-  
8           tus); and

9           “(C) ensure that the process described in sub-  
10          paragraph (A)—

11           “(i) reduces stigma in accordance with  
12           subsection (b), including by treating referrals  
13           for mental health evaluations made pursuant to  
14           such process in a manner similar to referrals  
15           for other medical services, to the maximum ex-  
16           tent practicable; and

17           “(ii) protects the confidentiality of the  
18           member to the maximum extent practicable, in  
19           accordance with requirements for the confiden-  
20           tiality of health information under the Health  
21           Insurance Portability and Accountability Act of  
22           1996 (Public Law 104–191) and applicable pri-  
23           vacy laws.

24          “(2) In making a referral for an evaluation of a mem-  
25          ber of the armed forces triggered by a request made pur-

1 suant to the process described in paragraph (1)(A), if the  
2 member has made such a request on the basis of a concern  
3 that the member is a potential or imminent danger to self  
4 or others, the commanding officer or supervisor of the  
5 member shall observe the following principles:

6           “(A) With respect to safety, if the commander  
7 or supervisor determines the member is exhibiting  
8 dangerous behavior, the first priority of the com-  
9 mander or supervisor shall be to ensure that pre-  
10 cautions are taken to protect the safety of the mem-  
11 ber, and others, prior to the arrival of the member  
12 at the location of the evaluation.

13           “(B) With respect to communication, prior to  
14 such arrival, the commander or supervisor shall com-  
15 municate to the provider to which the member is  
16 being referred (in a manner and to an extent con-  
17 sistent with paragraph (1)(C)(ii)), information on  
18 the circumstances and observations that led to—

19                   “(i) the member requesting the referral;  
20                   and

21                   “(ii) the commander or supervisor making  
22                   such referral based on the request.

23           “(f) ANNUAL TRAINING REQUIREMENT.—On an an-  
24 nual basis, each Secretary concerned shall provide to the  
25 members of the Armed Forces under the jurisdiction of

1 such Secretary a training on how to recognize personnel  
2 who may require mental health evaluations on the basis  
3 of the individual being an imminent danger to self or oth-  
4 ers, as demonstrated by the behavior or apparent mental  
5 state of the individual.”.

6 **SEC. 705. MODIFICATIONS TO PILOT PROGRAM ON HEALTH**  
7 **CARE ASSISTANCE SYSTEM.**

8 Section 731(d) of the National Defense Authorization  
9 Act for Fiscal Year 2018 (10 U.S.C. 1075 note) is amend-  
10 ed—

11 (1) in the matter preceding paragraph (1), by  
12 striking “January 1, 2021” and inserting “Novem-  
13 ber 1, 2022”;

14 (2) in paragraph (1), by striking “; and” and  
15 inserting a semicolon;

16 (3) in paragraph (2), by striking the period and  
17 inserting “; and”; and

18 (4) by adding at the end the following new  
19 paragraph:

20 “(3) input from covered beneficiaries who have  
21 participated in the pilot program regarding their  
22 satisfaction with, and any benefits attained from,  
23 such participation.”.

1 **SEC. 706. MODIFICATION OF PILOT PROGRAM ON RECEIPT**  
2 **OF NON-GENERIC PRESCRIPTION MAINTENANCE**  
3 **MEDICATIONS UNDER TRICARE**  
4 **PHARMACY BENEFITS PROGRAM.**

5 Section 706 of the William M. (Mac) Thornberry Na-  
6 tional Defense Authorization Act for Fiscal Year 2021  
7 (Public Law 116–283) is amended—

8 (1) in subsection (a)(1), by striking “may carry  
9 out” and inserting “shall carry out”;

10 (2) in subsection (b), by striking “March 1,  
11 2021” and inserting “March 1, 2022”;

12 (3) by redesignating subsections (e), (f), and  
13 (g) as subsections (f), (g), and (h), respectively;

14 (4) by inserting after subsection (d) the fol-  
15 lowing new subsection (e):

16 “(e) REIMBURSEMENT.—If the Secretary carries out  
17 the pilot program under subsection (a)(1), reimbursement  
18 of retail pharmacies for medication under the pilot pro-  
19 gram may not exceed the amount of reimbursement paid  
20 to the national mail-order pharmacy program under sec-  
21 tion 1074g of title 10, United States Code, for the same  
22 medication, after consideration of all manufacturer dis-  
23 counts, refunds, rebates, pharmacy transaction fees, and  
24 other costs.”; and

25 (5) in subsection (f), as redesignated by para-  
26 graph (3)—

1 (A) by striking paragraph (1) and insert-  
2 ing the following new paragraph (1):

3 “(1) BRIEFING.—Not later than 90 days after  
4 the date of the enactment of the National Defense  
5 Authorization Act for Fiscal Year 2022, the Sec-  
6 retary shall provide to the Committees on Armed  
7 Services of the House of Representatives and the  
8 Senate a briefing on the implementation of the pilot  
9 program under subsection (a)(1) or on the deter-  
10 mination of the Secretary under subsection (a)(2)  
11 that the Secretary is not permitted to carry out the  
12 pilot program.”; and

13 (B) in paragraph (3)(A), by striking  
14 “March 1, 2024” and inserting “March 1,  
15 2025”.

16 **SEC. 707. IMPROVEMENT OF POSTPARTUM CARE FOR MEM-**  
17 **BERS OF THE ARMED FORCES AND DEPEND-**  
18 **ENTS.**

19 (a) CLINICAL PRACTICE GUIDELINES FOR  
20 POSTPARTUM CARE IN MILITARY MEDICAL TREATMENT  
21 FACILITIES.—Not later than 180 days after the date of  
22 the enactment of this Act, the Secretary of Defense shall  
23 establish clinical practice guidelines for the provision of  
24 postpartum care in military medical treatment facilities.  
25 Such guidelines shall take into account the recommenda-



1 tions of established professional medical associations and  
2 address the following matters:

3 (1) Postpartum mental health assessments, in-  
4 cluding the appropriate intervals for furnishing such  
5 assessments and screening questions for such assess-  
6 ments (including questions relating to postpartum  
7 anxiety and postpartum depression).

8 (2) Pelvic health evaluation and treatment, in-  
9 cluding the appropriate timing for furnishing a med-  
10 ical evaluation for pelvic health, considerations for  
11 providing consultations for physical therapy for pel-  
12 vic health (including pelvic floor health), and the ap-  
13 propriate use of telehealth services.

14 (3) Pelvic health rehabilitation services.

15 (4) Obstetric hemorrhage treatment, including  
16 through the use of pathogen reduced resuscitative  
17 products.

18 (b) POLICY ON SCHEDULING OF APPOINTMENTS FOR  
19 POSTPARTUM HEALTH CARE SERVICES.—

20 (1) POLICY REQUIRED.—Not later than 180  
21 days after the date of the enactment of this Act, the  
22 Secretary shall establish a policy for the scheduling  
23 of appointments for postpartum health care services  
24 in military medical treatment facilities. In developing  
25 the policy, the Secretary shall consider the extent to

1       which it is appropriate to facilitate concurrent  
2       scheduling of appointments for postpartum care with  
3       appointments for well-baby care.

4               (2) PILOT PROGRAM AUTHORIZED.—The Sec-  
5       retary may carry out a pilot program in one or more  
6       military medical treatment facilities to evaluate the  
7       effect of concurrent scheduling, to the degree clini-  
8       cally appropriate, of the appointments specified in  
9       paragraph (1).

10       (c) POLICY ON POSTPARTUM PHYSICAL FITNESS  
11       TESTS AND BODY COMPOSITION ASSESSMENTS.—Not  
12       later than 180 days after the date of enactment of this  
13       Act, the Secretary shall establish a policy, which shall be  
14       standardized across each Armed Force to the extent prac-  
15       ticable, for the time periods after giving birth that a mem-  
16       ber of the Armed Forces (including the reserve compo-  
17       nents) may be excused from, or provided an alternative  
18       to, a physical fitness test or a body composition assess-  
19       ment.

20       (d) BRIEFING.—Not later than 270 days after the  
21       date of enactment of this Act, the Secretary shall provide  
22       to the Committees on Armed Services of the House of  
23       Representatives and the Senate a briefing on the imple-  
24       mentation of the requirements under this section.

1                   **Subtitle B—Health Care**  
2                   **Administration**

3 **SEC. 711. MODIFICATION OF CERTAIN DEFENSE HEALTH**  
4                   **AGENCY ORGANIZATION REQUIREMENTS.**

5           Section 1073c(e)(5) of title 10, United States Code,  
6 is amended by striking “paragraphs (1) through (4)” and  
7 inserting “paragraph (3) or (4)”.

8 **SEC. 712. REQUIREMENT FOR CONSULTATIONS RELATING**  
9                   **TO MILITARY MEDICAL RESEARCH AND DE-**  
10                   **FENSE HEALTH AGENCY RESEARCH AND DE-**  
11                   **VELOPMENT.**

12           (a) **CONSULTATIONS REQUIRED.**—Section 1073c of  
13 title 10, United States Code, as amended by section 711,  
14 is further amended—

15                   (1) by redesignating subsections (f) and (g) as  
16                   subsections (g) and (h), respectively; and

17                   (2) by inserting after subsection (e) the fol-  
18                   lowing new subsection:

19                   “(f) **CONSULTATIONS ON MEDICAL RESEARCH OF**  
20 **MILITARY DEPARTMENTS.**—In establishing the Defense  
21 Health Agency Research and Development pursuant to  
22 subsection (e)(1), and on a basis that is not less frequent  
23 than semiannually thereafter, the Secretary of Defense  
24 shall carry out recurring consultations with each military  
25 department regarding the plans and requirements for mili-

1 tary medical research organizations and activities of the  
2 military department.”.

3 (b) REQUIREMENTS FOR CONSULTATIONS.—The  
4 Secretary of Defense shall ensure that consultations are  
5 carried out under section 1073c(f) of title 10, United  
6 States Code (as added by subsection (a)), to include the  
7 plans of each military department to ensure a comprehen-  
8 sive transition of any military medical research organiza-  
9 tions of the military department with respect to the estab-  
10 lishment of the Defense Health Agency Research and De-  
11 velopment.

12 (c) DEADLINE FOR INITIAL CONSULTATIONS.—Ini-  
13 tial consultations shall be carried out under section  
14 1073c(f) of title 10, United States Code (as added by sub-  
15 section (a)), with each military department by not later  
16 than March 1, 2022.

17 **SEC. 713. AUTHORIZATION OF PROGRAM TO PREVENT**  
18 **FRAUD AND ABUSE IN THE MILITARY**  
19 **HEALTH SYSTEM.**

20 (a) IN GENERAL.—Chapter 55 of title 10, United  
21 States Code, is amended by inserting after section 1073e  
22 the following new section:

1 **“§ 1073f. Health care fraud and abuse prevention pro-**  
2 **gram**

3 “(a) PROGRAM AUTHORIZED.—(1) The Secretary of  
4 Defense may carry out a program under this section to  
5 prevent and remedy fraud and abuse in the health care  
6 programs of the Department of Defense.

7 “(2) At the discretion of the Secretary, such program  
8 may be administered jointly by the Inspector General of  
9 the Department of Defense and the Director of the De-  
10 fense Health Agency.

11 “(3) In carrying out such program, the authorities  
12 granted to the Secretary of Defense and the Inspector  
13 General of the Department of Defense under section  
14 1128A(m) of the Social Security Act (42 U.S.C. 1320a-  
15 7a(m)) shall be available to the Secretary and the Inspec-  
16 tor General.

17 “(b) CIVIL MONETARY PENALTIES.—(1) Except as  
18 provided in paragraph (2), the provisions of section 1128A  
19 of the Social Security Act (42 U.S.C. 1320a-7a) shall  
20 apply with respect to any civil monetary penalty imposed  
21 in carrying out the program authorized under subsection  
22 (a).

23 “(2) Consistent with section 1079a of this title,  
24 amounts recovered in connection with any such civil mone-  
25 tary penalty imposed—

1           “(A) shall be credited to appropriations avail-  
2           able as of the time of the collection for expenses of  
3           the health care program of the Department of De-  
4           fense affected by the fraud and abuse for which such  
5           penalty was imposed; and

6           “(B) may be used to support the administration  
7           of the program authorized under subsection (a), in-  
8           cluding to support any interagency agreements en-  
9           tered into under subsection (d).

10          “(c) INTERAGENCY AGREEMENTS.—The Secretary of  
11          Defense may enter into agreements with the Secretary of  
12          Health and Human Services, the Attorney General, or the  
13          heads of other Federal agencies, for the effective and effi-  
14          cient implementation of the program authorized under  
15          subsection (a).

16          “(d) RULE OF CONSTRUCTION.—Joint administra-  
17          tion of the program authorized under subsection (a) may  
18          not be construed as limiting the authority of the Inspector  
19          General of the Department of Defense under any other  
20          provision of law.

21          “(e) FRAUD AND ABUSE DEFINED.—In this section,  
22          the term ‘fraud and abuse’ means any conduct specified  
23          in subsection (a) or (b) of section 1128A of the Social  
24          Security Act (42 U.S.C. 1320a–7a).”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such chapter is amended by inserting  
3 after the item relating to section 1073e the following new  
4 item:

“1073f. Health care fraud and abuse prevention program.”.

5 **SEC. 714. AUTHORITY OF SECRETARY OF DEFENSE AND**  
6 **SECRETARY OF VETERANS AFFAIRS TO**  
7 **ENTER INTO AGREEMENTS FOR PLANNING,**  
8 **DESIGN, AND CONSTRUCTION OF FACILITIES**  
9 **TO BE OPERATED AS SHARED MEDICAL FA-**  
10 **CILITIES.**

11 (a) AUTHORITY OF SECRETARY OF DEFENSE.—

12 (1) IN GENERAL.—Chapter 55 of title 10,  
13 United States Code, is amended by inserting after  
14 section 1104 the following new section:

15 **“§ 1104a. Shared medical facilities with Department**  
16 **of Veterans Affairs**

17 “(a) AGREEMENTS.—Secretary of Defense may enter  
18 into agreements with the Secretary of Veterans Affairs for  
19 the planning, design, and construction of facilities to be  
20 operated as shared medical facilities.

21 “(b) TRANSFER OF FUNDS BY SECRETARY OF DE-  
22 FENSE.—(1) The Secretary of Defense may transfer to  
23 the Secretary of Veterans Affairs amounts as follows:

24 “(A) For the construction of a shared medical  
25 facility, amounts not in excess of the amount author-

1        ized under subsection (a)(2) of section 2805 of this  
2        title, if—

3                “(i) the amount of the share of the De-  
4                partment of Defense for the estimated cost of  
5                the project does not exceed the amount author-  
6                ized under such subsection; and

7                “(ii) the other requirements of such section  
8                have been met with respect to funds identified  
9                for transfer.

10              “(B) For the planning, design, and construction  
11              of space for a shared medical facility, amounts ap-  
12              propriated for the Defense Health Program.

13              “(2) The authority to transfer funds under this sec-  
14              tion is in addition to any other authority to transfer funds  
15              available to the Secretary of Defense.

16              “(3) Section 2215 of this title does not apply to a  
17              transfer of funds under this subsection.

18              “(c) TRANSFER OF FUNDS TO SECRETARY OF DE-  
19              FENSE.—(1) Any amount transferred to the Secretary of  
20              Defense by the Secretary of Veterans Affairs for necessary  
21              expenses for the planning, design, and construction of a  
22              shared medical facility, if the amount of the share of the  
23              Department of Defense for the cost of such project does  
24              not exceed the amount specified in section 2805(a)(2) of  
25              this title, may be credited to accounts of the Department



1 of Defense available for the construction of a shared med-  
2 ical facility.

3 “(2) Any amount transferred to the Secretary of De-  
4 fense by the Secretary of Veterans Affairs for the purpose  
5 of the planning and design of space for a shared medical  
6 facility may be credited to accounts of the Department of  
7 Defense available for such purposes, and may be used for  
8 such purposes.

9 “(3) Using accounts credited with transfers from the  
10 Secretary of Veterans Affairs under paragraph (1), the  
11 Secretary of Defense may carry out unspecified minor  
12 military construction projects, if the share of the Depart-  
13 ment of Defense for the cost of such project does not ex-  
14 ceed the amount specified in section 2805(a)(2) of this  
15 title.

16 “(d) MERGER OF AMOUNTS TRANSFERRED.—Any  
17 amount transferred to the Secretary of Veterans Affairs  
18 under subsection (b) and any amount transferred to the  
19 Secretary of Defense under subsection (c) shall be merged  
20 with and available for the same purposes and the same  
21 period as the appropriation or fund to which transferred.

22 “(e) APPROPRIATION IN ADVANCE.—Amounts may  
23 be transferred pursuant to the authority under this section  
24 only to the extent and in the amounts provided in advance  
25 in appropriations Acts.

1       “(f) SHARED MEDICAL FACILITY DEFINED.—In this  
2 section, the term ‘shared medical facility’—

3           “(1) means a building or buildings, or a cam-  
4 pus, intended to be used by both the Department of  
5 Veterans Affairs and the Department of Defense for  
6 the provision of health care services, whether under  
7 the jurisdiction of the Secretary of Veterans Affairs  
8 or the Secretary of Defense, and whether or not lo-  
9 cated on a military installation or on real property  
10 under the jurisdiction of the Secretary of Veterans  
11 Affairs; and

12           “(2) includes any necessary building and auxil-  
13 iary structure, garage, parking facility, mechanical  
14 equipment, abutting and covered sidewalks, and ac-  
15 commodations for attending personnel.”.

16           (2) CLERICAL AMENDMENT.—The table of sec-  
17 tions at the beginning of chapter 55 of such title is  
18 amended by inserting after the item relating to sec-  
19 tion 1104 the following new item:

“1104a. Shared medical facilities with Department of Veterans Affairs.”.

20           (b) AUTHORITY OF SECRETARY OF VETERANS AF-  
21 FAIRS.—

22           (1) IN GENERAL.—Chapter 81 of title 38,  
23 United States Code, is amended by inserting after  
24 section 8111A the following new section:

1 **“§ 8111B. Shared medical facilities with Department**  
2 **of Defense**

3 “(a) AGREEMENTS.—The Secretary of Veterans Af-  
4 fairs may enter into agreements with the Secretary of De-  
5 fense for the planning, design, and construction of facili-  
6 ties to be operated as shared medical facilities.

7 “(b) TRANSFER OF FUNDS BY SECRETARY OF VET-  
8 ERANS AFFAIRS.—(1) The Secretary of Veterans Affairs  
9 may transfer to the Department of Defense amounts ap-  
10 propriated to the Department of Veterans Affairs for  
11 ‘Construction, minor projects’ for use for the planning, de-  
12 sign, or construction of a shared medical facility if the  
13 estimated share of the project costs of the Department  
14 of Veterans Affairs does not exceed the amount specified  
15 in section 8104(a)(3)(A) of this title.

16 “(2) The Secretary of Veterans Affairs may transfer  
17 to the Department of Defense amounts appropriated to  
18 the Department of Veterans Affairs for ‘Construction,  
19 major projects’ for use for the planning, design, or con-  
20 struction of a shared medical facility if—

21 “(A) the estimated share of the project costs of  
22 the Department of Veterans Affairs exceeds the  
23 amount specified in section 8104(a)(3)(A) of this  
24 title; and

1           “(B) the other requirements of section 8104 of  
2           this title have been met with respect to amounts  
3           identified for transfer.

4           “(c) TRANSFER OF FUNDS TO SECRETARY OF VET-  
5           ERANS AFFAIRS.—(1) Any amount transferred to the Sec-  
6           retary of Veterans Affairs by the Secretary of Defense for  
7           necessary expenses for the planning, design, or construc-  
8           tion of a shared medical facility, if the estimated share  
9           of the project costs of the Department of Veterans Affairs  
10          does not exceed the amount specified in section  
11          8104(a)(3)(A) of this title, may be credited to the ‘Con-  
12          struction, minor projects’ account of the Department of  
13          Veterans Affairs and used for the necessary expenses of  
14          constructing such shared medical facility.

15          “(2) Any amount transferred to the Secretary of Vet-  
16          erans Affairs by the Secretary of Defense for necessary  
17          expenses for the planning, design, or construction of a  
18          shared medical facility, if the estimated share of the  
19          project costs of the Department of Veterans Affairs ex-  
20          ceeds the amount specified in section 8104(a)(3)(A) of  
21          this title, may be credited to the ‘Construction, major  
22          projects’ account of the Department of Veterans Affairs  
23          and used for the necessary expenses of constructing such  
24          shared medical facility if the other requirements of section

1 8104 of this title have been met with respect to amounts  
2 identified for transfer.

3 “(d) MERGER OF AMOUNTS TRANSFERRED.—Any  
4 amount transferred to the Secretary of Defense under sub-  
5 section (b) and any amount transferred to the Secretary  
6 of Veterans Affairs under subsection (c) shall be merged  
7 with and available for the same purposes and the same  
8 period as the appropriation or fund to which transferred.

9 “(e) APPROPRIATION IN ADVANCE.—Amounts may  
10 be transferred pursuant to the authority under this section  
11 only to the extent and in the amounts provided in advance  
12 in appropriations Acts.

13 “(f) SHARED MEDICAL FACILITY DEFINED.—In this  
14 section, the term ‘shared medical facility’—

15 “(1) means a building or buildings, or a cam-  
16 pus, intended to be used by both the Department of  
17 Veterans Affairs and the Department of Defense for  
18 the provision of health care services, whether under  
19 the jurisdiction of the Secretary of Veterans Affairs  
20 or the Secretary of Defense, and whether or not lo-  
21 cated on a military installation or on real property  
22 under the jurisdiction of the Secretary of Veterans  
23 Affairs; and

24 “(2) includes any necessary building and auxil-  
25 iary structure, garage, parking facility, mechanical

1 equipment, abutting and covered sidewalks, and ac-  
2 commodations for attending personnel.”.

3 (2) CLERICAL AMENDMENT.—The table of sec-  
4 tions at the beginning of subchapter I of chapter 81  
5 of such title is amended by inserting after the item  
6 relating to section 8111A the following new item:

“8111B. Shared medical facilities with Department of Defense.”.

7 **SEC. 715. EXTENSION OF AUTHORITY FOR JOINT DEPART-**  
8 **MENT OF DEFENSE-DEPARTMENT OF VET-**  
9 **ERANS AFFAIRS MEDICAL FACILITY DEM-**  
10 **ONSTRATION FUND.**

11 Section 1704(e) of the National Defense Authoriza-  
12 tion Act for Fiscal Year 2010 (Public Law 111–84; 123  
13 Stat. 2567), as most recently amended by section 743 of  
14 the William M. (Mac) Thornberry National Defense Au-  
15 thorization Act for Fiscal Year 2021 (Public Law 116–  
16 283), is amended by striking “September 30, 2022” and  
17 inserting “September 30, 2023”.

18 **SEC. 716. ESTABLISHMENT OF DEPARTMENT OF DEFENSE**  
19 **SYSTEM TO TRACK AND RECORD INFORMA-**  
20 **TION ON VACCINE ADMINISTRATION.**

21 (a) ESTABLISHMENT OF SYSTEM.—Section 1110 of  
22 title 10, United States Code, is amended—

23 (1) by redesignating subsections (a) and (b) as  
24 subsections (b) and (c), respectively; and

1           (2) by inserting after the heading the following  
2           new subsection:

3           “(a) OVERALL SYSTEM TO TRACK AND RECORD VAC-  
4           CINE INFORMATION.—(1) The Secretary of Defense, in  
5           consultation with the Director of the Defense Health  
6           Agency and in coordination with the Secretaries of the  
7           military departments, shall establish a system to track and  
8           record the following information:

9           “(A) Each vaccine administered by a health  
10          care provider of the Department of Defense to a  
11          member of an armed force under the jurisdiction of  
12          the Secretary of a military department.

13          “(B) Any adverse reaction of the member re-  
14          lated to such vaccine.

15          “(C) Each refusal by such a member of any  
16          vaccine that is being so administered, including vac-  
17          cines licensed by the Food and Drug Administration  
18          under section 351 of the Public Health Service Act  
19          (42 U.S.C. 262) and vaccines otherwise approved or  
20          authorized.

21          “(D) Each refusal by such a member of a vac-  
22          cine on the basis that the vaccine is being adminis-  
23          tered by a health care provider of the Department  
24          pursuant to an emergency use authorization granted  
25          by the Commissioner of Food and Drugs under sec-

1       tion 564 of the Federal Food, Drug, and Cosmetic  
2       Act (21 U.S.C. 360bbb–3).

3           “(E) Each refusal by such a member of an in-  
4       vestigational new drug or a drug unapproved for its  
5       applied use that is being administered pursuant to  
6       a request or requirement of the Secretary of Defense  
7       and with respect to which the President has granted  
8       a waiver of the prior consent requirement pursuant  
9       to section 1107(f)(1) of this title.

10       “(2) In carrying out paragraph (1), the Secretary of  
11       Defense shall ensure that—

12           “(A) any electronic health record maintained by  
13       the Secretary for a member of an armed force under  
14       the jurisdiction of the Secretary of a military depart-  
15       ment is updated with the information specified in  
16       such paragraph with respect to the member;

17           “(B) any collection, storage, or use of such in-  
18       formation is conducted through means involving  
19       such cyber protections as the Secretary determines  
20       necessary to safeguard the personal information of  
21       the member; and

22           “(C) the system established under such para-  
23       graph is interoperable and compatible with the elec-  
24       tronic health record system known as ‘MHS GEN-  
25       ESIS’, or such successor system.”.



1 (b) CONFORMING AMENDMENTS.—Such section is  
2 further amended—

3 (1) in the heading, by striking “**Anthrax**  
4 **vaccine immunization program; proce-**  
5 **dures for exemptions and monitoring re-**  
6 **actions**” and inserting “**System for tracking**  
7 **and recording vaccine information; an-**  
8 **thrax vaccine immunization program**”;

9 (2) in subsection (b), as redesignated by sub-  
10 section (a)(1)—

11 (A) in the heading, by inserting “FROM  
12 ANTHRAX VACCINE IMMUNIZATION PROGRAM”  
13 after “EXEMPTIONS” ; and

14 (B) by striking “Secretary of Defense”  
15 and inserting “Secretary”; and

16 (3) in the heading of subsection (c), as redesi-  
17 gnated by subsection (a)(1), by inserting “TO AN-  
18 THRAX VACCINE” after “REACTIONS”.

19 (c) CLERICAL AMENDMENT.—The table of sections  
20 for chapter 55 of title 10, United States Code, is amended  
21 by striking the item relating to section 1110 and inserting  
22 the following new item:

“1110. System for tracking and recording vaccine information; anthrax vaccine  
immunization program.”.

23 (d) DEADLINE FOR ESTABLISHMENT OF SYSTEM.—  
24 The Secretary of Defense shall establish the system under

1 section 1110 of title 10, United States Code, as added by  
2 subsection (a), by not later than January 1, 2023.

3 (e) REPORT.—Not later than 180 days after the date  
4 of the enactment of this Act, the Secretary of Defense  
5 shall submit to the Committees on Armed Services of the  
6 House of Representatives and the Senate a report on the  
7 administration of vaccines to members of the Armed  
8 Forces under the jurisdiction of the Secretary of a military  
9 department and on the status of establishing the system  
10 under section 1110(a) of title 10, United States Code (as  
11 added by subsection (a)). Such report shall include infor-  
12 mation on the following:

13 (1) The process by which such members receive  
14 vaccines, and the process by which the Secretary  
15 tracks, records, and reports on, vaccines received by  
16 such members (including with respect to any trans-  
17 fers by a non-Department provider to the Depart-  
18 ment of vaccination records or other medical infor-  
19 mation of the member related to the administration  
20 of vaccines by the non-Department provider).

21 (2) The storage of information related to the  
22 administration of vaccines in the electronic health  
23 records of such members, and the cyber protections  
24 involved in such storage, as required under such sec-  
25 tion 1110(a)(2) of title 10, United States Code.



1 (1) in subparagraph (A), by striking “The Sec-  
2 retary” and inserting “Except as provided in sub-  
3 paragraph (D), the Secretary”; and

4 (2) by adding at the end the following new sub-  
5 paragraph:

6 “(D) The requirement for a physical examination and  
7 mental health assessment under subparagraph (A) shall  
8 not apply with respect to a member of a reserve compo-  
9 nent described in paragraph (2)(B) unless the member is  
10 retiring, or being discharged or dismissed, from the armed  
11 forces.”.

12 **SEC. 718. AUTHORIZATION OF PROVISION OF INSTRUCTION**  
13 **AT UNIFORMED SERVICES UNIVERSITY OF**  
14 **THE HEALTH SCIENCES TO CERTAIN FED-**  
15 **ERAL EMPLOYEES.**

16 Section 2114(h) of title 10, United States Code, is  
17 amended—

18 (1) by striking “The Secretary of Defense” and  
19 inserting “(1) The Secretary of Defense, in coordi-  
20 nation with the Secretary of Health and Human  
21 Services and the Secretary of Veterans Affairs,”;  
22 and

23 (2) by adding at the end the following new  
24 paragraph:

1           “(2)(A) A covered employee whose employment or  
2 service with the Department of Veterans Affairs, Public  
3 Health Service, or Coast Guard (as applicable) is in a posi-  
4 tion relevant to national security or health sciences may  
5 receive instruction at the University within the scope of  
6 such employment or service.

7           “(B) If a covered employee receives instruction at the  
8 University pursuant to subparagraph (A), the head of the  
9 Federal agency concerned shall reimburse the University  
10 for the cost of providing such instruction to the covered  
11 employee. Amounts received by the University under this  
12 subparagraph shall be retained by the University to defray  
13 the costs of such instruction.

14           “(C) Notwithstanding subsections (b) through (e)  
15 and subsection (i), the head of the Federal agency con-  
16 cerned shall determine the service obligations of the cov-  
17 ered employee receiving instruction at the University pur-  
18 suant to subparagraph (A) in accordance with applicable  
19 law.

20           “(D) In this paragraph—

21                   “(i) the term ‘covered employee’ means an em-  
22 ployee of the Department of Veterans Affairs, a ci-  
23 vilian employee of the Public Health Service, a mem-  
24 ber of the commissioned corps of the Public Health

1 Service, a member of the Coast Guard, or a civilian  
2 employee of the Coast Guard; and

3 “(ii) the term ‘head of the Federal agency con-  
4 cerned’ means the head of the Federal agency that  
5 employs, or has jurisdiction over the uniformed serv-  
6 ice of, a covered employee permitted to receive in-  
7 struction at the University under subparagraph (A)  
8 in the relevant position described in such subpara-  
9 graph.”.

10 **SEC. 719. REMOVAL OF REQUIREMENT FOR ONE YEAR OF**  
11 **PARTICIPATION IN CERTAIN MEDICAL AND**  
12 **LIFESTYLE INCENTIVE PROGRAMS OF THE**  
13 **DEPARTMENT OF DEFENSE TO RECEIVE BEN-**  
14 **EFITS UNDER SUCH PROGRAMS.**

15 Section 729 of the National Defense Authorization  
16 Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
17 1073 note) is amended—

18 (1) in subsection (a)(1), by striking “in the pre-  
19 vious year”;

20 (2) in subsection (b), by striking “in the pre-  
21 vious year”; and

22 (3) in subsection (c), by striking “in the pre-  
23 vious year”.

1 **SEC. 720. DEPARTMENT OF DEFENSE STANDARDS FOR EX-**  
2 **EMPTIONS FROM MANDATORY COVID-19 VAC-**  
3 **CINES.**

4 (a) STANDARDS.—The Secretary of Defense shall es-  
5 tablish uniform standards under which covered members  
6 may be exempted from receiving an otherwise mandated  
7 COVID-19 vaccine for administrative, medical, or reli-  
8 gious reasons.

9 (b) DEFINITIONS.—In this section:

10 (1) The term “covered member” means a mem-  
11 ber of an Armed Force under the jurisdiction of the  
12 Secretary of a military department.

13 (2) The term “COVID-19 vaccine” means any  
14 vaccine for the coronavirus disease 2019 (COVID-  
15 19), including any subsequent booster shot for  
16 COVID-19.

17 **SEC. 721. ESTABLISHMENT OF CENTERS OF EXCELLENCE**  
18 **FOR ENHANCED TREATMENT OF OCULAR IN-**  
19 **JURIES.**

20 (a) IN GENERAL.—Not later than October 1, 2023,  
21 the Secretary of Defense, acting through the Director of  
22 the Defense Health Agency, shall establish within the De-  
23 fense Health Agency not fewer than four regional centers  
24 of excellence for the enhanced treatment of—

25 (1) ocular wounds or injuries; and

1           (2) vision dysfunction related to traumatic  
2       brain injury.

3       (b) LOCATION OF CENTERS.—Each center of excel-  
4       lence established under subsection (a) shall be located at  
5       a military medical center that provides graduate medical  
6       education in ophthalmology and related subspecialties and  
7       shall be the primary center for providing specialized med-  
8       ical services for vision for members of the Armed Forces  
9       in the region in which the center of excellence is located.

10       (c) POLICIES FOR REFERRAL OF BENEFICIARIES.—  
11       Not later than October 1, 2023, the Director of the De-  
12       fense Health Agency shall publish on a publicly available  
13       internet website of the Department of Defense policies for  
14       the referral of eligible beneficiaries of the Department to  
15       centers of excellence established under subsection (a) for  
16       evaluation and treatment.

17       (d) IDENTIFICATION OF MEDICAL PERSONNEL BIL-  
18       LETS AND STAFFING.—The Secretary of each military de-  
19       partment, in conjunction with the Joint Staff Surgeon and  
20       the Director of the Defense Health Agency, shall identify  
21       specific medical personnel billets essential for the evalua-  
22       tion and treatment of ocular sensory injuries and ensure  
23       that centers of excellence established under subsection (a)  
24       are staffed with such personnel at the level required for  
25       the enduring medical support of each such center.



1 (e) BRIEFING.—Not later than December 31, 2023,  
2 the Secretary of Defense shall provide to the Committees  
3 on Armed Services of the Senate and the House of Rep-  
4 resentatives a briefing that—

5 (1) describes the establishment of each center  
6 of excellence established under subsection (a), to in-  
7 clude the location, capability, and capacity of each  
8 such center;

9 (2) describes the referral policy published by  
10 the Defense Health Agency under subsection (c);

11 (3) identifies the medical personnel billets iden-  
12 tified under subsection (d); and

13 (4) provides a plan for the staffing of personnel  
14 at such centers to ensure the enduring medical sup-  
15 port of each such center.

16 (f) MILITARY MEDICAL CENTER DEFINED.—In this  
17 section, the term “military medical center” means a med-  
18 ical center described in section 1073d(b) of title 10,  
19 United States Code.

20 **SEC. 722. IMPLEMENTATION OF INTEGRATED PRODUCT**  
21 **FOR MANAGEMENT OF POPULATION HEALTH**  
22 **ACROSS MILITARY HEALTH SYSTEM.**

23 (a) INTEGRATED PRODUCT.—The Secretary of De-  
24 fense shall develop and implement an integrated product  
25 for the management of population health across the mili-

1 tary health system. Such integrated product shall serve  
2 as a repository for the health care, demographic, and other  
3 relevant data of all covered beneficiaries, including with  
4 respect to data on health care services furnished to such  
5 beneficiaries through the purchased care and direct care  
6 components of the TRICARE program, and shall—

7 (1) be compatible with the electronic health  
8 record system maintained by the Secretary for mem-  
9 bers of the Armed Forces;

10 (2) enable the collection and stratification of  
11 data from multiple sources to measure population  
12 health goals, facilitate disease management pro-  
13 grams of the Department, improve patient edu-  
14 cation, and integrate wellness services across the  
15 military health system; and

16 (3) enable predictive modeling to improve  
17 health outcomes for patients and to facilitate the  
18 identification and correction of medical errors in the  
19 treatment of patients, issues regarding the quality of  
20 health care services provided, and gaps in health  
21 care coverage.

22 (b) CONSIDERATIONS IN DEVELOPMENT.—In devel-  
23 oping the integrated product under subsection (a), the  
24 Secretary shall harmonize such development with any poli-  
25 cies of the Department relating to a digital health strategy

1 (including the digital health strategy under section 723),  
2 coordinate with improvements to the electronic health  
3 record system specified in subsection (a)(1) to ensure the  
4 compatibility required under such subsection, and consider  
5 methods to improve beneficiary interface.

6 (c) DEFINITIONS.—In this section:

7 (1) The terms “covered beneficiary” and  
8 “TRICARE program” have the meanings given such  
9 terms in section 1072 of title 10, United States  
10 Code.

11 (2) The term “integrated product” means an  
12 electronic system of systems (or solutions or prod-  
13 ucts) that provides for the integration and sharing  
14 of data to meet the needs of an end user in a timely  
15 and cost-effective manner.

16 **SEC. 723. DIGITAL HEALTH STRATEGY OF DEPARTMENT OF**  
17 **DEFENSE.**

18 (a) DIGITAL HEALTH STRATEGY.—

19 (1) STRATEGY.—Not later than April 1, 2022,  
20 the Secretary of Defense shall develop a digital  
21 health strategy of the Department of Defense to in-  
22 corporate new and emerging technologies and meth-  
23 ods (including three-dimensional printing, virtual re-  
24 ality, wearable devices, big data and predictive ana-  
25 lytics, distributed ledger technologies, and other in-

1       novative methods that leverage new or emerging  
2       technologies) in the provision of clinical care within  
3       the military health system.

4               (2) ELEMENTS.—The strategy under paragraph  
5       (1) shall address, with respect to future use within  
6       the military health system, the following:

7                       (A) Emerging technology to improve the  
8                       delivery of clinical care and health services.

9                       (B) Emerging technology to improve the  
10                      patient experience in matters relating to med-  
11                      ical case management, appointing, and referrals  
12                      in both the direct care and purchased care com-  
13                      ponents of the TRICARE program, as such  
14                      term is defined in section 1072 of title 10,  
15                      United States Code.

16                     (C) Design thinking to improve the deliv-  
17                     ery of clinical care and health services.

18                     (D) Advanced clinical decision support sys-  
19                     tems.

20                     (E) Simulation technologies for clinical  
21                     training (including through simulation  
22                     immersive training) and clinical education, and  
23                     for the training of health care personnel in the  
24                     adoption of emerging technologies for clinical  
25                     care delivery.

1 (F) Wearable devices.

2 (G) Three-dimensional printing and related  
3 technologies.

4 (H) Data-driven decision making, includ-  
5 ing through the use of big data and predictive  
6 analytics, in the delivery of clinical care and  
7 health services.

8 (b) BRIEFING.—Not later than July 1, 2022, the Sec-  
9 retary shall provide to the Committees on Armed Services  
10 of the House of Representatives and the Senate a briefing  
11 setting forth—

12 (1) the strategy under subsection (a); and

13 (2) a plan to implement such strategy, includ-  
14 ing the estimated timeline and cost for such imple-  
15 mentation.

16 **SEC. 724. DEVELOPMENT AND UPDATE OF CERTAIN POLI-**  
17 **CIES RELATING TO MILITARY HEALTH SYS-**  
18 **TEM AND INTEGRATED MEDICAL OPER-**  
19 **ATIONS.**

20 (a) IN GENERAL.—By not later than October 1,  
21 2022, the Secretary of Defense, in coordination with the  
22 Secretaries of the military departments and the Chairman  
23 of the Joint Chiefs of Staff, shall develop and update cer-  
24 tain policies relating to the military health system and in-

1 tegrated medical operations of the Department of Defense  
2 as follows:

3 (1) UPDATED PLAN ON INTEGRATED MEDICAL  
4 OPERATIONS IN CONTINENTAL UNITED STATES.—  
5 The Secretary of Defense shall develop an updated  
6 plan on integrated medical operations in the conti-  
7 nental United States and update the Department of  
8 Defense Instruction 6010.22, titled “National Dis-  
9 aster Medical System (NDMS)” (or such successor  
10 instruction) accordingly. Such updated plan shall—

11 (A) be informed by the operational plans of  
12 the combatant commands and by the joint med-  
13 ical estimate under section 732 of the John S.  
14 McCain National Defense Authorization Act for  
15 Fiscal Year 2019 (Public Law 115–232; 132  
16 Stat. 1817);

17 (B) include an updated bed plan, to in-  
18 clude bed space available through the military  
19 health system and through hospitals partici-  
20 pating in the National Disaster Medical System  
21 established pursuant to section 2812 of the  
22 Public Health Service Act (42 U.S.C. 300hh–  
23 11);

24 (C) include a determination as to whether  
25 combat casualties should receive medical care

1 under the direct care or purchased care compo-  
2 nent of the military health system and a risk  
3 analysis in support of such determination;

4 (D) identify the manning levels required to  
5 furnish medical care under the updated plan,  
6 including with respect to the levels of military  
7 personnel, civilian employees of the Depart-  
8 ment, and contractors of the Department; and

9 (E) include a cost estimate for the  
10 furnishment of such medical care.

11 (2) UPDATED PLAN ON GLOBAL PATIENT  
12 MOVEMENT.—The Secretary of Defense shall develop  
13 an updated plan on global patient movement and up-  
14 date the Department of Defense Instruction  
15 5154.06, relating to medical military treatment fa-  
16 cilities and patient movement (or such successor in-  
17 struction) accordingly. Such updated plan shall—

18 (A) be informed by the operational plans of  
19 the combatant commands and by the joint med-  
20 ical estimate under section 732 of the John S.  
21 McCain National Defense Authorization Act for  
22 Fiscal Year 2019 (Public Law 115–232; 132  
23 Stat. 1817);

1 (B) include a risk assessment with respect  
2 to patient movement compared against overall  
3 operational plans;

4 (C) include a description of any capabili-  
5 ties-based assessment of the Department that  
6 informed the updated plan or that was in  
7 progress during the time period in which the  
8 updated plan was developed;

9 (D) identify the manning levels, equipment  
10 and consumables, and funding levels, required  
11 to carry out the updated plan; and

12 (E) address airlift capability, medical evac-  
13 uation capability, and access to ports of embar-  
14 kation.

15 (3) ASSESSMENT OF BIOSURVEILLANCE AND  
16 MEDICAL RESEARCH CAPABILITIES.—The Secretary  
17 of Defense shall conduct an assessment of the bio-  
18 surveillance and medical research capabilities of the  
19 Department of Defense. Such assessment shall in-  
20 clude the following:

21 (A) An identification of the location and  
22 strategic value of the overseas medical labora-  
23 tories and overseas medical research programs  
24 of the Department.



1           (B) An assessment of the current capabili-  
2           ties of such laboratories and programs with re-  
3           spect to force health protection and evidence-  
4           based medical research.

5           (C) A determination as to whether such  
6           laboratories and programs have the capabilities,  
7           including as a result of the geographic location  
8           of such laboratories and programs, to provide  
9           force health protection and evidence-based med-  
10          ical research, including by actively monitoring  
11          for future pandemics, infectious diseases, and  
12          other potential health threats to members of the  
13          Armed Forces.

14          (D) The current biosurveillance and med-  
15          ical research capabilities of the Department.

16          (E) The current manning levels of the bio-  
17          surveillance and medical research entities of the  
18          Department, including an assessment of wheth-  
19          er such entities are manned at a level necessary  
20          to support the missions of the combatant com-  
21          mands (including with respect to missions re-  
22          lated to pandemic influenza or homeland de-  
23          fense).

24          (F) The current funding levels of such en-  
25          tities, including a risk assessment as to whether

1           such funding is sufficient to sustain the man-  
2           ning levels necessary to support missions as  
3           specified in subparagraph (E).

4           (b) INTERIM BRIEFING.—Not later than April 1,  
5 2022, the Secretary of Defense, in coordination with the  
6 Secretaries of the military departments and the Chairman  
7 of the Joint Chiefs of Staff, shall provide to the Commit-  
8 tees on Armed Services of the House of Representatives  
9 and the Senate an interim briefing on the progress of im-  
10 plementation of the plans and assessment required under  
11 subsection (a).

12          (c) REPORT.—Not later than December 1, 2022, the  
13 Secretary of Defense shall submit to the Committees on  
14 Armed Services of the House of Representatives and the  
15 Senate a report describing each updated plan and assess-  
16 ment required under subsection (a).

17 **SEC. 725. MANDATORY TRAINING ON HEALTH EFFECTS OF**  
18 **BURN PITS.**

19          The Secretary of Defense shall provide to each med-  
20 ical provider of the Department of Defense mandatory  
21 training with respect to the potential health effects of burn  
22 pits.

1 **SEC. 726. STANDARDIZATION OF DEFINITIONS USED BY**  
2 **THE DEPARTMENT OF DEFENSE FOR TERMS**  
3 **RELATED TO SUICIDE.**

4 (a) STANDARDIZATION OF DEFINITIONS.—Not later  
5 than 120 days after the date of the enactment of this Act,  
6 the Secretary of Defense, in coordination with the Secre-  
7 taries of the military departments, shall develop standard-  
8 ized definitions for the following terms:

- 9 (1) “Suicide”.
- 10 (2) “Suicide attempt”.
- 11 (3) “Suicidal ideation”.

12 (b) REQUIRED USE OF STANDARDIZED DEFINI-  
13 TIONS.—Not later than 180 days after the date of the en-  
14 actment of this Act, the Secretary shall issue policy guid-  
15 ance requiring the exclusive and uniform use across the  
16 Department of Defense and within each military depart-  
17 ment of the standardized definitions developed under sub-  
18 section (a) for the terms specified in such subsection.

19 (c) BRIEFING.—Not later than 180 days after the  
20 date of the enactment of this Act, the Secretary shall pro-  
21 vide to the Committees on Armed Services of the House  
22 of Representatives and the Senate a briefing that sets  
23 forth the standardized definitions developed under sub-  
24 section (a) and includes—

- 25 (1) a description of the process that was used  
26 to develop such definitions;



1 (A) in subsection (a), by striking “180  
2 days following the date of the enactment of the  
3 William M. (Mac) Thornberry National Defense  
4 Authorization Act for Fiscal Year 2021” and  
5 inserting “the year following the date of the en-  
6 actment of the National Defense Authorization  
7 Act for Fiscal Year 2022”; and

8 (B) in subsection (b)(1), by inserting “, in-  
9 cluding any billet validation requirements deter-  
10 mined pursuant to estimates provided in the  
11 joint medical estimate under section 732 of the  
12 John S. McCain National Defense Authoriza-  
13 tion Act for Fiscal Year 2019 (Public Law  
14 115–232),” after “requirements of the military  
15 department of the Secretary”.

16 (2) GAO REPORT ON REDUCTION OR REALIGN-  
17 MENT OF MILITARY MEDICAL MANNING AND MED-  
18 ICAL BILLETS.—

19 (A) REPORT.—Not later than one year  
20 after the date of the enactment of this Act, the  
21 Comptroller General of the United States shall  
22 submit to the Committees on Armed Services of  
23 the House of Representatives and the Senate a  
24 report on the analyses used to support any re-  
25 duction or realignment of military medical man-

1           ning, including any reduction or realignment of  
2           medical billets of the military departments.

3           (B) ELEMENTS.—The report under sub-  
4           paragraph (A) shall include the following:

5                   (i) An analysis of the use of the joint  
6                   medical estimate under section 732 of the  
7                   John S. McCain National Defense Author-  
8                   ization Act for Fiscal Year 2019 (Public  
9                   Law 115–232; 132 Stat. 1817) and war-  
10                  time scenarios to determine military med-  
11                  ical manpower requirements, including  
12                  with respect to pandemic influenza and  
13                  homeland defense missions.

14                  (ii) An assessment of whether the Sec-  
15                  retaries of the military departments have  
16                  used the processes under section 719(b) of  
17                  the National Defense Authorization Act for  
18                  Fiscal Year 2020 (Public Law 116–92;  
19                  133 Stat. 1454) to ensure that a sufficient  
20                  combination of skills, specialties, and occu-  
21                  pations are validated and filled prior to the  
22                  transfer of any medical billets of a military  
23                  department to fill other military medical  
24                  manpower needs.

1 (iii) An assessment of the effect of the  
2 reduction or realignment of such billets on  
3 local health care networks and whether the  
4 Director of the Defense Health Agency has  
5 conducted such an assessment in coordina-  
6 tion with the Secretaries of the military de-  
7 partments.

8 (b) ASSIGNMENT OF MEDICAL AND DENTAL PER-  
9 SONNEL OF THE MILITARY DEPARTMENTS TO MILITARY  
10 MEDICAL TREATMENT FACILITIES.—

11 (1) DEADLINE FOR ASSIGNMENT.—The Secre-  
12 taries of the military departments shall ensure that  
13 the Surgeons General of the Armed Forces carry out  
14 fully the requirements of section 712(b)(3) of the  
15 John S. McCain National Defense Authorization Act  
16 for Fiscal Year 2019 (Public Law 115–232; 10  
17 U.S.C. 1073c note) by not later than September 30,  
18 2022.

19 (2) ADDITIONAL REQUIREMENT FOR WALTER  
20 REED NATIONAL MILITARY MEDICAL CENTER.—

21 (A) ASSIGNMENT OF MILITARY PER-  
22 SONNEL.—For fiscal years 2023 through 2027,  
23 except as provided in subparagraph (B), the  
24 Secretary of Defense shall ensure that the Sec-  
25 retaries of the military departments assign to

1 the Walter Reed National Military Medical Cen-  
2 ter sufficient military personnel to meet not less  
3 than 85 percent of the joint table of distribu-  
4 tion in effect for such facility on December 23,  
5 2016.

6 (B) EXCEPTION.—Subparagraph (A) shall  
7 not apply to any fiscal year for which the Sec-  
8 retary of Defense certifies at the beginning of  
9 such fiscal year to the Committees on Armed  
10 Services of the Senate and the House of Rep-  
11 resentatives that notwithstanding the failure to  
12 meet the requirement under such paragraph,  
13 the Walter Reed National Military Medical Cen-  
14 ter is fully capable of carrying out all signifi-  
15 cant activities as the premier medical center of  
16 the military health system.

17 (3) REPORTS.—

18 (A) IN GENERAL.—Not later than Sep-  
19 tember 30, 2022, each Secretary of a military  
20 department shall submit to the Committees on  
21 Armed Services of the Senate and the House of  
22 Representatives a report on the compliance of  
23 the military department concerned with this  
24 subsection. Each such report shall include—



1 (i) an accounting of the number of  
2 uniformed personnel and civilian personnel  
3 assigned to a military medical treatment  
4 facility as of October 1, 2019; and

5 (ii) a comparable accounting as of  
6 September 30, 2022.

7 (B) EXPLANATION.—If the number speci-  
8 fied in clause (ii) of subparagraph (A) is less  
9 than the number specified in clause (i) of such  
10 subparagraph, the Secretary concerned shall  
11 provide a full explanation for the reduction.

12 **SEC. 732. ACCESS BY UNITED STATES GOVERNMENT EM-**  
13 **PLOYEES AND THEIR FAMILY MEMBERS TO**  
14 **CERTAIN FACILITIES OF DEPARTMENT OF**  
15 **DEFENSE FOR ASSESSMENT AND TREATMENT**  
16 **OF ANOMALOUS HEALTH CONDITIONS.**

17 (a) ASSESSMENT.—The Secretary of Defense shall  
18 provide to employees of the United States Government and  
19 their family members who the Secretary determines are  
20 experiencing symptoms of certain anomalous health condi-  
21 tions, as defined by the Secretary for purposes of this sec-  
22 tion, timely access for medical assessment, subject to  
23 space availability, to the National Intrepid Center of Ex-  
24 cellence, an Intrepid Spirit Center, or an appropriate mili-

1 tary medical treatment facility, as determined by the Sec-  
2 retary.

3 (b) TREATMENT.—With respect to an individual de-  
4 scribed in subsection (a) diagnosed with an anomalous  
5 health condition or a related affliction, whether diagnosed  
6 under an assessment under subsection (a) or otherwise,  
7 the Secretary of Defense shall furnish to the individual  
8 treatment for the condition or affliction, subject to space  
9 availability, at the National Intrepid Center of Excellence,  
10 an Intrepid Spirit Center, or an appropriate military med-  
11 ical treatment facility, as determined by the Secretary.

12 (c) DEVELOPMENT OF PROCESS.—The Secretary of  
13 Defense, in consultation with the heads of such Federal  
14 agencies as the Secretary considers appropriate, shall de-  
15 velop a process to ensure that employees from those agen-  
16 cies and their family members are afforded timely access  
17 to the National Intrepid Center of Excellence, an Intrepid  
18 Spirit Center, or an appropriate military medical treat-  
19 ment facility pursuant to subsection (a) by not later than  
20 60 days after the date of the enactment of this Act.

21 (d) MODIFICATION OF DEPARTMENT OF DEFENSE  
22 TRAUMA REGISTRY.—The Secretary of Defense shall  
23 modify the Trauma Registry of the Department of De-  
24 fense to include data on the demographics, condition-pro-  
25 ducing event, diagnosis and treatment, and outcomes of

1 anomalous health conditions experienced by employees of  
2 the United States Government and their family members  
3 assessed or treated under this section, subject to an agree-  
4 ment by the employing agency and the consent of the em-  
5 ployee.

6 **SEC. 733. PILOT PROGRAM ON CARDIAC SCREENING AT**  
7 **CERTAIN MILITARY SERVICE ACADEMIES.**

8 (a) **PILOT PROGRAM.**—The Secretary of Defense  
9 shall establish a pilot program to furnish mandatory elec-  
10 trocardiograms to individuals who have been admitted to  
11 a covered military service academy in connection with the  
12 military accession screening process, at no cost to such  
13 candidates.

14 (b) **SCOPE.**—The scope of the pilot program under  
15 subsection (a) shall include at least 25 percent of the in-  
16 coming class of individuals who have been admitted to a  
17 covered military service academy during the first fall se-  
18 mester that follows the date of the enactment of this Act,  
19 and the pilot program shall terminate on the date on  
20 which the Secretary determines the military accession  
21 screening process for such class has concluded.

22 (c) **FURNISHING OF ELECTROCARDIOGRAMS.**—In  
23 carrying out the pilot program under subsection (a), the  
24 Secretary shall furnish each mandatory electrocardiogram  
25 under the pilot program in a facility of the Department

1 of Defense or by medical personnel within the military  
2 health system.

3 (d) BRIEFING.—Not later than 180 days after the  
4 date on which the pilot program under subsection (a) ter-  
5 minates, the Secretary shall provide to the Committees on  
6 Armed Services of the Senate and the House of Represent-  
7 atives a briefing on the pilot program. Such briefing shall  
8 include the following:

9 (1) The results of all electrocardiograms fur-  
10 nished to individuals under the pilot program,  
11 disaggregated by military service academy, race, and  
12 gender.

13 (2) The rate of significant cardiac issues de-  
14 tected pursuant to electrocardiograms furnished  
15 under the pilot program, disaggregated by military  
16 service academy, race, and gender.

17 (3) The cost of carrying out the pilot program.

18 (4) The number of individuals, if any, who were  
19 disqualified from admission based solely on the re-  
20 sult of an electrocardiogram furnished under the  
21 pilot program.

22 (e) COVERED MILITARY SERVICE ACADEMY DE-  
23 FINED.—In this section, the term “covered military serv-  
24 ice academy” does not include the United States Coast

1 Guard Academy or the United States Merchant Marine  
2 Academy.

3 **SEC. 734. PILOT PROGRAM ON ASSISTANCE FOR MENTAL**  
4 **HEALTH APPOINTMENT SCHEDULING AT**  
5 **MILITARY MEDICAL TREATMENT FACILITIES.**

6 (a) PILOT PROGRAM.—Not later than 180 days after  
7 the date of the enactment of this Act, the Secretary of  
8 Defense shall commence a pilot program, to be carried out  
9 for at least a one-year period, to provide direct assistance  
10 for mental health appointment scheduling under the direct  
11 care and purchased care components of the TRICARE  
12 program, through facilities and clinics selected by the Sec-  
13 retary for participation in the pilot program in a number  
14 determined by the Secretary.

15 (b) BRIEFINGS.—

16 (1) FIRST BRIEFING.—Not later than 180 days  
17 after the date of the enactment of this Act, the Sec-  
18 retary shall provide to the Committees on Armed  
19 Services of the House of Representatives and the  
20 Senate a briefing on the nature of the pilot program  
21 under subsection (a).

22 (2) FINAL BRIEFING.—Not later than 90 days  
23 after the date on which the pilot program under sub-  
24 section (a) terminates, the Secretary shall provide to  
25 the Committees on Armed Services of the House of

1 Representatives and the Senate a briefing on the  
2 pilot program. Such briefing shall include an assess-  
3 ment of—

4 (A) the effectiveness of the pilot program  
5 with respect to improved access to mental  
6 health appointments; and

7 (B) any barriers to scheduling mental  
8 health appointments under the pilot program  
9 observed by health care professionals or other  
10 individuals involved in scheduling such appoint-  
11 ments.

12 (c) TRICARE PROGRAM DEFINED.—In this section,  
13 the term “TRICARE program” has the meaning given  
14 such term in section 1072 of title 10, United States Code.

15 **SEC. 735. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
16 **CERTAIN RESEARCH CONNECTED TO CHINA.**

17 (a) PROHIBITION.—None of the funds authorized to  
18 be appropriated by this Act or otherwise made available  
19 for fiscal year 2022 for the Department of Defense may  
20 be obligated or expended to fund any work to be performed  
21 by EcoHealth Alliance, Inc. in China on research sup-  
22 ported by the government of China.

23 (b) WAIVER.—The Secretary of Defense may waive  
24 the prohibition under subsection (a) if the Secretary—

1           (1) determines that the waiver is in the national  
2 security interests of the United States; and

3           (2) not later than 14 days after granting the  
4 waiver, submits to the congressional defense commit-  
5 tees a detailed justification for the waiver, includ-  
6 ing—

7                   (A) an identification of the Department of  
8 Defense entity obligating or expending the  
9 funds;

10                   (B) an identification of the amount of such  
11 funds;

12                   (C) an identification of the intended pur-  
13 pose of such funds;

14                   (D) an identification of the recipient or  
15 prospective recipient of such funds (including  
16 any third-party entity recipient, as applicable);

17                   (E) an explanation for how the waiver is in  
18 the national security interests of the United  
19 States; and

20                   (F) any other information the Secretary  
21 determines appropriate.

1 **SEC. 736. LIMITATION ON CERTAIN DISCHARGES SOLELY**  
2 **ON THE BASIS OF FAILURE TO OBEY LAWFUL**  
3 **ORDER TO RECEIVE COVID-19 VACCINE.**

4 (a) **LIMITATION.**—During the period of time begin-  
5 ning on August 24, 2021, and ending on the date that  
6 is two years after the date of the enactment of this Act,  
7 any administrative discharge of a covered member, on the  
8 sole basis that the covered member failed to obey a lawful  
9 order to receive a vaccine for COVID-19, shall be—

10 (1) an honorable discharge; or

11 (2) a general discharge under honorable condi-  
12 tions.

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

14 (1) The terms “Armed Forces” and “military  
15 departments” have the meanings given such terms  
16 in section 101 of title 10, United States Code.

17 (2) The term “covered member” means a mem-  
18 ber of an Armed Force under the jurisdiction of the  
19 Secretary of a military department.

20 **SEC. 737. INDEPENDENT ANALYSIS OF DEPARTMENT OF**  
21 **DEFENSE COMPREHENSIVE AUTISM CARE**  
22 **DEMONSTRATION PROGRAM.**

23 (a) **AGREEMENT.**—

24 (1) **IN GENERAL.**—The Secretary of Defense  
25 shall seek to enter into an agreement with the Na-  
26 tional Academies of Sciences, Engineering, and Med-



1       icine (in this section referred to as the “National  
2       Academies”) for the National Academies to carry  
3       out the activities described in subsections (b) and  
4       (c).

5           (2) TIMING.—The Secretary shall seek to enter  
6       into the agreement described in paragraph (1) not  
7       later than 60 days after the date of the enactment  
8       of this Act.

9       (b) ANALYSIS BY THE NATIONAL ACADEMIES.—

10           (1) ANALYSIS.—Under an agreement between  
11       the Secretary and the National Academies entered  
12       into pursuant to subsection (a), the National Acad-  
13       emies shall conduct an analysis of the effectiveness  
14       of the Department of Defense Comprehensive Au-  
15       tism Care Demonstration program (in this section  
16       referred to as the “demonstration program”) and  
17       develop recommendations for the Secretary based on  
18       such analysis.

19           (2) ELEMENTS.—The analysis conducted and  
20       recommendations developed under paragraph (1)  
21       shall include the following:

22           (A) An assessment of all methods used to  
23       assist in the assessment of domains related to  
24       autism spectrum disorder, including a deter-  
25       mination as to whether the Secretary is apply-

1           ing such methods appropriately under the dem-  
2           onstration project.

3           (B) An assessment of the methods used  
4           under the demonstration project to measure the  
5           effectiveness of applied behavior analysis in the  
6           treatment of autism spectrum disorder.

7           (C) A review of any guidelines or industry  
8           standards of care adhered to in the provision of  
9           applied behavior analysis services under the  
10          demonstration program, including a review of  
11          the effects of such adherence with respect to  
12          dose-response or health outcomes for an indi-  
13          vidual who has received such services.

14          (D) A review of the health outcomes for an  
15          individual who has received applied behavior  
16          analysis treatments over time.

17          (E) An analysis of the increased utilization  
18          of the demonstration program by beneficiaries  
19          under the TRICARE program, to improve un-  
20          derstanding of such utilization.

21          (F) Such other analyses to measure the ef-  
22          fectiveness of the demonstration program as  
23          may be determined appropriate by the National  
24          Academies.

1 (G) An analysis on whether the incidence  
2 of autism is higher among the children of mili-  
3 tary families.

4 (H) The development of a list of rec-  
5 ommendations related to the measurement, ef-  
6 fectiveness, and increased understanding of the  
7 demonstration program and its effect on bene-  
8 ficiaries under the TRICARE program.

9 (c) REPORT.—Under an agreement entered into be-  
10 tween the Secretary and the National Academies under  
11 subsection (a), the National Academies, not later than  
12 nine months after the date of the execution of the agree-  
13 ment, shall—

14 (1) submit to the congressional defense commit-  
15 tees a report on the findings of the National Acad-  
16 emies with respect to the analysis conducted and  
17 recommendations developed under subsection (b);  
18 and

19 (2) make such report available on a public  
20 website in unclassified form.

21 **SEC. 738. INDEPENDENT REVIEW OF SUICIDE PREVENTION**  
22 **AND RESPONSE AT MILITARY INSTALLA-**  
23 **TIONS.**

24 (a) ESTABLISHMENT OF COMMITTEE.—Not later  
25 than 90 days after the date of the enactment of this Act,

1 the Secretary of Defense shall establish an independent  
2 suicide prevention and response review committee.

3 (b) MEMBERSHIP.—The committee established under  
4 subsection (a) shall be composed of not fewer than five  
5 individuals—

6 (1) designated by the Secretary;

7 (2) with expertise determined to be relevant by  
8 the Secretary, including at least one individual who  
9 is an experienced provider of mental health services;  
10 and

11 (3) none of whom may be a member of an  
12 Armed Force or a civilian employee of the Depart-  
13 ment of Defense.

14 (c) SELECTION OF MILITARY INSTALLATIONS.—

15 (1) IN GENERAL.—The Secretary shall select,  
16 for review by the committee established under sub-  
17 section (a), at least one military installation under  
18 the jurisdiction of each military department.

19 (2) INCLUSION OF REMOTE INSTALLATION.—  
20 The Secretary shall ensure that, of the total military  
21 installations selected for review under paragraph (1),  
22 at least one such installation is a remote installation  
23 of the Department of Defense located outside the  
24 contiguous United States.

1 (d) DUTIES.—The committee established under sub-  
2 section (a) shall review the suicide prevention and re-  
3 sponse programs and other factors that may contribute  
4 to the incidence or prevention of suicide at the military  
5 installations selected for review pursuant to subsection (c).  
6 Such review shall be conducted through means includ-  
7 ing—

- 8 (1) a confidential survey;
- 9 (2) focus groups; and
- 10 (3) individual interviews.

11 (e) COORDINATION.—In carrying out this section, the  
12 Secretary shall ensure that the Director of the Office of  
13 People Analytics of the Department of Defense and the  
14 Director of the Office of Force Resiliency of the Depart-  
15 ment of Defense coordinate and cooperate with the com-  
16 mittee established under subsection (a).

17 (f) REPORTS.—

18 (1) REPORT TO SECRETARY.—Not later than  
19 270 days after the date of the establishment of the  
20 committee under subsection (a), the committee shall  
21 submit to the Secretary a report containing the re-  
22 sults of the reviews conducted by the committee and  
23 recommendations of the committee to reduce the in-  
24 cidence of suicide at the military installations re-  
25 viewed.



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

3 (1) The manpower required for the establish-  
4 ment of an aeromedical squadron of the Air Na-  
5 tional Guard in Hawaii as specified in subsection  
6 (a).

7 (2) The overall cost of such establishment.

8 (3) The length of time required for such estab-  
9 lishment.

10 (4) The mission requirements for such estab-  
11 lishment.

12 (5) Such other matters as may be determined  
13 relevant by the Secretary.

14 (c) BRIEFING.—Not later than April 1, 2022, the  
15 Secretary shall provide to the Committees on Armed Serv-  
16 ices of the House of Representatives and the Senate a  
17 briefing on the findings of the feasibility and advisability  
18 study under subsection (a), including with respect to each  
19 element specified in subsection (b).

20 **SEC. 740. STUDY ON INCIDENCE OF BREAST CANCER**  
21 **AMONG MEMBERS OF THE ARMED FORCES**  
22 **SERVING ON ACTIVE DUTY.**

23 (a) STUDY.—The Secretary of Defense shall conduct  
24 a study on the incidence of breast cancer among members  
25 of the Armed Forces serving on active duty.

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

3 (1) A determination of the number of members  
4 of the Armed Forces who served on active duty at  
5 any time during the period beginning on January 1,  
6 2011, and ending on the date of the enactment of  
7 this Act who were diagnosed with breast cancer dur-  
8 ing such period.

9 (2) A determination of demographic informa-  
10 tion regarding such members, including race, eth-  
11 nicity, sex, age, military occupational specialty, and  
12 rank.

13 (3) A comparison of the rates of members of  
14 the Armed Forces serving on active duty who have  
15 breast cancer to civilian populations with comparable  
16 demographic characteristics.

17 (4) An identification of potential factors associ-  
18 ated with service in the Armed Forces that could in-  
19 crease the risk of breast cancer for members of the  
20 Armed Forces serving on active duty.

21 (5) To the extent the data are available, an  
22 identification of overseas locations associated with  
23 airborne hazards, such as burn pits, and members of  
24 the Armed Forces diagnosed with breast cancer who  
25 served on active duty in such locations.



1           (6) An assessment of the effectiveness of out-  
2 reach by the Department of Defense to members of  
3 the Armed Forces to identify risks of, prevent, de-  
4 tect, and treat breast cancer.

5           (7) An assessment of the feasibility and advis-  
6 ability of changing the current mammography  
7 screening policy of the Department to incorporate all  
8 members of the Armed Forces who deployed over-  
9 seas to an area associated with airborne hazards,  
10 such as burn pits.

11           (8) An assessment of the feasibility and advis-  
12 ability of conducting digital breast tomosynthesis at  
13 facilities of the Department that provide mammog-  
14 raphy services.

15           (9) Such recommendations as the Secretary  
16 may have for changes to policy or law that could im-  
17 prove the prevention, early detection, awareness, and  
18 treatment of breast cancer among members of the  
19 Armed Forces serving on active duty, including any  
20 additional resources needed.

21           (c) REPORT.—Not later than one year after the date  
22 of the enactment of this Act, the Secretary shall submit  
23 to the congressional defense committees a report on the  
24 findings and recommendations of the study under sub-

1 section (a), including a description of any further unique  
2 military research needed with respect to breast cancer.

3 **SEC. 741. GAO BIENNIAL STUDY ON INDIVIDUAL LONGITU-**  
4 **DINAL EXPOSURE RECORD PROGRAM.**

5 (a) STUDIES AND REPORTS REQUIRED.—Not later  
6 than December 31, 2023, and once every two years there-  
7 after until December 31, 2030, the Comptroller General  
8 of the United States shall—

9 (1) conduct a study on the implementation and  
10 effectiveness of the Individual Longitudinal Expo-  
11 sure Record program of the Department of Defense  
12 and the Department of Veterans Affairs; and

13 (2) submit to the appropriate congressional  
14 committees a report containing the findings of the  
15 most recently conducted study.

16 (b) ELEMENTS.—The biennial studies under sub-  
17 section (a) shall include an assessment of elements as fol-  
18 lows:

19 (1) INITIAL STUDY.—The initial study con-  
20 ducted under subsection (a) shall assess, at a min-  
21 imum, the following:

22 (A) Statistics relating to use of the Indi-  
23 vidual Longitudinal Exposure Record program,  
24 including the total number of individuals the  
25 records of whom are contained therein and the

1 total number of records accessible under the  
2 program.

3 (B) Costs associated with the program, in-  
4 cluding any cost overruns associated with the  
5 program.

6 (C) The capacity to expand the program to  
7 include the medical records of veterans who  
8 served prior to the establishment of the pro-  
9 gram.

10 (D) Any illness recently identified as relat-  
11 ing to a toxic exposure (or any guidance relat-  
12 ing to such an illness recently issued) by either  
13 the Secretary of Defense or the Secretary of  
14 Veterans Affairs, including any such illness or  
15 guidance that relates to open burn pit exposure.

16 (E) How the program has enabled (or  
17 failed to enable) the discovery, notification, and  
18 medical care of individuals affected by an illness  
19 described in subparagraph (D).

20 (F) Physician and patient feedback on the  
21 program, particularly feedback that relates to  
22 ease of use.

23 (G) Cybersecurity and privacy protections  
24 of patient data stored under the program, in-  
25 cluding whether any classified or restricted data

1 has been stored under the program (such as  
2 data relating to deployment locations or duty  
3 stations).

4 (H) Any technical or logistical impedi-  
5 ments to the implementation or expansion of  
6 the program, including any impediments to the  
7 inclusion in the program of databases or mate-  
8 rials originally intended to be included.

9 (I) Any issues relating to read-only access  
10 to data under the program by veterans.

11 (J) Any issues relating to the interoper-  
12 ability of the program between the Department  
13 of Defense and the Department of Veterans Af-  
14 fairs.

15 (2) SUBSEQUENT STUDIES.—Except as pro-  
16 vided in paragraph (3), each study conducted under  
17 subsection (a) following the initial study specified in  
18 paragraph (1) shall assess—

19 (A) statistics relating to use of the Indi-  
20 vidual Longitudinal Exposure Record program,  
21 including the total number of individuals the  
22 records of whom are contained therein and the  
23 total number of records accessible under the  
24 program; and

1 (B) such other elements as the Comptroller  
2 General determines appropriate, which may in-  
3 clude any other element specified in paragraph  
4 (1).

5 (3) FINAL STUDY.—The final study conducted  
6 under subsection (a) shall assess—

7 (A) the elements specified in subpara-  
8 graphs (A), (B), (D), (E), (F), and (H) of  
9 paragraph (1); and

10 (B) such other elements as the Comptroller  
11 General determines appropriate, which may in-  
12 clude any other element specified in paragraph  
13 (1).

14 (c) ACCESS BY COMPTROLLER GENERAL.—

15 (1) INFORMATION AND MATERIALS.—Upon re-  
16 quest of the Comptroller General, the Secretary of  
17 Defense and the Secretary of Veterans Affairs shall  
18 make available to the Comptroller General any infor-  
19 mation or other materials necessary for the conduct  
20 of each biennial study under subsection (a).

21 (2) INTERVIEWS.—In addition to such other au-  
22 thorities as are available, the Comptroller General  
23 shall have the right to interview officials and em-  
24 ployees of the Department of Defense and the De-  
25 partment of Veterans Affairs (including clinicians,

1 claims adjudicators, and researchers) as necessary  
2 for the conduct of each biennial study under sub-  
3 section (a).

4 (d) DEFINITIONS.—In this section:

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

7 (A) the Committee on Armed Services and  
8 the Committee on Veterans’ Affairs of the  
9 House of Representatives; and

10 (B) the Committee on Armed Services and  
11 the Committee on Veterans’ Affairs of the Sen-  
12 ate.

13 (2) The term “Secretary concerned” means—

14 (A) the Secretary of Defense, with respect  
15 to matters concerning the Department of De-  
16 fense; and

17 (B) the Secretary of Veterans Affairs, with  
18 respect to matters concerning the Department  
19 of Veterans Affairs.

20 **SEC. 742. COMPTROLLER GENERAL STUDY ON IMPLEMEN-**  
21 **TATION BY DEPARTMENT OF DEFENSE OF**  
22 **RECENT STATUTORY REQUIREMENTS TO RE-**  
23 **FORM THE MILITARY HEALTH SYSTEM.**

24 (a) STUDY.—

1           (1) IN GENERAL.—The Comptroller General of  
2 the United States shall conduct a study on the im-  
3 plementation by the Department of Defense of stat-  
4 utory requirements to reform the military health sys-  
5 tem contained in a covered Act.

6           (2) ELEMENTS.—The study required by para-  
7 graph (1) shall include the following elements:

8           (A) A compilation of a list of, and citation  
9 for, each statutory requirement on reform of  
10 the military health system contained in a cov-  
11 ered Act.

12           (B) An assessment of the extent to which  
13 such requirement was implemented, or is cur-  
14 rently being implemented.

15           (C) An evaluation of the actions taken by  
16 the Department of Defense to assess and deter-  
17 mine the effectiveness of actions taken pursuant  
18 to such requirement.

19           (D) Such other matters in connection with  
20 the implementation of such requirement as the  
21 Comptroller General considers appropriate.

22 (b) BRIEFING AND REPORT.—

23           (1) BRIEFING.—Not later than May 1, 2022,  
24 the Comptroller General shall brief the Committees  
25 on Armed Services of the Senate and the House of

1 Representatives on the status of the study conducted  
2 under subsection (a).

3 (2) REPORT.—Not later than May 1, 2023, the  
4 Comptroller General shall submit to the Committees  
5 on Armed Services of the Senate and the House of  
6 Representatives a report on the study conducted  
7 under subsection (a) that includes the elements spec-  
8 ified in paragraph (2) of such subsection.

9 (c) COVERED ACT DEFINED.—In this section, the  
10 term “covered Act” means any of the following:

11 (1) The William M. (Mac) Thornberry National  
12 Defense Authorization Act for Fiscal Year 2021  
13 (Public Law 116–283).

14 (2) The National Defense Authorization Act for  
15 Fiscal Year 2020 (Public Law 116–92).

16 (3) The John S. McCain National Defense Au-  
17 thorization Act for Fiscal Year 2019 (Public Law  
18 115–232).

19 (4) The National Defense Authorization Act for  
20 Fiscal Year 2018 (Public Law 115–91).

21 (5) The National Defense Authorization Act for  
22 Fiscal Year 2017 (Public Law 114–328).

23 (6) The National Defense Authorization Act for  
24 Fiscal Year 2016 (Public Law 114–92).



1           (7) The Carl Levin and Howard P. “Buck”  
2       McKeon National Defense Authorization Act for  
3       Fiscal Year 2015 (Public Law 113–291).

4           (8) The National Defense Authorization Act for  
5       Fiscal Year 2014 (Public Law 113–66).

6           (9) The National Defense Authorization Act for  
7       Fiscal Year 2013 (Public Law 112–239).

8           (10) The National Defense Authorization Act  
9       for Fiscal Year 2012 (Public Law 112–81).

10 **SEC. 743. STUDY TO DETERMINE NEED FOR A JOINT FUND**

11                   **FOR FEDERAL ELECTRONIC HEALTH**  
12                   **RECORD MODERNIZATION OFFICE.**

13       (a) STUDY.—The Secretary of Defense, in coordina-  
14       tion with the Secretary of Veterans Affairs, shall conduct  
15       a study to determine—

16           (1) whether there is a validated need or military  
17       requirement for the development of a joint fund of  
18       the Department of Defense and the Department of  
19       Veterans Affairs for the Federal Electronic Health  
20       Record Modernization Office; and

21           (2) whether the operations of the Federal Elec-  
22       tronic Health Record Modernization Office since its  
23       establishment, including how the Office has sup-  
24       ported the implementation of the Individual Longitu-  
25       dinal Exposure Record program of the Department

1 of Defense and the Department of Veterans Affairs,  
2 justify the development of a potential joint fund.

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

5 (1) Justifications for the development of the  
6 joint fund.

7 (2) The potential resource allocation and fund-  
8 ing commitments for the Department of Defense  
9 and Department of Veterans Affairs with respect to  
10 the joint fund.

11 (3) Options for the governance structure of the  
12 joint fund, including how accountability would be di-  
13 vided between the Department of Defense and the  
14 Department of Veterans Affairs.

15 (4) The anticipated contents of the joint fund,  
16 including the anticipated process for annual trans-  
17 fers to the joint fund from the Department of De-  
18 fense and the Department of Veterans Affairs, re-  
19 spectively.

20 (5) An estimated timeline for the potential es-  
21 tablishment of the joint fund.

22 (6) The progress and accomplishments of the  
23 Federal Electronic Health Record Modernization Of-  
24 fice during fiscal year 2021 in fulfilling the purposes  
25 specified in subparagraphs (C) through (R) of sec-

1           tion 1635(b)(2) of the Wounded Warrior Act (title  
2           XVI of Public Law 110–181; 10 U.S.C. 1071 note).

3           (c) REPORT.—Not later than July 1, 2022, the Sec-  
4           retary of Defense, in coordination with the Secretary of  
5           Veterans Affairs, shall submit to the appropriate congres-  
6           sional committees a report on the findings of the study  
7           under subsection (a), including recommendations on the  
8           development of the joint fund specified in such subsection.  
9           Such recommendations shall address—

10                   (1) the purpose of the joint fund; and

11                   (2) requirements related to the joint fund.

12           (d) DEFINITIONS.—In this section:

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

15                           (A) the Committees on Armed Services of  
16                           the House of Representatives and the Senate;  
17                           and

18                           (B) the Committees on Veterans’ Affairs of  
19                           the House of Representatives and the Senate.

20                   (2) The term “Electronic Health Record Mod-  
21                   ernization Program” has the meaning given such  
22                   term in section 503(e) of the Veterans Benefits and  
23                   Transition Act of 2018 (Public Law 115–407; 132  
24                   Stat. 5376).

1           (3) The term “Federal Electronic Health  
2           Record Modernization Office” means the Office es-  
3           tablished under section 1635(b) of the Wounded  
4           Warrior Act (title XVI of Public Law 110–181; 10  
5           U.S.C. 1071 note).

6 **SEC. 744. BRIEFING ON DOMESTIC PRODUCTION OF CRIT-**  
7                                   **ICAL ACTIVE PHARMACEUTICAL INGREDI-**  
8                                   **ENTS FOR NATIONAL SECURITY PURPOSES.**

9           Not later than April 1, 2022, the Secretary of De-  
10          fense shall provide to the Committees on Armed Services  
11          of the House of Representatives and the Senate a briefing  
12          on the development of a capability for the domestic pro-  
13          duction of critical active pharmaceutical ingredients and  
14          drug products in finished dosage form for national secu-  
15          rity purposes. Such briefing shall include a description of  
16          the following:

17                 (1) The anticipated cost over the period covered  
18                 by the most recent future-years defense program  
19                 submitted under section 221 of title 10, United  
20                 States Code (as of the date of the briefing), to de-  
21                 velop such a domestic production capability for crit-  
22                 ical active pharmaceutical ingredients.

23                 (2) The cost of producing critical active phar-  
24                 maceutical ingredients through such a domestic pro-  
25                 duction capability, as compared with the cost of

1 standard manufacturing processes used by the phar-  
2 maceutical industry.

3 (3) The average time to produce critical active  
4 pharmaceutical ingredients through such a domestic  
5 production capability, as compared with the average  
6 time to produce such ingredients through standard  
7 manufacturing processes used by the pharmaceutical  
8 industry.

9 (4) Any intersections between the development  
10 of such a domestic production capability, the mili-  
11 tary health system, and defense-related medical re-  
12 search or operational medical requirements.

13 (5) Lessons learned from the progress made in  
14 developing such a domestic production capability as  
15 of the date of the briefing, including from any con-  
16 tracts entered into by the Secretary with respect to  
17 such a domestic production capability.

18 (6) Any critical active pharmaceutical ingredi-  
19 ents that are under consideration by the Secretary  
20 for future domestic production as of the date of the  
21 briefing.

22 (7) The plan of the Secretary regarding the fu-  
23 ture use of such a domestic production capability for  
24 critical active pharmaceutical ingredients.

1 **SEC. 745. BRIEFING ON SUBSTANCE ABUSE IN THE ARMED**  
2 **FORCES.**

3 (a) BRIEFING.—Not later than June 1, 2022, the  
4 Under Secretary of Defense for Personnel and Readiness  
5 shall provide to the Committees on Armed Services of the  
6 Senate and the House of Representatives a briefing on  
7 substance abuse policy, strategy, and programs within the  
8 Department of Defense.

9 (b) ELEMENTS.—The briefing required under sub-  
10 section (a) shall include each of the following elements:

11 (1) With respect to policy, an overview of the  
12 policies of the Department of Defense and the mili-  
13 tary departments with respect to substance abuse,  
14 including for covered beneficiaries, and how each  
15 such policy is synchronized, including any definitions  
16 of the term “substance abuse”.

17 (2) With respect to background data—

18 (A) an analysis of the trends in substance  
19 abuse across the active and reserve components  
20 of the Armed Forces over the preceding 10-year  
21 period, including the types of care (residential,  
22 outpatient, or other), any variation in such  
23 trends for demographics or geographic locations  
24 of members who have been deployed, and any  
25 other indicators that the Under Secretary deter-

1 mines may allow for further understanding of  
2 substance abuse programs; and

3 (B) an analysis of trends in substance  
4 abuse for covered beneficiaries over the pre-  
5 ceeding 10-year period, including any variation  
6 in such trends for demographics, geographic lo-  
7 cation, or other indicators that the Under Sec-  
8 retary determines may allow for further under-  
9 standing of substance abuse programs.

10 (3) With respect to strategic communication, an  
11 overview of the strategic communication plan on  
12 substance abuse, including different forms of media  
13 and initiatives being undertaken.

14 (4) With respect to treatment—

15 (A) a description of the treatment options  
16 available and prescribed for substance abuse for  
17 members of the Armed Forces and covered  
18 beneficiaries, including the different environ-  
19 ments of care, such as hospitals, residential  
20 treatment facilities, outpatient care, and other  
21 care as appropriate;

22 (B) a description of any non-catchment  
23 area care which resulted in the nonavailability  
24 of military medical treatment facility or military  
25 installation capabilities for substance use dis-

1 order treatment and the costs associated with  
2 sending members of the Armed Forces and cov-  
3 ered beneficiaries to non-catchment areas for  
4 such treatment;

5 (C) a description of the synchronization  
6 between substance abuse programs, mental  
7 health treatment, and case management, where  
8 appropriate;

9 (D) a description of how substance abuse  
10 treatment clinical practice guidelines are used  
11 and how frequently such guidelines are updated;  
12 and

13 (E) the metrics and outcomes that are  
14 used to determine whether substance abuse  
15 treatments are effective.

16 (5) The funding lines and the amount of fund-  
17 ing the Secretary of Defense and the Secretary of  
18 each of the military departments have obligated for  
19 substance abuse programs for each of the preceding  
20 10 fiscal years.

21 (c) DEFINITIONS.—In this section:

22 (1) The term “catchment area” means the ap-  
23 proximately 40-mile radius surrounding a military  
24 medical treatment facility or military installation, as  
25 the case may be.



1           (2) The term “covered beneficiary” has the  
2           meaning given such term in section 1072 of title 10,  
3           United States Code.

4 **TITLE VIII—ACQUISITION POL-**  
5 **ICY, ACQUISITION MANAGE-**  
6 **MENT, AND RELATED MAT-**  
7 **TERS**

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

Subtitle A—Acquisition Policy and Management

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

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

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

Subtitle C—Provisions Relating to Other Transaction Authority

- Sec. 821. Modification of other transaction authority for research projects.
- Sec. 822. Modification of prize authority for advanced technology achievements.
- Sec. 823. Pilot program on systems engineering determinations.
- Sec. 824. Recommendations on the use of other transaction authority.

Sec. 825. Reporting requirement for certain defense acquisition activities.

Subtitle D—Provisions Relating to Software and Technology

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

Subtitle E—Provisions Relating to Supply Chain Security

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

Subtitle F—Industrial Base Matters

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

Subtitle G—Small Business Matters

- Sec. 861. Exemption of certain contracts from the periodic inflation adjustments to the acquisition-related dollar threshold.  
Sec. 862. Modification to the pilot program for streamlining awards for innovative technology projects.  
Sec. 863. Protests and appeals relating to eligibility of business concerns.  
Sec. 864. Authority for the Office of Hearings and Appeals to decide appeals relating to qualified HUBZone small business concerns.  
Sec. 865. Report on unfunded priorities of the Small Business Innovation Research and Small Business Technology Transfer program.  
Sec. 866. Report on Cybersecurity Maturity Model Certification effects on small business.

Sec. 867. Data on Phase III Small Business Innovation Research and Small Business Technology Transfer program awards.

Subtitle H—Other Matters

Sec. 871. Mission management pilot program.

Sec. 872. Establishment of mission-oriented pilot programs to close significant capabilities gaps.

Sec. 873. Independent study on acquisition practices and policies.

Sec. 874. Pilot program to incentivize contracting with employee-owned businesses.

Sec. 875. Guidance, training, and report on place of performance contract requirements.

Sec. 876. Notification of certain intergovernmental support agreements.

Sec. 877. Report on requests for equitable adjustment in Department of the Navy.

Sec. 878. Military standards for armor materials in vehicle specifications.

## 1    **Subtitle A—Acquisition Policy and** 2                                   **Management**

### 3    **SEC. 801. ACQUISITION WORKFORCE EDUCATIONAL PART-** 4                                   **NERSHIPS.**

5           (a) IN GENERAL.—Subchapter IV of chapter 87 of  
6 title 10, United States Code, is amended by inserting after  
7 section 1746 the following new section:

#### 8    **“§ 1746a. Acquisition workforce educational partner-** 9                                   **ships**

10           “(a) ESTABLISHMENT.—The Secretary of Defense,  
11 acting through the Under Secretary of Defense for Acqui-  
12 sition and Sustainment, shall establish a program within  
13 Defense Acquisition University to—

14                   “(1) facilitate the engagement of relevant ex-  
15 perts, including with the acquisition research activi-  
16 ties established under section 2361a of this title,  
17 with the faculty of the Defense Acquisition Univer-

1       sity to assess and modify the curriculum of the De-  
2       fense Acquisition University, as appropriate, to en-  
3       hance the capabilities of the Defense Acquisition  
4       University to support educational, training, and re-  
5       search activities in support of acquisition missions of  
6       the Department of Defense;

7               “(2) establish a cross-discipline, peer mentoring  
8       program for academic advising and to address crit-  
9       ical retention concerns with respect to the acquisi-  
10      tion workforce;

11              “(3) partner with extramural institutions and  
12      military department functional leadership to offer  
13      training and on-the-job learning support to all mem-  
14      bers of the acquisition workforce addressing oper-  
15      ational challenges that affect procurement decision-  
16      making;

17              “(4) support the partnerships between the De-  
18      partment of Defense and extramural institutions  
19      with missions relating to the training and continuous  
20      development of members of the acquisition work-  
21      force;

22              “(5) accelerate the adoption, appropriate design  
23      and customization, and use of flexible acquisition  
24      practices by the acquisition workforce by expanding  
25      the availability of training and on-the-job learning

1 and guidance on such practices and incorporating  
2 such training into the curriculum of the Defense Ac-  
3 quisition University; and

4 “(6) support and enhance the capabilities of the  
5 faculty of the Defense Acquisition University, and  
6 the currency and applicability of the knowledge pos-  
7 sessed by such faculty, by—

8 “(A) building partnerships between the  
9 faculty of the Defense Acquisition University  
10 and the director of, and individuals involved  
11 with, the activities established under section  
12 2361a of this title;

13 “(B) supporting the preparation and draft-  
14 ing of the reports required under subsection  
15 (f)(2); and

16 “(C) instituting a program under which  
17 each member of the faculty of the Defense Ac-  
18 quisition University shall be detailed to an oper-  
19 ational acquisition position in a military depart-  
20 ment or Defense Agency, or to an extramural  
21 institution, for not less than six months out of  
22 every five year period.

23 “(b) SENIOR OFFICIAL.—Not later than 180 days  
24 after the enactment of this section, the President of the

1 Defense Acquisition University shall designate a senior of-  
2 ficial to execute activities under this section.

3 “(c) SUPPORT FROM OTHER DEPARTMENT OF DE-  
4 FENSE ORGANIZATIONS.—The Secretary of Defense may  
5 direct other elements of the Department of Defense to pro-  
6 vide personnel, resources, and other support to the pro-  
7 gram established under this section, as the Secretary de-  
8 termines appropriate.

9 “(d) FUNDING.—Subject to the availability of appro-  
10 priations, the Under Secretary of Defense for Acquisition  
11 and Sustainment may use amounts available in the De-  
12 fense Acquisition Workforce and Development Account (as  
13 established under section 1705 of this title) to carry out  
14 the requirements of this section.

15 “(e) ANNUAL REPORTS.—Not later than September  
16 30, 2022, and annually thereafter, the President of the  
17 Defense Acquisition University shall submit to the Sec-  
18 retary of Defense and the congressional defense commit-  
19 tees a report describing the activities conducted under this  
20 section during the one-year period ending on the date on  
21 which such report is submitted.

22 “(f) EXEMPTION TO REPORT TERMINATION RE-  
23 QUIREMENTS.—Section 1080(a) of the National Defense  
24 Authorization Act for Fiscal Year 2016 (Public Law 114–  
25 92; 129 Stat. 1000; 10 U.S.C. 111 note), as amended by

1 section 1061(j) of the National Defense Authorization Act  
2 for Fiscal Year 2017 (Public Law 114–328; 130 Stat.  
3 2405; 10 U.S.C. 111 note), does not apply with respect  
4 to the reports required to be submitted to Congress under  
5 this section.

6 “(g) DEFINITIONS.—In this section:

7 “(1) ACQUISITION WORKFORCE.—The term ‘ac-  
8 quisition workforce’ has the meaning given such  
9 term in section 1705(g) of this title.

10 “(2) EXTRAMURAL INSTITUTIONS.—The term  
11 ‘extramural institutions’ means participants in an  
12 activity established under section 2361a of this title,  
13 public sector organizations, and nonprofit  
14 credentialing organizations.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 for subchapter IV of chapter 87 of title 10, United States  
17 Code, is amended by inserting after the item relating to  
18 section 1746 the following new item:

“1746a. Acquisition workforce educational partnerships.”.

19 **SEC. 802. PROHIBITION ON ACQUISITION OF PERSONAL**  
20 **PROTECTIVE EQUIPMENT FROM NON-ALLIED**  
21 **FOREIGN NATIONS.**

22 (a) PROHIBITION.—

23 (1) IN GENERAL.—Chapter 148 of title 10,  
24 United States Code, is amended by inserting after  
25 section 2533d the following new section:

1 **“§ 2533e. Prohibition on acquisition of personal pro-**  
2 **tective equipment and certain other**  
3 **items from non-allied foreign nations**

4       “(a) IN GENERAL.—Except as provided in subsection  
5 (c), the Secretary of Defense may not procure any covered  
6 item from any covered nation.

7       “(b) APPLICABILITY.—Subsection (a) shall apply to  
8 prime contracts and subcontracts at any tier.

9       “(c) EXCEPTIONS.—

10           “(1) IN GENERAL.—Subsection (a) does not  
11 apply under the following circumstances:

12               “(A) If the Secretary of Defense deter-  
13 mines that covered materials of satisfactory  
14 quality and quantity, in the required form, can-  
15 not be procured as and when needed from na-  
16 tions other than covered nations to meet re-  
17 quirements at a reasonable price.

18               “(B) The procurement of a covered item  
19 for use outside of the United States.

20               “(C) Purchases for amounts not greater  
21 than \$150,000.

22           “(2) LIMITATION.—A proposed procurement in  
23 an amount greater than \$150,000 may not be di-  
24 vided into several purchases or contracts for lesser  
25 amounts in order to qualify for this exception.

26       “(d) DEFINITIONS.—In this section:



1           “(1) COVERED ITEM.—The term ‘covered item’  
2 means an article or item of—

3           “(A) personal protective equipment for use  
4 in preventing spread of disease, such as by ex-  
5 posure to infected individuals or contamination  
6 or infection by infectious material (including  
7 nitrile and vinyl gloves, surgical masks, res-  
8 pirator masks and powered air purifying res-  
9 pirators and required filters, face shields and  
10 protective eyewear, surgical and isolation  
11 gowns, and head and foot coverings) or cloth-  
12 ing, and the materials and components thereof,  
13 other than sensors, electronics, or other items  
14 added to and not normally associated with such  
15 personal protective equipment or clothing; or

16           “(B) sanitizing and disinfecting wipes,  
17 testing swabs, gauze, and bandages.

18           “(2) COVERED NATION.—The term ‘covered na-  
19 tion’ means—

20           “(A) the Democratic People’s Republic of  
21 North Korea;

22           “(B) the People’s Republic of China;

23           “(C) the Russian Federation; and

24           “(D) the Islamic Republic of Iran.”.

1           (2) CLERICAL AMENDMENT.—The table of sec-  
2           tions at the beginning of such chapter is amended  
3           by inserting after the item relating to section 2533d  
4           the following:

“2533e. Prohibition on acquisition of personal protective equipment and certain  
other items from non-allied foreign nations.”.

5           (b) FUTURE TRANSFER.—

6           (1) TRANSFER AND REDESIGNATION.—Section  
7           2533e of title 10, United States Code, as added by  
8           subsection (a), is transferred to the end of sub-  
9           chapter III of chapter 385 of such title, as added by  
10          section 1870(d) of the William M. (Mac) Thornberry  
11          National Defense Authorization Act for Fiscal Year  
12          2021 (Public Law 116–283) and amended by this  
13          Act, and redesignated as section 4875.

14          (2) CLERICAL AMENDMENTS.—

15                (A) TARGET CHAPTER TABLE OF SEC-  
16                TIONS.—The table of sections for subchapter  
17                III of chapter 385 of title 10, United States  
18                Code, as added by section 1870(d) of the Wil-  
19                liam M. (Mac) Thornberry National Defense  
20                Authorization Act for Fiscal Year 2021 (Public  
21                Law 116–283), is amended by adding at the  
22                end the following new item:

“4875. Prohibition on acquisition of personal protective equipment and certain  
other items from non-allied foreign nations.”.

1 (B) ORIGIN CHAPTER TABLE OF SEC-  
2 TIONS.—The table of sections at the beginning  
3 of chapter 148 of title 10, United States Code,  
4 as amended by subsection (a), is further  
5 amended by striking the item relating to section  
6 2533e.

7 (3) EFFECTIVE DATE.—The transfer, redesignig-  
8 nation, and amendments made by this subsection  
9 shall take effect immediately after the amendments  
10 made by title XVIII of the William M. (Mac) Thorn-  
11 berry National Defense Authorization Act for Fiscal  
12 Year 2021 take effect.

13 (4) REFERENCES; SAVINGS PROVISION; RULE  
14 OF CONSTRUCTION.—Sections 1883 through 1885 of  
15 the William M. (Mac) Thornberry National Defense  
16 Authorization Act for Fiscal Year 2021 (Public Law  
17 116–283) shall apply with respect to the transfers,  
18 redesignations, and amendments made under this  
19 subsection as if such transfers, redesignations, and  
20 amendments were made under title XVIII of such  
21 Act.



1 Acquisition and Sustainment or the relevant service acqui-  
2 sition executive of the efficacy of the effort to meet mission  
3 needs of the Department of Defense or the relevant mili-  
4 tary department.

5 “(2) Contracts or agreements entered into using the  
6 authority under subsection (a) shall be fixed-price, includ-  
7 ing fixed-price incentive fee contracts.

8 “(3) Notwithstanding section 2376(1) of this title,  
9 products and services acquired using the authority under  
10 subsection (a) shall be treated as commercial products and  
11 commercial services.

12 “(d) CONGRESSIONAL NOTIFICATION REQUIRED.—  
13 (1) Not later than 45 days after the award of a contract  
14 for an amount exceeding \$100,000,000 using the author-  
15 ity in subsection (a), the Secretary shall notify the con-  
16 gressional defense committees of such award.

17 “(2) Notice of an award under paragraph (1) shall  
18 include the following:

19 “(A) Description of the innovative commercial  
20 product or commercial service acquired.

21 “(B) Description of the requirement, capability  
22 gap, or potential technological advancement with re-  
23 spect to which the innovative commercial product or  
24 commercial service acquired provides a solution or a  
25 potential new capability.

1           “(C) Amount of the contract awarded.

2           “(D) Identification of the contractor awarded  
3 the contract.

4           “(e) INNOVATIVE DEFINED.—In this section, the  
5 term ‘innovative’ means—

6           “(1) any technology, process, or method, includ-  
7 ing research and development, that is new as of the  
8 date of submission of a proposal; or

9           “(2) any application that is new as of the date  
10 of submission of a proposal of a technology, process,  
11 or method existing as of such date.”.

12           (2) CLERICAL AMENDMENT.—The table of sec-  
13 tions at the beginning of chapter 140 of title 10,  
14 United States Code, is amended by inserting after  
15 the item relating to section 2380b the following new  
16 item:

“2380c. Authority to acquire innovative commercial products and commercial  
services using general solicitation competitive procedures.”.

17           (3) DATA COLLECTION.—

18           (A) IN GENERAL.—The Secretary of De-  
19 fense and each Secretary of a military depart-  
20 ment shall collect and analyze data on the use  
21 of the authority under section 2380c of title 10,  
22 United States Code, as added by paragraph (1),  
23 for the purposes of—

1 (i) developing and sharing best prac-  
2 tices for achieving the objectives of the au-  
3 thority;

4 (ii) gathering information on the im-  
5 plementation of the authority and related  
6 policy issues; and

7 (iii) informing the congressional de-  
8 fense committees on the use of the author-  
9 ity.

10 (B) PLAN REQUIRED.—The authority  
11 under section 2380c of title 10, United States  
12 Code, as added by paragraph (1), may not be  
13 exercised by the Secretary of Defense or any  
14 Secretary of a military department during the  
15 period beginning on October 1, 2022, and end-  
16 ing on the date on which the Secretary of De-  
17 fense submits to the congressional defense com-  
18 mittees a completed plan for carrying out the  
19 data collection required under paragraph (1).

20 (C) CONGRESSIONAL DEFENSE COMMIT-  
21 TEES; MILITARY DEPARTMENT DEFINED.—In  
22 this paragraph, the terms “congressional de-  
23 fense committees” and “military department”  
24 have the meanings given such terms in section  
25 101(a) of title 10, United States Code.

1 (b) FUTURE TRANSFER.—

2 (1) TRANSFER AND REDESIGNATION.—Section  
3 2380e of title 10, United States Code, as added by  
4 subsection (a), is transferred to chapter 247 of such  
5 title, added after section 3457, as transferred and  
6 redesignated by section 1821(a) of the William M.  
7 (Mac) Thornberry National Defense Authorization  
8 Act for Fiscal Year 2021 (Public Law 116–283),  
9 and redesignated as section 3458.

10 (2) CLERICAL AMENDMENT.—The table of sec-  
11 tions at the beginning of chapter 247 of title 10,  
12 United States Code, as added by section 1821(a) of  
13 the William M. (Mac) Thornberry National Defense  
14 Authorization Act for Fiscal Year 2021 (Public Law  
15 116–283), is amended by inserting after the item re-  
16 lated to section 3457 the following new item:

“3458. Authority to acquire innovative commercial products and commercial  
services using general solicitation competitive procedures.”.

17 (3) CONFORMING AMENDMENTS TO INTERNAL  
18 CROSS-REFERENCES.—Section 3458 of title 10,  
19 United States Code, as redesignated by paragraph  
20 (1), is amended—

21 (A) in subsection (b), by striking “chapter  
22 137” and inserting “chapter 221”; and

23 (B) in subsection (c)(3), by striking “sec-  
24 tion 2376(1)” and inserting “section 3451(1)”.



1           (4) EFFECTIVE DATE.—The transfer, redesignation, and amendments made by this subsection shall take as if included in title XVIII of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283).

7           (5) REFERENCES; SAVINGS PROVISION; RULE OF CONSTRUCTION.—Sections 1883 through 1885 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283) shall apply with respect to the transfers, redesignations, and amendments made under this subsection as if such transfers, redesignations, and amendments were made under title XVIII of such Act.

16          (c) REPEAL OF OBSOLETE AUTHORITY.—Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby repealed.

20 **SEC. 804. MODIFICATIONS TO CONTRACTS SUBJECT TO**  
21 **COST OR PRICING DATA CERTIFICATION.**

22          (a) IN GENERAL.—Section 2306a(a)(6) of title 10,  
23 United States Code, is amended—



1       provements necessary to achieve the full operational  
2       capability of the reporting system that will replace  
3       the Selected Acquisition Report requirements under  
4       section 2432 of title 10, United States Code, as  
5       amended by subsection (a).

6               (2) ELEMENTS.—

7                       (A) IN GENERAL.—The demonstration re-  
8       quired under paragraph (1) shall incorporate  
9       the following elements:

10                               (i) A demonstration of the full suite of  
11       data sharing capabilities of the reporting  
12       system referred to in paragraph (1) that  
13       can be accessed by authorized external  
14       users, including the congressional defense  
15       committees, for a range of covered pro-  
16       grams across acquisition categories, includ-  
17       ing those selected under section 831 of the  
18       National Defense Authorization Act for  
19       Fiscal Year 2020 (Public Law 116–92;  
20       133 Stat. 1492).

21                               (ii) The plans required under sub-  
22       section (c), as available.

23                       (B) INITIAL REPORT.—In addition to the  
24       elements described in subparagraph (A), the  
25       first demonstration provided under paragraph

1 (1) shall incorporate the findings of the report  
2 required under section 830(b) of the National  
3 Defense Authorization Act for Fiscal Year 2020  
4 (Public Law 116–92; 133 Stat. 1492).

5 (3) TERMINATION.—The requirements under  
6 this subsection shall terminate upon the date on  
7 which the Secretary of Defense submits to the con-  
8 gressional defense committees a written certification  
9 of the determination of the Secretary that the re-  
10 porting system referred to in paragraph (1) has  
11 achieved full operational capability.

12 (c) PLANS REQUIRED FOR DATA GATHERING AND  
13 SHARING.—

14 (1) DATA REQUIRED FOR IMPROVED DECISION  
15 MAKING.—

16 (A) IN GENERAL.—Not later than March  
17 1, 2022, the Director of Cost Assessment and  
18 Program Evaluation shall prepare a plan for  
19 identifying and gathering the data required for  
20 effective decision making by program managers  
21 and Department of Defense leadership regard-  
22 ing covered programs.

23 (B) CONTENTS.—The plan required under  
24 subparagraph (A) shall include—

25 (i) data that—

1 (I) address covered program  
2 progress compared to covered pro-  
3 gram cost, schedule, and performance  
4 goals;

5 (II) provide an assessment of  
6 covered program risks; and

7 (III) can be collected throughout  
8 the fiscal year without significant ad-  
9 ditional burden;

10 (ii) the data, information, and analyt-  
11 ical capabilities supported by the reporting  
12 system referred to in subsection (b)(1);

13 (iii) the specific data elements needed  
14 to assess covered program performance  
15 and associated risks, including software de-  
16 velopment and cybersecurity risks, and an  
17 identification of any data elements that  
18 cannot be publicly released;

19 (iv) the types of covered programs to  
20 be included in the reporting system re-  
21 ferred to in subsection (b)(1), including the  
22 dollar value threshold for inclusion, and  
23 the acquisition methodologies and path-  
24 ways that are to be included;

1 (v) the criteria for initiating, modi-  
2 fying, and terminating reporting for cov-  
3 ered programs in the reporting system re-  
4 ferred to in subsection (b)(1), including  
5 program characteristics, acquisition meth-  
6 odology or pathway being used, cost  
7 growth or changes, and covered program  
8 performance; and

9 (vi) the planned reporting schedule for  
10 the reporting system referred to in sub-  
11 section (b)(1), including when reports will  
12 be available to authorized external users  
13 and the intervals at which data will be up-  
14 dated.

15 (2) IMPROVED DATA SHARING WITHIN THE DE-  
16 PARTMENT OF DEFENSE AND WITH OUTSIDE STAKE-  
17 HOLDERS.—

18 (A) IN GENERAL.—Not later than July 1,  
19 2022, the Under Secretary of Defense for Ac-  
20 quisition and Sustainment shall submit to the  
21 congressional defense committees the plan of  
22 the Department of Defense for the reporting  
23 system referred to in subsection (b)(1) to report  
24 to the congressional defense committees and ef-

1           fectively share information related to covered  
2           programs.

3           (B) CONTENTS.—The plan required under  
4           subparagraph (A) shall—

5                   (i) incorporate the plan required  
6                   under paragraph (1);

7                   (ii) provide for reporting not less fre-  
8                   quently than once per year and continuous  
9                   or periodic updates for authorized external  
10                  users, as appropriate, to increase the effi-  
11                  ciency of, and reduce the bureaucratic bur-  
12                  dens for, reporting data and information  
13                  on acquisition programs;

14                  (iii) identify the organizations respon-  
15                  sible for implementation and overall oper-  
16                  ation of the reporting system referred to in  
17                  subsection (b)(1);

18                  (iv) identify the organizations respon-  
19                  sible for providing data for inclusion in  
20                  such reporting system and ensuring that  
21                  data is provided in a timely fashion;

22                  (v) include the schedule and mile-  
23                  stones for implementing such reporting  
24                  system;

1 (vi) identify, for such implementa-  
2 tion—

3 (I) the resources required, includ-  
4 ing personnel and funding; and

5 (II) the implementation risks and  
6 how such risks will be mitigated;

7 (vii) identify the mechanisms by which  
8 reporting will be provided to the congress-  
9 sional defense committees and other au-  
10 thorized external users, including—

11 (I) identification of types of orga-  
12 nizations that will have access to the  
13 system, including those outside the  
14 Department of Defense;

15 (II) how the system will be  
16 accessed by users, including those out-  
17 side the Department of Defense; and

18 (III) how such users will be  
19 trained on the use of the system and  
20 what level of support will be available  
21 for such users on an ongoing basis;  
22 and

23 (viii) identify any changes to policy,  
24 guidance, or legislation that are required  
25 to begin reporting to the congressional de-



1                   fense committees in accordance with the  
2                   plan.

3           (d) COVERED PROGRAM DEFINED.—In this section,  
4 the term “covered program” means a program required  
5 to be included in a report submitted under section 2432  
6 of title 10, United States Code.

7 **SEC. 806. ANNUAL REPORT ON HIGHEST AND LOWEST PER-**  
8                   **FORMING ACQUISITION PROGRAMS OF THE**  
9                   **DEPARTMENT OF DEFENSE.**

10           (a) IN GENERAL.—Not later than January 31, 2023,  
11 and annually thereafter for the following three years, the  
12 Component Acquisition Executive of each element or orga-  
13 nization of the Department of Defense shall rank each  
14 covered acquisition program based on the criteria selected  
15 under subsection (b)(1) and submit to the congressional  
16 defense committees a report that contains a ranking of  
17 the five highest performing and five lowest performing  
18 covered acquisition programs for such element or organi-  
19 zation based on such criteria.

20           (b) RANKING CRITERIA.—

21                   (1) IN GENERAL.—In completing the report re-  
22 quired under subsection (a), each Component Acqui-  
23 sition Executive, in consultation with other officials  
24 of the Department of Defense as determined appro-  
25 priate by the Component Acquisition Executive, shall

1 select the criteria for ranking each covered acquisi-  
2 tion program.

3 (2) INCLUSION IN REPORT.—Each Component  
4 Acquisition Executive shall include in the report sub-  
5 mitted under subsection (a) an identification of the  
6 specific ranking criteria selected under paragraph  
7 (1), including a description of how those criteria are  
8 consistent with best acquisition practices.

9 (c) ADDITIONAL REPORT ELEMENTS.—Each Compo-  
10 nent Acquisition Executive shall include in the report re-  
11 quired under subsection (a) for each of the five acquisition  
12 programs ranked as the lowest performing the following:

13 (1) A description of the factors that contributed  
14 to the ranking of the program as low performing.

15 (2) An assessment of the underlying causes of  
16 the poor performance of the program.

17 (3) A plan for addressing the challenges of the  
18 program and improving performance, including spe-  
19 cific actions that will be taken and proposed  
20 timelines for completing such actions.

21 (d) DEFINITIONS.—In this section:

22 (1) COMPONENT ACQUISITION EXECUTIVE.—  
23 The term “Component Acquisition Executive”  
24 means—

25 (A) a service acquisition executive; or

1 (B) an individual designated by the head  
2 of an element or organization of the Depart-  
3 ment of Defense, other than a military depart-  
4 ment, as the Component Acquisition Executive  
5 for that element or organization.

6 (2) COVERED ACQUISITION PROGRAM.—In this  
7 section the term “covered acquisition program”  
8 means—

9 (A) a major defense acquisition program  
10 as defined in section 2430 of title 10, United  
11 States Code; or

12 (B) an acquisition program that is esti-  
13 mated by the Component Acquisition Executive  
14 to require an eventual total expenditure de-  
15 scribed in section 2430(a)(1)(B) of title 10,  
16 United States Code.

17 (3) MILITARY DEPARTMENT; SERVICE ACQUI-  
18 TION EXECUTIVE.—The terms “military depart-  
19 ment” and “service acquisition executive” have the  
20 meanings given such terms in section 101(a) of title  
21 10, United States Code.

1 **SEC. 807. ASSESSMENT OF IMPEDIMENTS AND INCENTIVES**  
2 **TO IMPROVING THE ACQUISITION OF COM-**  
3 **MERCIAL PRODUCTS AND COMMERCIAL**  
4 **SERVICES.**

5 (a) **ASSESSMENT REQUIRED.**—The Under Secretary  
6 of Defense for Acquisition and Sustainment and the  
7 Chairman of the Joint Requirements Oversight Council  
8 shall jointly assess impediments and incentives to fulfilling  
9 the goals of section 3307 of title 41, United States Code,  
10 and section 2377 of title 10, United States Code, regard-  
11 ing preferences for commercial products and commercial  
12 services to—

13 (1) enhance the innovation strategy of the De-  
14 partment of Defense to compete effectively against  
15 peer adversaries; and

16 (2) encourage the rapid adoption of commercial  
17 advances in technology.

18 (b) **ELEMENTS OF ASSESSMENT.**—The assessment  
19 shall include a review of the use of preferences for com-  
20 mercial products and commercial services in procurement,  
21 including an analysis of—

22 (1) relevant policies, regulations, and oversight  
23 processes;

24 (2) relevant acquisition workforce training and  
25 education;

1           (3) the role of requirements in the adaptive ac-  
2           quisition framework (as described in Department of  
3           Defense Instruction 5000.02, “Operation of the  
4           Adaptive Acquisition Framework”), including—

5                   (A) the ability to accommodate evolving  
6                   commercial functionality and new opportunities  
7                   identified during market research; and

8                   (B) how phasing and uncertainty in re-  
9                   quirements are treated;

10           (4) the role of competitive procedures and  
11           source selection procedures, including the ability to  
12           structure acquisition processes to accommodate—

13                   (A) multiple or unequal solutions; and

14                   (B) emerging solutions that could fulfill  
15                   program requirements;

16           (5) the role of planning, programming, and  
17           budgeting structures and processes, including appro-  
18           priations categories;

19           (6) systemic biases in favor of custom solutions;

20           (7) allocation of technical data rights;

21           (8) strategies to control modernization and  
22           sustainment costs;

23           (9) the risk to contracting officers and other  
24           members of the acquisition workforce of acquiring  
25           commercial products and commercial services, and

1 incentives and disincentives for taking such risks;  
2 and

3 (10) potential reforms that do not impose addi-  
4 tional burdensome and time-consuming constraints  
5 on the acquisition process.

6 (c) BRIEFING.—Not later than 120 days after the  
7 date of the enactment of this Act, the Under Secretary  
8 of Defense for Acquisition and Sustainment and the  
9 Chairman of the Joint Requirements Oversight Council  
10 shall brief the congressional defense committees on the re-  
11 sults of the required assessment and any actions under-  
12 taken to improve compliance with the statutory preference  
13 for commercial products and commercial services, includ-  
14 ing any recommendations to Congress for legislative ac-  
15 tion.

16 **SEC. 808. BRIEFING ON TRANSPARENCY FOR CERTAIN DO-**  
17 **MESTIC PROCUREMENT WAIVERS.**

18 Not later than 180 days after the date of the enact-  
19 ment of this Act, the Secretary of Defense shall brief the  
20 congressional defense committees on the extent to which  
21 information relating to the use of domestic procurement  
22 waivers by the Department of Defense is publicly avail-  
23 able.

1 **SEC. 809. REPORT ON VIOLATIONS OF CERTAIN DOMESTIC**  
2 **PREFERENCE LAWS.**

3 (a) REPORT REQUIRED.—Not later than February 1  
4 of each of 2023, 2024, and 2025, the Secretary of De-  
5 fense, in coordination with each Secretary of a military  
6 department, shall submit to the congressional defense  
7 committees a report on violations of certain domestic pref-  
8 erence laws reported to the Department of Defense and  
9 the military departments. Each report shall include such  
10 violations that occurred during the previous fiscal year  
11 covered by the report.

12 (b) ELEMENTS.—Each report required under sub-  
13 section (a) shall include the following for each reported  
14 violation:

15 (1) The name of the contractor.

16 (2) The contract number.

17 (3) The nature of the violation, including which  
18 of the certain domestic preference laws was violated.

19 (4) The origin of the report of the violation.

20 (5) Actions taken or pending by the Secretary  
21 concerned in response to the violation.

22 (6) Other related matters deemed appropriate  
23 by the Secretary concerned.

24 (c) CERTAIN DOMESTIC PREFERENCE LAWS DE-  
25 FINED.—In this section, the term “certain domestic pref-  
26 erence laws” means any provision of section 2533a or

1 2533b of title 10, United States Code, or chapter 83 of  
2 title 41 of such Code, that requires or creates a preference  
3 for the procurement of goods, articles, materials, or sup-  
4 plies, that are grown, mined, reprocessed, reused, manu-  
5 factured, or produced in the United States.

6 **Subtitle B—Amendments to Gen-**  
7 **eral Contracting Authorities,**  
8 **Procedures, and Limitations**

9 **SEC. 811. CERTAIN MULTIYEAR CONTRACTS FOR ACQUI-**  
10 **SION OF PROPERTY: BUDGET JUSTIFICATION**  
11 **MATERIALS.**

12 (a) IN GENERAL.—Chapter 9 of title 10, United  
13 States Code, is amended by adding at the end the fol-  
14 lowing new section:

15 **“§ 239c. Certain multiyear contracts for acquisition of**  
16 **property: budget justification materials**

17 “(a) IN GENERAL.—In the budget justification mate-  
18 rials submitted to Congress in support of the Department  
19 of Defense budget for fiscal year 2023 and each fiscal year  
20 thereafter (as submitted with the budget of the President  
21 under section 1105(a) of title 31), the Secretary of De-  
22 fense shall include a proposal for any multiyear contract  
23 of the Department entered into under section 2306b of  
24 this title that—



1           “(1) the head of an agency intends to cancel  
2 during the fiscal year; or

3           “(2) with respect to which the head of an agen-  
4 cy intends to effect a covered modification during  
5 the fiscal year.

6           “(b) ELEMENTS.—Each proposal required by sub-  
7 section (a) shall include the following:

8           “(1) A detailed assessment of any expected ter-  
9 mination costs associated with the proposed cancella-  
10 tion or covered modification of the multiyear con-  
11 tract.

12           “(2) An updated assessment of estimated sav-  
13 ings of such cancellation or carrying out the  
14 multiyear contract as modified by such covered  
15 modification.

16           “(3) An explanation of the proposed use of pre-  
17 viously appropriated funds for advance procurement  
18 or procurement of property planned under the  
19 multiyear contract before such cancellation or cov-  
20 ered modification.

21           “(4) An assessment of expected impacts of the  
22 proposed cancellation or covered modification on the  
23 defense industrial base, including workload stability,  
24 loss of skilled labor, and reduced efficiencies.

25           “(c) DEFINITIONS.—In this section:

1           “(1) The term ‘covered modification’ means a  
2           modification that will result in a reduction in the  
3           quantity of end items to be procured.

4           “(2) The term ‘head of an agency’ means—  
5                   “(A) the Secretary of Defense;  
6                   “(B) the Secretary of the Army;  
7                   “(C) the Secretary of the Navy; or  
8                   “(D) the Secretary of the Air Force.”.

9           (b) CLERICAL AMENDMENT.—The table of sections  
10          at the beginning of chapter 9 of such title is amended by  
11          adding at the end the following new item:

          “239e. Certain multiyear contracts for acquisition of property: budget justifica-  
          tion materials.”.

12       **SEC. 812. EXTENSION OF DEMONSTRATION PROJECT RE-**  
13                       **LATING TO CERTAIN ACQUISITION PER-**  
14                       **SONNEL MANAGEMENT POLICIES AND PRO-**  
15                       **CEDURES.**

16          Section 1762(g) of title 10, United States Code, is  
17          amended by striking “December 31, 2023” and inserting  
18          “December 31, 2026”.

19       **SEC. 813. OFFICE OF CORROSION POLICY AND OVERSIGHT**  
20                       **EMPLOYEE TRAINING REQUIREMENTS.**

21          Section 2228 of title 10, United States Code, is  
22          amended—

23                   (1) in subsection (b), by adding at the end the  
24          following new paragraph:

1           “(6) The Director shall ensure that contractors  
2           of the Department of Defense carrying out activities  
3           for the prevention and mitigation of corrosion of the  
4           military equipment and infrastructure of the Depart-  
5           ment of Defense employ for such activities a sub-  
6           stantial number of individuals who have completed,  
7           or who are currently enrolled in, a qualified training  
8           program.”;

9           (2) in subsection (c)—

10           (A) in paragraph (2), by striking “and” at  
11           the end and inserting a semicolon;

12           (B) in paragraph (3), by striking the pe-  
13           riod at the end and inserting “; and”; and

14           (C) by adding at the end the following new  
15           paragraph:

16           “(4) require that any training or professional  
17           development activities for military personnel or civil-  
18           ian employees of the Department of Defense for the  
19           prevention and mitigation of corrosion of the mili-  
20           tary equipment and infrastructure of the Depart-  
21           ment of Defense are conducted under a qualified  
22           training program that trains and certifies individuals  
23           in meeting corrosion control standards that are rec-  
24           ognized industry-wide.”; and

1           (3) in subparagraph (f), by adding at the end  
2           the following new paragraph:

3           “(6) The term ‘qualified training program’  
4           means a training program in corrosion control, miti-  
5           gation, and prevention that is—

6                   “(A) offered or accredited by an organiza-  
7                   tion that sets industry corrosion standards; or

8                   “(B) an industrial coatings applicator  
9                   training program registered under the Act of  
10                  August 16, 1937 (popularly known as the ‘Na-  
11                  tional Apprenticeship Act’; 29 U.S.C. 50 et  
12                  seq.).”.

13   **SEC. 814. MODIFIED CONDITION FOR PROMPT CONTRACT**  
14                   **PAYMENT ELIGIBILITY.**

15           Section 2307(a)(2)(B) of title 10, United States  
16   Code, is amended by striking “if the prime contractor  
17   agrees or proposes to make payments to the subcon-  
18   tractor” and inserting “if the prime contractor agrees to  
19   make payments to the subcontractor”.

20   **SEC. 815. MODIFICATION TO PROCUREMENT OF SERVICES:**  
21                   **DATA ANALYSIS AND REQUIREMENTS VALI-**  
22                   **DATION.**

23           (a) IN GENERAL.—Section 2329 of title 10, United  
24   States Code, is amended—

25                   (1) in subsection (b)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “October 1, 2021” and inserting  
3 “February 1, 2023”; and

4 (B) by striking paragraphs (4) and (5) and  
5 inserting the following new paragraphs:

6 “(4) be informed by the review of the inventory  
7 required by section 2330a(c) using standard guide-  
8 lines developed under subsection (d); and

9 “(5) clearly and separately identify the amount  
10 requested and projected for the procurement of con-  
11 tract services for each Defense Agency, Department  
12 of Defense Field Activity, command, or military in-  
13 stallation for the budget year and the subsequent  
14 four fiscal years in the future-years defense program  
15 submitted to Congress under section 221.”;

16 (2) by amending subsection (d) to read as fol-  
17 lows:

18 “(d) REQUIREMENTS EVALUATION.—(1) Each Serv-  
19 ices Requirements Review Board shall evaluate each re-  
20 quirement for a services contract, taking into consider-  
21 ation total force management policies and procedures,  
22 available resources, the analyses conducted under sub-  
23 section (c), and contracting efficacy and efficiency. An  
24 evaluation of a services contract for compliance with con-  
25 tracting policies and procedures may not be considered to

1 be an evaluation of a requirement for such services con-  
2 tract.

3 “(2) The Secretary of Defense shall establish and  
4 issue standard guidelines within the Department of De-  
5 fense for the evaluation of requirements for services con-  
6 tracts. Any such guidelines issued—

7 “(A) shall be consistent with the ‘Handbook of  
8 Contract Function Checklists for Services Acquisi-  
9 tion’ issued by the Department of Defense in May  
10 2018, or a successor or other appropriate policy; and

11 “(B) shall be updated as necessary to incor-  
12 porate applicable statutory changes to total force  
13 management policies and procedures and any other  
14 guidelines or procedures relating to the use of De-  
15 partment of Defense civilian employees to perform  
16 new functions and functions that are performed by  
17 contractors.

18 “(3) The acquisition decision authority for each serv-  
19 ices contract shall certify—

20 “(A) that a task order or statement of work  
21 being submitted to a contracting office is in compli-  
22 ance with the standard guidelines;

23 “(B) that all appropriate statutory risk mitiga-  
24 tion efforts have been made; and

1           “(C) that such task order or statement of work  
2           does not include requirements formerly performed by  
3           Department of Defense civilian employees.

4           “(4) The Inspector General of the Department of De-  
5           fense may conduct annual audits to ensure compliance  
6           with this subsection.”;

7           (3) by striking subsection (f) and redesignating  
8           the subsequent subsections accordingly; and

9           (4) in subsection (f), as so redesignated—

10           (A) in paragraph (3), by striking “January  
11           5, 2016” and inserting “January 10, 2020”;  
12           and

13           (B) by adding at the end the following new  
14           paragraph:

15           “(4) The term ‘acquisition decision authority’  
16           means the designated decision authority for each  
17           designated special interest services acquisition cat-  
18           egory, described in such Department of Defense In-  
19           struction.”.

20           (b) REPEALS.—

21           (1) Section 235 of title 10, United States Code,  
22           is repealed.

23           (2) Section 852 of the National Defense Au-  
24           thorization Act for Fiscal Year 2018 (Public Law

1 115–91; 131 Stat. 1492; 10 U.S.C. 2329 note) is re-  
2 pealed.

3 **SEC. 816. LIMITATION ON PROCUREMENT OF WELDED**  
4 **SHIPBOARD ANCHOR AND MOORING CHAIN**  
5 **FOR NAVAL VESSELS.**

6 Section 2534 of title 10, United States Code, is  
7 amended—

8 (1) in subsection (a)(2), by adding at the end  
9 the following new subparagraph:

10 “(F) Welded shipboard anchor and moor-  
11 ing chain.”; and

12 (2) in subsection (b)—

13 (A) by striking “A manufacturer” and in-  
14 serting “(1) Except as provided in paragraph  
15 (2), a manufacturer”; and

16 (B) by adding at the end the following new  
17 paragraph:

18 “(2) A manufacturer of welded shipboard anchor and  
19 mooring chain for naval vessels meets the requirements  
20 of this subsection if the manufacturer is part of the na-  
21 tional technology and industrial base.”.



1 **SEC. 817. REPEAL OF PREFERENCE FOR FIXED-PRICE CON-**  
2 **TRACTS.**

3 Section 829 of the National Defense Authorization  
4 Act for Fiscal Year 2017 (10 U.S.C. 2306 note) is re-  
5 pealed.

6 **Subtitle C—Provisions Relating to**  
7 **Other Transaction Authority**

8 **SEC. 821. MODIFICATION OF OTHER TRANSACTION AU-**  
9 **THORITY FOR RESEARCH PROJECTS.**

10 (a) **IN GENERAL.**—Section 2371 of title 10, United  
11 States Code, is amended—

12 (1) in subsection (e)—

13 (A) by striking paragraph (2);

14 (B) in paragraph (1), in the matter pre-  
15 ceding subparagraph (A), by striking “(1)”;  
16 and

17 (C) by redesignating subparagraphs (A)  
18 and (B) as paragraphs (1) and (2), respectively;  
19 and

20 (2) by amending subsection (h) to read as fol-  
21 lows:

22 “(h) **GUIDANCE.**—The Secretary of Defense shall  
23 issue guidance to carry out this section.”.

24 (b) **CONFORMING AMENDMENT.**—Section  
25 2371b(b)(1) of title 10, United States Code, is amended

1 by striking “Subsections (e)(1)(B) and (e)(2)” and insert-  
2 ing “Subsection (e)(2)”.

3 **SEC. 822. MODIFICATION OF PRIZE AUTHORITY FOR AD-**  
4 **VANCED TECHNOLOGY ACHIEVEMENTS.**

5 Section 2374a of title 10, United States Code, is  
6 amended—

7 (1) in subsection (a), by inserting “, including  
8 procurement contracts and other agreements,” after  
9 “other types of prizes”;

10 (2) in subsection (b), in the first sentence, by  
11 inserting “and for the selection of recipients of pro-  
12 curement contracts and other agreements” after  
13 “cash prizes”;

14 (3) in subsection (c)(1), by inserting “without  
15 the approval of the Under Secretary of Defense for  
16 Research and Engineering” before the period at the  
17 end; and

18 (4) by adding at the end the following new sub-  
19 section:

20 “(g) CONGRESSIONAL NOTICE.—

21 “(1) IN GENERAL.—Not later than 15 days  
22 after a procurement contract or other agreement  
23 that exceeds a fair market value of \$10,000,000 is  
24 awarded under the authority under a program under  
25 subsection (a), the Secretary of Defense shall submit

1 to the congressional defense committees written no-  
2 tice of such award.

3 “(2) CONTENTS.—Each notice submitted under  
4 paragraph (1) shall include—

5 “(A) the value of the relevant procurement  
6 contract or other agreement, as applicable, in-  
7 cluding all options;

8 “(B) a brief description of the research re-  
9 sult, technology development, or prototype for  
10 which such procurement contract or other  
11 agreement, as applicable, was awarded; and

12 “(C) an explanation of the benefit to the  
13 performance of the military mission of the De-  
14 partment of Defense resulting from the  
15 award.”.

16 **SEC. 823. PILOT PROGRAM ON SYSTEMS ENGINEERING DE-**  
17 **TERMINATIONS.**

18 (a) REQUIREMENT.—As soon as practicable but not  
19 later than September 30, 2023, the Secretary of Defense  
20 shall ensure that each covered entity enters into at least  
21 two covered transactions under an authority described in  
22 subsection (b), where each such covered transaction in-  
23 cludes the system engineering determinations described  
24 under subsection (c).

1 (b) COVERED AUTHORITIES.—The authorities de-  
2 scribed under this subsection are as follows:

3 (1) Section 2371 of title 10, United States  
4 Code, with respect to applied and advanced research  
5 project transactions relating to weapons systems.

6 (2) Section 2371b of such title, with respect to  
7 transactions relating to weapons systems.

8 (3) Section 2373 of such title.

9 (4) Section 2358 of such title, with respect to  
10 transactions relating to weapons systems.

11 (c) SYSTEMS ENGINEERING DETERMINATIONS.—

12 (1) FIRST DETERMINATION.—

13 (A) SUCCESS CRITERIA.—The head of a  
14 covered entity that enters into a covered trans-  
15 action under this section shall identify, in writ-  
16 ing, not later than 30 days after entering into  
17 such covered transaction, measurable success  
18 criteria related to potential military applications  
19 of such covered transaction, to be demonstrated  
20 not later than the last day of the period of per-  
21 formance for such covered transaction.

22 (B) TYPES OF DETERMINATIONS.—Not  
23 later than 30 days after the end of such period  
24 of performance, the head of the covered entity  
25 shall make one of the following determinations:

1 (i) A “Discontinue” determination,  
2 under which such head discontinues sup-  
3 port of the covered transaction and pro-  
4 vides a rationale for such determination.

5 (ii) A “Retain and Extend” deter-  
6 mination, under which such head ensures  
7 continued performance of such covered  
8 transaction and extends the period of per-  
9 formance for a specified period of time in  
10 order to achieve the success criteria de-  
11 scribed under subparagraph (A).

12 (iii) An “Endorse and Refer” deter-  
13 mination, under which such head endorses  
14 the covered transaction and refers it to the  
15 most appropriate Service Systems Engi-  
16 neering Command, based on the technical  
17 attributes of the covered transaction and  
18 the associated potential military applica-  
19 tions, based on meeting or exceeding the  
20 success criteria.

21 (C) WRITTEN NOTICE.—A determination  
22 made pursuant to subparagraph (B) shall be  
23 documented in writing and provided to the per-  
24 son performing the covered transaction to which  
25 the determination relates.

1 (D) FURTHER DETERMINATION.—If the  
2 head of a covered entity issued a “Retain and  
3 Extend” determination described in subpara-  
4 graph (B)(ii), such head shall, at the end of the  
5 extension period—

6 (i) issue an “Endorse and Refer” de-  
7 termination described in subparagraph  
8 (B)(iii) if the success criteria are met; or

9 (ii) issue a “Discontinue” determina-  
10 tion described in subparagraph (B)(i) if  
11 the success criteria are not met.

12 (2) SECOND DETERMINATION.—

13 (A) SYSTEMS ENGINEERING PLAN.—The  
14 head of the Service Systems Engineering Com-  
15 mand that receives a referral from an “Endorse  
16 and Refer” determination described in para-  
17 graph (1)(B)(iii) shall, not later than 30 days  
18 after receipt of such referral, formulate a sys-  
19 tems engineering plan with the person per-  
20 forming the referred covered transaction, tech-  
21 nical experts of the Department of Defense, and  
22 any prospective program executive officers.

23 (B) ELEMENTS.—The systems engineering  
24 plan required under subparagraph (A) shall in-  
25 clude the following:

1 (i) Measurable baseline technical ca-  
2 pability, based on meeting the success cri-  
3 teria described in paragraph (1)(A).

4 (ii) Measurable transition technical  
5 capability, based on the technical needs of  
6 the prospective program executive officers  
7 to support a current or future program of  
8 record.

9 (iii) Discrete technical development  
10 activities necessary to progress from the  
11 baseline technical capability to the transi-  
12 tion technical capability, including an ap-  
13 proximate cost and schedule, including ac-  
14 tivities that provide resolution to issues re-  
15 lating to—

16 (I) interfaces;

17 (II) data rights;

18 (III) Federal Government tech-  
19 nical requirements;

20 (IV) specific platform technical  
21 integration;

22 (V) software development;

23 (VI) component, subsystem, or  
24 system prototyping;

25 (VII) scale models;

1 (VIII) technical manuals;  
2 (IX) lifecycle sustainment needs;  
3 and  
4 (X) other needs identified by the  
5 relevant program executive officer.

6 (iv) Identification and commitment of  
7 funding sources to complete the activities  
8 under clause (iii).

9 (C) TYPES OF DETERMINATIONS.—Not  
10 later than 30 days after the end of the schedule  
11 required by subparagraph (B)(iii), the head of  
12 the Service Systems Engineering Command  
13 shall make one of the following determinations:

14 (i) A “Discontinue” determination,  
15 under which such head discontinues sup-  
16 port of the covered transaction and pro-  
17 vides a rationale for such determination.

18 (ii) A “Retain and Extend” deter-  
19 mination, under which such head ensures  
20 continued performance of such covered  
21 transaction within the Service Systems En-  
22 gineering Command and extends the period  
23 of performance for a specified period of  
24 time in order to—



1 (I) successfully complete the sys-  
2 tems engineering plan required under  
3 subparagraph (A); and

4 (II) issue specific remedial or ad-  
5 ditional activities to the person per-  
6 forming the covered transaction.

7 (iii) An “Endorse and Refer” deter-  
8 mination, under which such head endorses  
9 the covered transaction and refers it to a  
10 program executive officer, based on suc-  
11 cessful completion of the systems engineer-  
12 ing plan required under subparagraph (A).

13 (D) WRITTEN NOTICE.—A determination  
14 made pursuant to subparagraph (C) shall be  
15 documented in writing and provided to the per-  
16 son performing the covered transaction to which  
17 the determination relates and any prospective  
18 program executive officers for such covered  
19 transaction.

20 (E) FURTHER DETERMINATION.—If the  
21 head of the Service Systems Engineering Com-  
22 mand issued a “Retain and Extend” determina-  
23 tion described in subparagraph (C)(ii), such  
24 head shall, at the end of the extension period—

1 (i) issue an “Endorse and Refer” de-  
2 termination described in subparagraph  
3 (C)(iii) if the transition technical capability  
4 criteria are met; or

5 (ii) issue a “Discontinue” determina-  
6 tion described in subparagraph (B)(i) if  
7 the success criteria are not met.

8 (d) PRIORITY FOR COVERED TRANSACTION SELEC-  
9 TION.—In selecting a covered transaction under this sec-  
10 tion, the Secretary shall prioritize those covered trans-  
11 actions that—

12 (1) are being initially demonstrated at a cov-  
13 ered entity;

14 (2) demonstrate a high potential to be further  
15 developed by a Service Systems Engineering Com-  
16 mand; and

17 (3) demonstrate a high potential to be used in  
18 a program of the Department of Defense.

19 (e) NOTIFICATIONS.—

20 (1) IN GENERAL.—Not later than 30 days after  
21 a covered transaction is entered into pursuant to  
22 subsection (a), the Secretary of Defense shall notify  
23 the congressional defense committees of such cov-  
24 ered transaction.

1           (2) UPDATES.—Not later than 120 days after  
2           such a covered transaction is entered into, and every  
3           120 days thereafter until the action specified in sub-  
4           section (c)(1)(B)(i), (c)(2)(C)(i), or (c)(2)(C)(iii) oc-  
5           curs, the Secretary of Defense shall provide written  
6           updates to the congressional defense committees on  
7           the actions being taken by the Department to com-  
8           ply with the requirements of this section.

9           (f) BRIEFING REQUIRED.—Not later than 60 days  
10          after the date of the enactment of this Act, the Secretary  
11          of Defense shall provide a briefing to the Committees on  
12          Armed Services of the Senate and the House of Represent-  
13          atives with a detailed plan to implement the requirements  
14          of this section.

15          (g) DEFINITIONS.—In this section:

16               (1) The term “covered entity” means—

17                       (A) the Defense Innovation Unit;

18                       (B) the Strategic Capabilities Office; or

19                       (C) the Defense Advanced Research  
20                       Projects Agency.

21               (2) The term “covered transaction” means a  
22               transaction, procurement, or project conducted pur-  
23               suant to an authority listed in subsection (b).

24               (3) The term “Service Systems Engineering  
25               Command” means the specific Department of De-

1       fense command that reports through a chain of com-  
2       mand to the head of a military department that spe-  
3       cializes in the systems engineering of a system, sub-  
4       system, component, or capability area.

5   **SEC. 824. RECOMMENDATIONS ON THE USE OF OTHER**  
6                   **TRANSACTION AUTHORITY.**

7       (a) REVIEW AND RECOMMENDATIONS REQUIRED.—

8           (1) IN GENERAL.—The Secretary of Defense  
9       shall review the current use, and the authorities,  
10      regulations, and policies related to the use, of other  
11      transaction authority under sections 2371 and  
12      2371b of title 10, United States Code, and assess  
13      the merits of modifying or expanding such authori-  
14      ties with respect to—

15           (A) the inclusion in such transactions for  
16      the Government and contractors to include  
17      force majeure provisions to deal with unforeseen  
18      circumstances in execution of the transaction;

19           (B) the determination of the traditional or  
20      nontraditional status of an entity based on the  
21      parent company or majority owner of the entity;

22           (C) the determination of the traditional or  
23      nontraditional status of an entity based on the  
24      status of an entity as a qualified businesses

1 wholly-owned through an Employee Stock Own-  
2 ership Plan;

3 (D) the ability of the Department of De-  
4 fense to award agreements for prototypes with  
5 all of the costs of the prototype project provided  
6 by private sector partners of the participant to  
7 the transaction for such prototype project, to  
8 allow for expedited transition into follow-on pro-  
9 duction agreements for appropriate tech-  
10 nologies;

11 (E) the ability of the Department of De-  
12 fense to award agreements for procurement, in-  
13 cluding without the need for prototyping;

14 (F) the ability of the Department of De-  
15 fense to award agreements for sustainment of  
16 capabilities, including without the need for  
17 prototyping;

18 (G) the ability of the Department of De-  
19 fense to award agreements to support the or-  
20 ganic industrial base;

21 (H) the ability of the Department of De-  
22 fense to award agreements for prototyping of  
23 services or acquisition of services;

1 (I) the need for alternative authorities or  
2 policies to more effectively and efficiently exe-  
3 cute agreements with private sector consortia;

4 (J) the ability of the Department of De-  
5 fense to monitor and report on individual  
6 awards made under consortium-based other  
7 transactions; and

8 (K) other issues as identified by the Sec-  
9 retary.

10 (2) QUALIFIED BUSINESSES WHOLLY-OWNED  
11 THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN  
12 DEFINED.—The term “qualified businesses wholly-  
13 owned through an Employee Stock Ownership Plan”  
14 means an S corporation (as defined in section  
15 1361(a)(1) of the Internal Revenue Code of 1986)  
16 for which 100 percent of the outstanding stock is  
17 held through an employee stock ownership plan (as  
18 defined in section 4975(e)(7) of the Internal Rev-  
19 enue Code).

20 (b) ISSUES IDENTIFIED AND RECOMMENDATIONS  
21 FOR CHANGES TO POLICIES OR AUTHORITIES.—In car-  
22 rying out the review under paragraph (1) of subsection  
23 (a), with respect to each issue described in subparagraphs  
24 (A) through (K) of such paragraph, the Secretary of De-  
25 fense shall—

1 (1) identify relevant issues and challenges with  
2 the use of the authority under section 2371 or  
3 2371b of title 10, United States Code;

4 (2) discuss the advantages and disadvantages of  
5 modifying or expanding the authority under section  
6 2371 or 2371b of title 10, United States Code, to  
7 address issues under paragraph (1);

8 (3) identify policy changes that will be made to  
9 address issues identified under paragraph (1);

10 (4) make recommendations to the congressional  
11 defense committees for new or modified statutory  
12 authorities to address issues identified under para-  
13 graph (1); and

14 (5) provide such other information as deter-  
15 mined appropriate by the Secretary.

16 (c) REPORT.—Not later than December 31, 2022, the  
17 Secretary of Defense shall submit to the congressional de-  
18 fense committees a report describing activities undertaken  
19 pursuant to this section, as well as issues identified, policy  
20 changes proposed, justifications for such proposed policy  
21 changes, and recommendations for legislative changes.

22 **SEC. 825. REPORTING REQUIREMENT FOR CERTAIN DE-**  
23 **FENSE ACQUISITION ACTIVITIES.**

24 (a) PROCEDURES FOR IDENTIFYING CERTAIN ACQUI-  
25 SITION AGREEMENTS AND ACTIVITIES.—The Secretary of

1 Defense shall establish procedures to identify organiza-  
2 tions performing on individual projects under the following  
3 types of awards:

4 (1) Other transaction agreements pursuant to  
5 the authorities under section 2371 and 2371b of  
6 title 10, United States Code.

7 (2) Individual task orders awarded under a task  
8 order contract (as defined in section 2304d of title  
9 10, United States Code), including individual task  
10 orders issued to a federally funded research and de-  
11 velopment center.

12 (b) For initial agreements covered under subsection  
13 (a), the procedures required under subsection (a) shall in-  
14 clude, but not be limited to—

15 (1) the participants to the transaction (other  
16 than the Federal Government);

17 (2) each business selected to perform work  
18 under the transaction by a participant to the trans-  
19 action that is a consortium of private entities;

20 (3) the date on which each participant entered  
21 into the transaction;

22 (4) the amount of the transaction; and

23 (5) other related matters the Secretary deems  
24 appropriate.



1 (c) For follow-on contracts, agreements, or trans-  
2 actions covered under subsection (a), the procedures re-  
3 quired under subsection (a) shall include, but not be lim-  
4 ited to—

5 (1) identification of the initial covered contract  
6 or transaction and each subsequent follow-on con-  
7 tract or transaction;

8 (2) the awardee;

9 (3) the amount;

10 (4) the date awarded; and

11 (5) other related matters the Secretary deems  
12 appropriate.

13 (d) The Administrator of the General Services Ad-  
14 ministration shall update the Federal Procurement Data  
15 System (FPDS) within 180 days to collect the data re-  
16 quired under this section.

17 (e) REPORTING.—Not later than one year after the  
18 date of the enactment of this Act, and not less than annu-  
19 ally thereafter, the Secretary of Defense shall submit to  
20 the congressional defense committees a report on the use  
21 of agreements and activities described in subsection (a)  
22 and associated funding.

23 (f) PUBLICATION OF INFORMATION.—Not later than  
24 one year after the date of enactment of this Act, the Sec-  
25 retary of Defense shall establish procedures to collect in-

1 formation on individual agreements and activities de-  
2 scribed in this section and associated funding in an online,  
3 public, searchable database, unless the Secretary deems  
4 such disclosure inappropriate for individual agreements  
5 based on national security concerns.

6 **Subtitle D—Provisions Relating to**  
7 **Software and Technology**

8 **SEC. 831. TECHNOLOGY PROTECTION FEATURES ACTIVI-**  
9 **TIES.**

10 (a) IN GENERAL.—Section 2357 of title 10, United  
11 States Code, is amended—

12 (1) in subsection (b)—

13 (A) by inserting “(1)” before “Any”;

14 (B) by adding at the end the following new  
15 paragraph:

16 “(2) The Secretary may deem the portion of the costs  
17 of the contractor described in paragraph (1) with respect  
18 to a designated system as allowable independent research  
19 and development costs under the regulations issued under  
20 section 2372 of this title if—

21 “(A) the designated system receives Milestone  
22 B approval; and

23 “(B) the Secretary determines that doing so  
24 would further the purposes of this section.”; and

25 (2) in subsection (c)—

1 (A) by redesignating paragraph (2) as  
2 paragraph (4); and

3 (B) by inserting after paragraph (1) the  
4 following new paragraphs:

5 “(2) The term ‘independent research and devel-  
6 opment costs’ has the meaning given the term in  
7 section 31.205-18 of title 48, Code of Federal Regu-  
8 lations.

9 “(3) The term ‘Milestone B approval’ has the  
10 meaning given the term in section 2366(e)(7) of this  
11 title.”.

12 (b) CONFORMING REGULATIONS.—Not later than  
13 120 days after the date of the enactment of this Act, the  
14 Secretary of Defense shall revise the Department of De-  
15 fense Supplement to the Federal Acquisition Regulation  
16 to conform with section 2357 of title 10, United States  
17 Code, as amended by subsection (a).

18 **SEC. 832. MODIFICATION OF ENHANCED TRANSFER OF**  
19 **TECHNOLOGY DEVELOPED AT DEPARTMENT**  
20 **OF DEFENSE LABORATORIES.**

21 Section 801(e) of the National Defense Authorization  
22 Act for Fiscal Year 2014 (10 U.S.C. 2514 note) is amend-  
23 ed—

24 (1) by redesignating subsection (e) as sub-  
25 section (f);

1           (2) by striking subsection (d) and inserting the  
2 following new subsections:

3           “(d) DATA COLLECTION.—The Secretary of Defense  
4 shall develop and implement a plan to collect and analyze  
5 data on the use of authority under this section for the  
6 purposes of—

7           “(1) developing and sharing best practices; and

8           “(2) providing information to the Secretary of  
9 Defense and Congress on the use of authority under  
10 this section and related policy issues.

11          “(e) REPORT.—The Secretary of Defense shall sub-  
12 mit a report to the congressional defense committees on  
13 the activities carried out under this section not later than  
14 December 31, 2025.”; and

15           (3) in subsection (f) (as so redesignated), by  
16 striking “December 31, 2021” and inserting “De-  
17 cember 31, 2026”.

18 **SEC. 833. PILOT PROGRAM ON ACQUISITION PRACTICES**

19 **FOR EMERGING TECHNOLOGIES.**

20          (a) IN GENERAL.—Not later than 180 days after the  
21 date of the enactment of this Act, the Secretary of De-  
22 fense, acting through the Under Secretary of Defense for  
23 Acquisition and Sustainment or the Under Secretary’s  
24 designee, shall establish a pilot program (in this section  
25 referred to as the “Pilot Program”) to develop and imple-

1 ment unique acquisition mechanisms for emerging tech-  
2 nologies in order to increase the speed of transition of  
3 emerging technologies into acquisition programs or into  
4 operational use.

5 (b) ELEMENTS.—In carrying out the Pilot Program,  
6 the Under Secretary of Defense for Acquisition and  
7 Sustainment shall—

8 (1) identify, and award agreements to, not less  
9 than four new projects supporting high-priority de-  
10 fense modernization activities, consistent with the  
11 National Defense Strategy, with consideration given  
12 to—

13 (A) offensive missile capabilities;

14 (B) space-based assets;

15 (C) personnel and quality of life improve-  
16 ment;

17 (D) energy generation and storage; and

18 (E) any other area activities the Under  
19 Secretary determines appropriate;

20 (2) develop a unique acquisition plan for each  
21 project identified pursuant to paragraph (1) that is  
22 significantly novel from standard Department of De-  
23 fense acquisition practices, including the use of—

24 (A) alternative price evaluation models;

1 (B) alternative independent cost estimation  
2 methodologies;

3 (C) alternative market research methods;

4 (D) continuous assessment of performance  
5 metrics to measure project value for use in pro-  
6 gram management and oversight;

7 (E) alternative intellectual property strate-  
8 gies, including activities to support modular  
9 open system approaches (as defined in section  
10 2446a(b) of title 10, United States Code) and  
11 reduce life-cycle and sustainment costs; and

12 (F) other alternative practices identified by  
13 the Under Secretary;

14 (3) execute the acquisition plans described in  
15 paragraph (2) and award agreements in an expe-  
16 dited manner; and

17 (4) determine if existing authorities are suffi-  
18 cient to carry out the activities described in this sub-  
19 section and, if not, submit to the congressional de-  
20 fense committees recommendations for statutory re-  
21 forms that will provide sufficient authority.

22 (c) REGULATION WAIVER.—The Under Secretary of  
23 Defense for Acquisition and Sustainment shall establish  
24 mechanisms for the Under Secretary to waive, upon re-  
25 quest, regulations, directives, or policies of the Depart-

1 ment of Defense, a military service, or a Defense Agency  
2 with respect to a project awarded an agreement under the  
3 Pilot Program if the Under Secretary determines that  
4 such a waiver furthers the purposes of the Pilot Program,  
5 unless such waiver would be prohibited by a provision of  
6 a Federal statute or common law.

7 (d) AGREEMENT TERMINATION.—

8 (1) IN GENERAL.—The Secretary of Defense  
9 may establish procedures to terminate agreements  
10 awarded under the Pilot Program.

11 (2) NOTIFICATION REQUIRED.—Any procedure  
12 established under paragraph (1) shall require that,  
13 not later than 30 days prior to the termination of  
14 any agreement under such procedure, notice of such  
15 termination shall be provided to the congressional  
16 defense committees.

17 (e) PILOT PROGRAM ADVISORY GROUP.—

18 (1) IN GENERAL.—The Under Secretary of De-  
19 fense for Acquisition and Sustainment shall establish  
20 a Pilot Program advisory group to advise the Under  
21 Secretary on—

22 (A) the selection, management and ele-  
23 ments of projects under the Pilot Program;

24 (B) the collection of data regarding the use  
25 of the Pilot Program; and

1 (C) the termination of agreements under  
2 the Pilot Program.

3 (2) MEMBERSHIP.—

4 (A) IN GENERAL.—The members of the  
5 advisory group established under paragraph (1)  
6 shall be appointed as follows:

7 (i) One member from each military  
8 department (as defined under section  
9 101(a) of title 10, United States Code),  
10 appointed by the Secretary of the military  
11 department concerned.

12 (ii) One member appointed by the  
13 Under Secretary of Defense for Research  
14 and Engineering.

15 (iii) One member appointed by the  
16 Under Secretary of Defense for Acquisition  
17 and Sustainment.

18 (iv) One member appointed by the Di-  
19 rector of the Strategic Capabilities Office  
20 of the Department of Defense.

21 (v) One member appointed by the Di-  
22 rector of the Defense Advanced Research  
23 Projects Agency.



1 (vi) One member appointed by the Di-  
2 rector of Cost Assessment and Program  
3 Evaluation.

4 (vii) One member appointed by the  
5 Director of Operational Test and Evalua-  
6 tion.

7 (B) DEADLINE FOR APPOINTMENT.—Mem-  
8 bers of the advisory group shall be appointed  
9 not later than 30 days after the date of the es-  
10 tablishment of the pilot program under sub-  
11 section (a).

12 (3) FACCA NON-APPLICABILITY.—The Federal  
13 Advisory Committee Act (5 U.S.C. App.) shall not  
14 apply to the advisory group established under para-  
15 graph (1).

16 (f) INFORMATION TO CONGRESS.—

17 (1) BRIEFING REQUIREMENT.—Not later than  
18 180 days after the date of the enactment of this Act,  
19 and not less than annually thereafter, the Secretary  
20 of Defense shall provide to the congressional defense  
21 committees a briefing on activities performed under  
22 this section.

23 (2) BUDGET JUSTIFICATION MATERIALS.—The  
24 Secretary shall establish procedures to clearly iden-

1       tify all projects under the Pilot Program in budget  
2       justification materials submitted to Congress.

3       (g) DATA REQUIREMENTS.—

4               (1) COLLECTION AND ANALYSIS OF DATA.—The  
5       Secretary shall establish mechanisms to collect and  
6       analyze data on the execution of the Pilot Program  
7       for the purpose of—

8               (A) developing and sharing best practices  
9       for achieving goals established for the Pilot  
10       Program;

11              (B) providing information to the Secretary  
12       and the congressional defense committees on  
13       the execution of the Pilot Program; and

14              (C) providing information to the Secretary  
15       and the congressional defense committees on re-  
16       lated policy issues.

17              (2) DATA STRATEGY REQUIRED.—The Sec-  
18       retary may not establish the Pilot Program prior to  
19       completion of a plan for—

20              (A) meeting the requirements of this sub-  
21       section;

22              (B) collecting the data required to carry  
23       out an evaluation of the lessons learned from  
24       the Pilot Program; and

25              (C) conducting such evaluation.

1 (h) TERMINATION.—The Pilot Program shall termi-  
2 nate on the earlier of—

3 (1) the date on which each project identified  
4 under subsection (b)(1) has either been completed or  
5 has had all agreements awarded to such project  
6 under the Pilot Program terminated; or

7 (2) the date that is five years after the date of  
8 the enactment of this Act.

9 **SEC. 834. PILOT PROGRAM TO ACCELERATE THE PROCURE-**  
10 **MENT AND FIELDING OF INNOVATIVE TECH-**  
11 **NOLOGIES.**

12 (a) PILOT PROGRAM.—Subject to availability of ap-  
13 propriations, the Secretary of Defense shall establish a  
14 competitive, merit-based pilot program to accelerate the  
15 procurement and fielding of innovative technologies by,  
16 with respect to such technologies—

17 (1) reducing acquisition or life-cycle costs;

18 (2) addressing technical risks;

19 (3) improving the timeliness and thoroughness  
20 of test and evaluation outcomes; and

21 (4) rapidly implementing such technologies to  
22 directly support defense missions.

23 (b) GUIDELINES.—Not later than one year after the  
24 date of the enactment of this Act, the Secretary shall issue  
25 guidelines for the operation of the pilot program estab-

1 lished under this section. At a minimum such guidelines  
2 shall provide for the following:

3           (1) The issuance of one or more solicitations for  
4 proposals by the Department of Defense in support  
5 of the pilot program, with a priority established for  
6 technologies developed by small business concerns  
7 (as defined under section 3 of the Small Business  
8 Act (15 U.S.C. 632)) or nontraditional defense con-  
9 tractors (as defined under section 2302 of title 10,  
10 United States Code).

11           (2) A process for—

12           (A) the review of proposals received in re-  
13 sponse to a solicitation issued under paragraph  
14 (1) by the Secretary of Defense and by each  
15 Secretary of a military department;

16           (B) the merit-based selection of the most  
17 promising cost-effective proposals; and

18           (C) the procurement of goods or services  
19 offered by such a proposal through contracts,  
20 cooperative agreements, other transaction au-  
21 thority, or by another appropriate process.

22           (c) **MAXIMUM AMOUNT.**—The total amount of fund-  
23 ing provided for any proposal selected for an award under  
24 the pilot program established under this section shall not

1 exceed \$50,000,000, unless the Secretary (or designee of  
2 the Secretary) approves a greater amount of funding.

3 (d) DATA COLLECTION.—

4 (1) PLAN REQUIRED BEFORE IMPLEMENTA-  
5 TION.—The Secretary of Defense may not provide  
6 funding under this section until the date on which  
7 the Secretary—

8 (A) completes a plan for carrying out the  
9 data collection required under paragraph (2);  
10 and

11 (B) submits the plan to the congressional  
12 defense committees.

13 (2) DATA COLLECTION REQUIRED.—The Sec-  
14 retary of Defense shall collect and analyze data on  
15 the pilot program established under this section for  
16 the purposes of—

17 (A) developing and sharing best practices  
18 for achieving the objectives of the pilot pro-  
19 gram;

20 (B) providing information on the imple-  
21 mentation of the pilot program and related pol-  
22 icy issues; and

23 (C) reporting to the congressional defense  
24 committees as required under subsection (e).

1 (e) BIENNIAL REPORTS.—Not later than March 1  
2 and September 1 of each year beginning after the date  
3 of the enactment of this Act until the termination of the  
4 pilot program established under this section, the Secretary  
5 of Defense shall submit to the congressional defense com-  
6 mittees a report on the pilot program.

7 (f) TERMINATION.—The authority to carry out a  
8 pilot program under this section shall terminate on Sep-  
9 tember 30, 2027.

10 **SEC. 835. INDEPENDENT STUDY ON TECHNICAL DEBT IN**  
11 **SOFTWARE-INTENSIVE SYSTEMS.**

12 (a) STUDY REQUIRED.—Not later than May 1, 2022,  
13 the Secretary of Defense shall enter into an agreement  
14 with a federally funded research and development center  
15 to study technical debt in software-intensive systems, as  
16 determined by the Under Secretary of Defense for Acquisi-  
17 tion and Sustainment.

18 (b) STUDY ELEMENTS.—The study required under  
19 subsection (a) shall include analyses and recommenda-  
20 tions, including actionable and specific guidance and any  
21 recommendations for statutory or regulatory modifica-  
22 tions, on the following:

23 (1) Qualitative and quantitative measures which  
24 can be used to identify a desired future state for  
25 software-intensive systems.

1           (2) Qualitative and quantitative measures that  
2           can be used to assess technical debt.

3           (3) Policies for data access to identify and as-  
4           sess technical debt and best practices for software-  
5           intensive systems to make such data appropriately  
6           available for use.

7           (4) Forms of technical debt which are suitable  
8           for objective or subjective analysis.

9           (5) Current practices of Department of Defense  
10          software-intensive systems to track and use data re-  
11          lated to technical debt.

12          (6) Appropriate individuals or organizations  
13          that should be responsible for the identification and  
14          assessment of technical debt, including the organiza-  
15          tion responsible for independent assessments.

16          (7) Scenarios, frequency, or program phases  
17          during which technical debt should be assessed.

18          (8) Best practices to identify, assess, and mon-  
19          itor the accumulating costs technical debt.

20          (9) Criteria to support decisions by appropriate  
21          officials on whether to incur, carry, or reduce tech-  
22          nical debt.

23          (10) Practices for the Department of Defense  
24          to incrementally adopt to initiate practices for man-  
25          aging or reducing technical debt.

1           (c) ACCESS TO DATA AND RECORDS.—The Secretary  
2 of Defense shall ensure that the federally funded research  
3 and development center selected under subsection (a) has  
4 sufficient resources and access to technical data, individ-  
5 uals, organizations, and records necessary to complete the  
6 study required under this section.

7           (d) REPORT REQUIRED.—Not later than 18 months  
8 after entering the agreement described in subsection (a),  
9 the Secretary shall submit to the congressional defense  
10 committees a report on the study required under sub-  
11 section (b), along with any additional information and  
12 views as desired in publicly releasable and unclassified  
13 forms. The Secretary may also include a classified annex  
14 to the study as necessary.

15           (e) BRIEFINGS REQUIRED.—

16           (1) INITIAL BRIEFING.—Not later than March  
17 1, 2022, the Secretary of Defense shall provide a  
18 briefing to the congressional defense committees on  
19 activities undertaken and planned to conduct the  
20 study required by subsection (a), including any bar-  
21 riers to conducting such activities and the resources  
22 to be provided to conduct such activities.

23           (2) INTERIM BRIEFING REQUIRED.—Not later  
24 than 12 months after entering into the agreement  
25 under subsection (a), the Secretary of Defense shall



1 provide a briefing to the congressional defense com-  
2 mittees on interim analyses and recommendations  
3 described in subsection (b) including those that  
4 could require modifications to guidance, regulations,  
5 or statute.

6 (3) FINAL BRIEFING REQUIRED.—Not later  
7 than 60 days after the date on which the report re-  
8 quired by subsection (d) is submitted, the Secretary  
9 of Defense shall brief the congressional defense com-  
10 mittees on a plan and schedule for implementing the  
11 recommendations provided in the report.

12 (f) TECHNICAL DEBT DEFINED.—In this section, the  
13 term “technical debt” means an element of design or im-  
14 plementation that is expedient in the short term, but that  
15 would result in a technical context that can make a future  
16 change costlier or impossible.

17 **SEC. 836. CADRE OF SOFTWARE DEVELOPMENT AND AC-**  
18 **QUISITION EXPERTS.**

19 (a) IN GENERAL.—Not later than January 1, 2023,  
20 the Secretary of Defense, acting through the Under Sec-  
21 retary of Defense for Acquisition and Sustainment, shall  
22 establish a cadre of personnel who are experts in software  
23 development, acquisition, and sustainment to improve the  
24 effectiveness of software development, acquisition, and

1 sustainment programs or activities of the Department of  
2 Defense.

3 (b) STRUCTURE.—The Under Secretary of Defense  
4 for Acquisition and Sustainment—

5 (1) shall ensure the cadre has the appropriate  
6 number of members;

7 (2) shall establish an appropriate leadership  
8 structure and office within which the cadre shall be  
9 managed; and

10 (3) shall determine the appropriate officials to  
11 whom members of the cadre shall report.

12 (c) ASSIGNMENT.—The Under Secretary of Defense  
13 for Acquisition and Sustainment shall establish processes  
14 to assign members of the cadre to provide—

15 (1) expertise on matters relating to software de-  
16 velopment, acquisition, and sustainment; and

17 (2) support for appropriate programs or activi-  
18 ties of the Department of Defense.

19 (d) ADMINISTRATION.—

20 (1) IN GENERAL.—The Under Secretary of De-  
21 fense for Acquisition and Sustainment, in coordina-  
22 tion with the President of the Defense Acquisition  
23 University and in consultation with academia and in-  
24 dustry, shall develop a career path, including devel-  
25 opment opportunities, exchanges, talent management

1 programs, and training, for the cadre. The Under  
2 Secretary may use existing personnel and acquisition  
3 authorities to establish the cadre, as appropriate, in-  
4 cluding—

5 (A) section 9903 of title 5, United States  
6 Code;

7 (B) authorities relating to services con-  
8 tracting;

9 (C) the Intergovernmental Personnel Act  
10 of 1970 (42 U.S.C. 4701 et seq.); and

11 (D) authorities relating to exchange pro-  
12 grams with industry.

13 (2) ASSIGNMENTS.—Civilian personnel from  
14 within the Office of the Secretary of Defense, Joint  
15 Staff, military departments, Defense Agencies, and  
16 combatant commands may be assigned to serve as  
17 members of the cadre.

18 (3) PREFERENCE.—In establishing the cadre,  
19 the Under Secretary shall give preference to civilian  
20 employees of the Department of Defense.

21 (e) SUPPORT OF MEMBERS OF THE ARMED  
22 FORCES.—The Under Secretary of Defense for Acquisi-  
23 tion and Sustainment shall continue to support efforts of  
24 the Secretaries concerned to place members of the Armed  
25 Forces in software development, acquisition, and

1 sustainment positions and develop software competence in  
2 members of the Armed Forces, including those members  
3 with significant technical skill sets and experience but who  
4 lack formal education, training, or a technology-focused  
5 military occupation specialty.

6 (f) FUNDING.—The Under Secretary of Defense for  
7 Acquisition and Sustainment is authorized to use amounts  
8 in the Defense Acquisition Workforce Development Ac-  
9 count (established under section 1705 of title 10, United  
10 States Code) for the purpose of recruitment, training, and  
11 retention of members of the cadre, including by using such  
12 amounts to pay salaries of newly hired members of the  
13 cadre for up to three years.

14 (g) COMPLIANCE.—In carrying out this section, the  
15 Under Secretary of Defense for Acquisition and  
16 Sustainment shall ensure compliance with applicable total  
17 force management policies, requirements, and restrictions  
18 provided in sections 129a, 2329, and 2461 of title 10,  
19 United States Code.

1     **Subtitle E—Provisions Relating to**  
2                     **Supply Chain Security**

3     **SEC. 841. MODERNIZATION OF ACQUISITION PROCESSES**  
4                     **TO ENSURE INTEGRITY OF INDUSTRIAL**  
5                     **BASE.**

6             Section 2509 of title 10, United States Code is  
7 amended—

8             (1) in subsection (a)—

9                     (A) by striking “existing”; and

10                    (B) by striking “across the acquisition  
11 process” and all that follows through “in the  
12 Department”;

13             (2) by striking subsections (f) and (g);

14             (3) by redesignating subsections (b) through (e)  
15 as subsections (c) through (f), respectively;

16             (4) by inserting after subsection (a) the fol-  
17 lowing new subsection:

18             “(b) **OBJECTIVE.**—The objective of subsection (a)  
19 shall be to employ digital tools, technologies, and ap-  
20 proaches to ensure the accessibility of relevant defense in-  
21 dustrial base data to key decision-makers in the Depart-  
22 ment.”;

23             (5) in subsection (c), as so redesignated—

1 (A) in paragraph (1), by adding “in imple-  
2 menting subsections (a) and (b)” before the pe-  
3 riod at the end; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (A)(viii), by in-  
6 serting “by the Secretary of Defense” be-  
7 fore the period at the end; and

8 (ii) in subparagraph (B)—

9 (I) in the text preceding clause  
10 (i), by striking “constitute” and in-  
11 serting “constitutes or may con-  
12 stitute” ; and

13 (II) in clause (vii), by inserting  
14 “by the Secretary of Defense” before  
15 the period at the end;

16 (6) in subsection (d)(11), as so redesignated, by  
17 adding “as deemed appropriate by the Secretary”  
18 before the period at the end; and

19 (7) in subsection (e), as so redesignated—

20 (A) in paragraph (1)—

21 (i) in subparagraph (A), by striking  
22 “timely”; and

23 (ii) in subparagraph (B)—

24 (I) by striking clause (ii) and in-  
25 serting the following new clause:

1           “(ii) A description of modern data infrastruc-  
2           ture, tools, and applications and an assessment of  
3           the extent to which new capabilities would improve  
4           the effectiveness and efficiency of mitigating the  
5           risks described in subsection (c)(2).”; and

6                               (II) in clause (iii), by inserting “,  
7                               including the following” after “pro-  
8                               vides data”; and

9                               (B) by striking paragraph (2) and insert-  
10                              ing the following new paragraph:

11                             “(2)(A) Based on the findings pursuant to  
12                             paragraph (1), the Secretary of Defense shall de-  
13                             velop a unified set of activities to modernize the sys-  
14                             tems of record, data sources and collection methods,  
15                             and data exposure mechanisms. The unified set of  
16                             activities should include—

17                             “(i) the ability to continuously collect data  
18                             on, assess, and mitigate risks;

19                             “(ii) data analytics and business intel-  
20                             ligence tools and methods; and

21                             “(iii) continuous development and contin-  
22                             uous delivery of secure software to implement  
23                             the activities.

24                             “(B) In connection with the assessments de-  
25                             scribed in this section, the Secretary shall develop

1 capabilities to map supply chains and to assess risks  
2 to the supply chain for major end items by business  
3 sector, vendor, program, part, and other metrics as  
4 determined by the Secretary.”.

5 **SEC. 842. MODIFICATION TO ANALYSES OF CERTAIN AC-**  
6 **TIVITIES FOR ACTION TO ADDRESS**  
7 **SOURCING AND INDUSTRIAL CAPACITY.**

8 Section 849 of the William M. (Mac) Thornberry Na-  
9 tional Defense Authorization Act for Fiscal Year 2021  
10 (Public Law 116–283) is amended—

11 (1) in subsection (b)—

12 (A) in paragraph (1), by striking “Not  
13 later than January 15, 2022,” and inserting  
14 “With respect to items listed in paragraphs (1)  
15 through (13) of subsection (c), not later than  
16 January 15, 2022, and with respect to items  
17 listed in paragraphs (14) through (19) of such  
18 subsection, not later than January 15, 2023,”;  
19 and

20 (B) in paragraph (2)—

21 (i) by striking “The Secretary of De-  
22 fense” and inserting “With respect to  
23 items listed in paragraphs (1) through  
24 (13) of subsection (c), during the 2022 cal-  
25 endar year, and with respect to items listed



1 in paragraphs (14) through (19) of such  
2 subsection, during the 2023 calendar  
3 year”; and

4 (ii) by striking “submitted during the  
5 2022 calendar year”; and

6 (2) in subsection (c), by adding at the end the  
7 following new paragraphs:

8 “(14) Beef products.

9 “(15) Molybdenum and molybdenum alloys.

10 “(16) Optical transmission equipment, includ-  
11 ing optical fiber and cable equipment.

12 “(17) Armor on tactical ground vehicles.

13 “(18) Graphite processing.

14 “(19) Advanced AC–DC power converters.”.

15 **SEC. 843. ASSURING INTEGRITY OF OVERSEAS FUEL SUP-**  
16 **PLIES.**

17 (a) IN GENERAL.—Before awarding a contract to an  
18 offeror for the supply of fuel for any overseas contingency  
19 operation, the Secretary of Defense shall—

20 (1) ensure, to the maximum extent practicable,  
21 that no otherwise responsible offeror is disqualified  
22 for such award on the basis of an unsupported de-  
23 nial of access to a facility or equipment by the host  
24 nation government; and

1           (2) require assurances that the offeror will com-  
2           ply with the requirements of subsections (b) and (c).

3           (b) REQUIREMENT.—An offeror for the supply of fuel  
4 for any overseas contingency operation shall—

5           (1) certify that the provided fuel, in whole or in  
6           part, or derivatives of such fuel, is not sourced from  
7           a nation or region prohibited from selling petroleum  
8           to the United States; and

9           (2) furnish such records as are necessary to  
10          verify compliance with such anticorruption statutes  
11          and regulations as the Secretary determines nec-  
12          essary, including—

13                 (A) the Foreign Corrupt Practices Act (15  
14                 U.S.C. 78dd–1 et seq.);

15                 (B) the regulations contained in parts 120  
16                 through 130 of title 22, Code of Federal Regu-  
17                 lations, or successor regulations (commonly  
18                 known as the “International Traffic in Arms  
19                 Regulations”);

20                 (C) the regulations contained in parts 730  
21                 through 774 of title 15, Code of Federal Regu-  
22                 lations, or successor regulations (commonly  
23                 known as the “Export Administration Regula-  
24                 tions”); and

1 (D) such regulations as may be promul-  
2 gated by the Office of Foreign Assets Control  
3 of the Department of the Treasury.

4 (c) APPLICABILITY.—Subsections (a) and (b) of this  
5 section shall apply with respect to contracts entered into  
6 on or after the date of the enactment of this Act.

7 (d) CONSIDERATION OF TRADEOFF PROCESSES.—If  
8 the Secretary of Defense awards a contract for fuel pro-  
9 curement for an overseas contingency operation, the con-  
10 tracting officer for such contract shall consider tradeoff  
11 processes (as described in subpart 15 of the Federal Ac-  
12 quisition Regulation, or any successor regulation), includ-  
13 ing consideration of past performance evaluation, cost,  
14 anticorruption training, and compliance. With respect to  
15 any such contract awarded for which the contracting offi-  
16 cer does not consider tradeoff processes, the contracting  
17 officer shall, before issuing a solicitation for such contract,  
18 submit to the Secretary a written justification for not con-  
19 sidering tradeoff processes in awarding such contract.

20 **SEC. 844. ASSESSMENT OF REQUIREMENTS FOR CERTAIN**  
21 **ITEMS TO ADDRESS SUPPLY CHAIN**  
22 **VULNERABILITIES.**

23 (a) DEFINITIONS.—In this section, the term “dual-  
24 use” has the meaning given in section 2500 of title 10,  
25 United States Code.

1           (b) ASSESSMENT.—The Secretary of Defense shall  
2 assess the requirements of the Department of Defense for  
3 dual-use items covered by section 2533a of title 10, United  
4 States Code.

5           (c) POLICIES.—The Secretary of Defense shall de-  
6 velop or revise and implement relevant policies to track  
7 and reduce fluctuations in supply chain forecasting and  
8 encourage predictable demand requirements for annual  
9 procurements of such dual-use items by the Office the Sec-  
10 retary of Defense, each military department, and the De-  
11 fense Logistics Agency.

12           (d) REPORT AND BRIEFINGS.—

13               (1) ASSESSMENT REPORT.—

14                   (A) IN GENERAL.—Not later than Decem-  
15 ber 31, 2022, the Secretary of Defense shall  
16 submit to the congressional defense committees  
17 a report on the findings of the assessment con-  
18 ducted under subsection (b).

19                   (B) FORM.—The report required by sub-  
20 paragraph (A) shall be submitted in an unclas-  
21 sified form, but may include a classified annex  
22 to the extent required to protect the national  
23 security of the United States.

24               (2) QUARTERLY BRIEFINGS.—

1 (A) IN GENERAL.—Not later than March  
2 1, 2023, and quarterly thereafter until March  
3 1, 2026, each Secretary of a military depart-  
4 ment and the Director of the Defense Logistics  
5 Agency shall brief the Under Secretary of De-  
6 fense for Acquisition and Sustainment on the  
7 fluctuations in supply chain forecasting and de-  
8 mand requirements for each dual-use item cov-  
9 ered by section 2533a of title 10, United States  
10 Code.

11 (B) DOCUMENTATION.—Each briefing  
12 under subparagraph (A) shall be accompanied  
13 by documentation regarding the particular  
14 points of discussion for that briefing, including  
15 the fluctuations described in such subpara-  
16 graph, expressed as a percentage.

17 **SEC. 845. DEPARTMENT OF DEFENSE RESEARCH AND DE-**  
18 **VELOPMENT PRIORITIES.**

19 The Secretary of Defense shall cooperate with the  
20 Secretary of Energy to ensure that the priorities of the  
21 Department of Defense with respect to the research and  
22 development of alternative technologies to, and methods  
23 for the extraction, processing, and recycling of, critical  
24 minerals (as defined in section 2(b) of the National Mate-  
25 rials and Minerals Policy, Research, and Development Act

1 of 1980 (30 U.S.C. 1601(b)) are considered and included  
2 where feasible in the associated research and development  
3 activities funded by the Secretary of Energy pursuant to  
4 the program established under paragraph (g) of section  
5 7002 of division Z of the Consolidated Appropriations Act,  
6 2021 (Public Law 116–260).

7 **SEC. 846. REPORT ON THE MANUFACTURING ENGINEERING**  
8 **EDUCATION PROGRAM.**

9 (a) REPORT REQUIRED.—Not later than March 1,  
10 2023, the Under Secretary of Defense for Acquisition and  
11 Sustainment, in coordination with the Under Secretary of  
12 Defense for Research and Engineering, shall submit to the  
13 congressional defense committees a report on the Manu-  
14 facturing Engineering Education Program established  
15 under section 2196 of title 10, United States Code (re-  
16 ferred to in this section as the “Program”).

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

20 (1) A summary of activities conducted, and  
21 grants or awards made, during the previous fiscal  
22 year.

23 (2) The extent to which the Program can be  
24 modified to improve collaboration among institutions  
25 of higher education, career and technical education

1 programs, workforce development boards, labor or-  
2 ganizations, and organizations representing defense  
3 industrial base contractors to focus on career path-  
4 ways for individuals seeking careers in manufac-  
5 turing.

6 (3) An assessment of the benefits and costs of  
7 enhancing or expanding the Program to include indi-  
8 viduals attending secondary schools and career and  
9 technical education programs not considered institu-  
10 tions of higher education.

11 (4) Recommendations for legislative changes or  
12 other incentives that could improve career pathways  
13 for individuals seeking careers in manufacturing,  
14 particularly in support of the defense industrial  
15 base.

16 (5) Other related matters the Secretary deems  
17 appropriate.

18 (c) DEFINITIONS.—In this section:

19 (1) The term “career and technical education”  
20 has the meaning given such term in section 3 of the  
21 Carl D. Perkins Career and Technical Education  
22 Act of 2006 (20 U.S.C. 2302).

23 (2) The term “defense industrial base con-  
24 tractor” means a prime contractor or subcontractor  
25 (at any tier) in the defense industrial base.

1           (3) The term “institution of higher education”  
2           has the meaning given such term in section 1001 of  
3           title 20, United States Code.

4           (4) The term “labor organization” has the  
5           meaning given such term in section 2 of the Na-  
6           tional Labor Relations Act (29 14 U.S.C. 152).

7           (5) The term “workforce development board”  
8           means a State board or a local board, as such terms  
9           are defined in section 3 of the Workforce Innovation  
10          and Opportunity Act (29 U.S.C. 3102).

11 **SEC. 847. PLAN AND REPORT ON REDUCTION OF RELIANCE**  
12                           **ON SERVICES, SUPPLIES, OR MATERIALS**  
13                           **FROM COVERED COUNTRIES.**

14          (a) PLAN.—The Secretary of Defense, in consultation  
15          with the Secretary of State, shall develop and implement  
16          a plan to—

17               (1) reduce the reliance of the United States on  
18               services, supplies, or materials obtained from sources  
19               located in geographic areas controlled by covered  
20               countries; and

21               (2) mitigate the risks to national security and  
22               the defense supply chain arising from the reliance of  
23               the United States on such sources for services, sup-  
24               plies, or materials to meet critical defense require-  
25               ments.



1 (b) REPORT.—Not later than two years after the date  
2 of the enactment of this Act, the Secretary of Defense  
3 shall submit to the congressional defense committees a re-  
4 port describing the plan required under subsection (a).

5 (c) COVERED COUNTRY DEFINED.—In this section,  
6 the term “covered country” means North Korea, China,  
7 Russia, and Iran.

8 **SEC. 848. PROHIBITION ON CERTAIN PROCUREMENTS**  
9 **FROM THE XINJIANG UYGHUR AUTONOMOUS**  
10 **REGION.**

11 (a) PROHIBITION ON THE AVAILABILITY OF FUNDS  
12 FOR CERTAIN PROCUREMENTS FROM XUAR.—None of  
13 the funds authorized to be appropriated by this Act or  
14 otherwise made available for fiscal year 2022 for the De-  
15 partment of Defense may be obligated or expended to  
16 knowingly procure any products mined, produced, or man-  
17 ufactured wholly or in part by forced labor from XUAR  
18 or from an entity that has used labor from within or trans-  
19 ferred from XUAR as part of a “poverty alleviation” or  
20 “pairing assistance” program.

21 (b) RULEMAKING.—Not later than 90 days after the  
22 date of the enactment of this Act, the Secretary of Defense  
23 shall issue rules to require a certification from offerors  
24 for contracts with the Department of Defense stating the  
25 offeror has made a good faith effort to determine that

1 forced labor from XUAR, as described in subsection (a),  
2 was not or will not be used in the performance of such  
3 contract.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “forced labor” means all work or  
6 service which is exacted from any person under the  
7 menace of any penalty for its nonperformance and  
8 for which the worker does not offer himself volun-  
9 tarily.

10 (2) The term “person” means—

11 (A) a natural person, corporation, com-  
12 pany, business association, partnership, society,  
13 trust, or any other nongovernmental entity, or-  
14 ganization, or group; or

15 (B) any successor, subunit, parent entity,  
16 or subsidiary of, or any entity under common  
17 ownership or control with, any entity described  
18 in subparagraph (A).

19 (3) The term “XUAR” means the Xinjiang  
20 Uyghur Autonomous Region of the People’s Repub-  
21 lic of China.

# 1 **Subtitle F—Industrial Base Matters**

## 2 **SEC. 851. MODIFICATIONS TO PRINTED CIRCUIT BOARD AC-** 3 **QUISITION RESTRICTIONS.**

4 (a) IN GENERAL.—Section 2533d of title 10, United  
5 States Code, is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), by striking “January  
8 1, 2023” and inserting “the date determined  
9 under paragraph (3)”; and

10 (B) by adding at the end the following new  
11 paragraph:

12 “(3) Paragraph (1) shall take effect on January  
13 1, 2027.”;

14 (2) in subsection (c)—

15 (A) in paragraph (2)—

16 (i) in the matter preceding subpara-  
17 graph (A), by inserting “specified type of”  
18 after “means any”;

19 (ii) in subparagraph (A), by striking  
20 “(as such terms are defined under sections  
21 103 and 103a of title 41, respectively)”;  
22 and

23 (iii) by amending subparagraph (B) to  
24 read as follows:

25 “(B) is a component of—

1 “(i) a defense security system; or

2 “(ii) a system, other than a defense  
3 security system, that transmits or stores  
4 information and which the Secretary iden-  
5 tifies as national security sensitive in the  
6 contract under which such printed circuit  
7 board is acquired.”; and

8 (B) by adding at the end the following new  
9 paragraphs:

10 “(4) COMMERCIAL PRODUCT; COMMERCIAL  
11 SERVICE; COMMERCIALLY AVAILABLE OFF-THE  
12 SHELF ITEM.—The terms ‘commercial product’,  
13 ‘commercial service’, and ‘commercially available off-  
14 the-shelf item’ have the meanings given such terms  
15 in sections 103, 103a, and 104 of title 41, respec-  
16 tively.

17 “(5) DEFENSE SECURITY SYSTEM.—

18 “(A) The term ‘defense security system’  
19 means an information system (including a tele-  
20 communications system) used or operated by  
21 the Department of Defense, by a contractor of  
22 the Department, or by another organization on  
23 behalf of the Department, the function, oper-  
24 ation, or use of which—

1 “(i) involves command and control of  
2 an armed force;

3 “(ii) involves equipment that is an in-  
4 tegral part of a weapon or weapon system;  
5 or

6 “(iii) subject to subparagraph (B), is  
7 critical to the direct fulfillment of military  
8 missions.

9 “(B) Subparagraph (A)(iii) does not in-  
10 clude a system that is to be used for routine ad-  
11 ministrative and business applications (includ-  
12 ing payroll, finance, logistics, and personnel  
13 management applications).

14 “(6) SPECIFIED TYPE.—The term ‘specified  
15 type’ means a printed circuit board that is—

16 “(A) a component of an electronic device  
17 that facilitates the routing, connecting, trans-  
18 mitting or securing of data and is commonly  
19 connected to a network, and

20 “(B) any other end item, good, or product  
21 specified by the Secretary in accordance with  
22 subsection (d)(2).”; and

23 (3) by amending subsection (d) to read as fol-  
24 lows:

25 “(d) RULEMAKING.—

1           “(1) The Secretary may issue rules providing  
2           that subsection (a) may not apply with respect to an  
3           acquisition of commercial products, commercial serv-  
4           ices, and commercially available off-the-shelf items  
5           if—

6                   “(A) the contractor is capable of meeting  
7                   minimum requirements that the Secretary  
8                   deems necessary to provide for the security of  
9                   national security networks and weapon systems;  
10                  including, at a minimum, compliance with sec-  
11                  tion 224 of the National Defense Authorization  
12                  Act for Fiscal Year 2020 (Public Law 116–92;  
13                  10 U.S.C. 2302 note); and

14                  “(B) either—

15                          “(i) the Government and the con-  
16                          tractor have agreed to a contract requiring  
17                          the contractor to take certain actions to  
18                          ensure the integrity and security of the  
19                          item, including protecting the item from  
20                          unauthorized access, use, disclosure, dis-  
21                          ruption, modification, or destruction; or

22                          “(ii) the Secretary has determined  
23                          that the contractor has adopted such pro-  
24                          cedures, tools, and methods for identifying  
25                          the sources of components of such item,

1 based on commercial best practices, that  
2 meet or exceed the applicable trusted sup-  
3 ply chain and operational security stand-  
4 ards of the Department of Defense.

5 “(2) The Secretary may issue rules specifying  
6 end items, goods, and products for which a printed  
7 circuit board that is a component thereof shall be a  
8 specified type if the Secretary has promulgated final  
9 regulations, after an opportunity for notice and com-  
10 ment that is not less than 12 months, implementing  
11 this section.

12 “(3) In carrying out this section, the Secretary  
13 shall, to the maximum extent practicable, avoid im-  
14 posing contractual certification requirements with  
15 respect to the acquisition of commercial products,  
16 commercial services, or commercially available off-  
17 the-shelf items.”

18 (b) MODIFICATION OF INDEPENDENT ASSESSMENT  
19 OF PRINTED CIRCUIT BOARDS.—Section 841(d) of the  
20 William M. (Mac) Thornberry National Defense Author-  
21 ization Act for Fiscal Year 2021 (Public Law 116–283)  
22 is amended—

23 (1) in paragraph (1)—

24 (A) by striking “the date of enactment of  
25 this Act” and inserting “the date of the enact-

1           ment of the National Defense Authorization Act  
2           for Fiscal Year 2022”;

3           (B) by striking “shall seek to enter” and  
4           inserting “shall enter”;

5           (C) by striking “to include printed circuit  
6           boards in commercial products or services, or  
7           in” and inserting “to include printed circuit  
8           boards in other commercial or”; and

9           (D) by striking “the scope of mission crit-  
10          ical” and all that follows through the period at  
11          the end and inserting “types of systems, other  
12          than defense security systems (as defined in  
13          section 2533d(c) of title 10, United States  
14          Code), that should be subject to the prohibition  
15          in section 2533d(a) of title 10, United States  
16          Code.”;

17          (2) in the heading for paragraph (2), by strik-  
18          ing “DEPARTMENT OF DEFENSE” and inserting  
19          “DEPARTMENT OF DEFENSE”;

20          (3) in paragraph (2), by striking “one year  
21          after entering into the contract described in para-  
22          graph (1)” and inserting “January 1, 2023”;

23          (4) in the heading for paragraph (3), by strik-  
24          ing “CONGRESS” and inserting “CONGRESS”; and



1           (5) in paragraph (3), by inserting after “the  
2       recommendations of the report.” the following: “The  
3       Secretary shall use the report to determine whether  
4       any systems, other than defense security systems (as  
5       defined in section 2533d(e) of title 10, United States  
6       Code), or other types of printed circuit boards  
7       should be subject to the prohibition in section  
8       2533d(a) of title 10, United States Code.”.

9       **SEC. 852. MODIFICATION OF PILOT PROGRAM FOR DEVELOP-**  
10                   **MENT OF TECHNOLOGY-ENHANCED CAPA-**  
11                   **BILITIES WITH PARTNERSHIP INTER-**  
12                   **MEDIARIES.**

13       Section 851 of the National Defense Authorization  
14       Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
15       1510; 10 U.S.C. 2283 note) is amended to read as follows:

16       **“SEC. 851. PILOT PROGRAM FOR DEVELOPMENT OF TECH-**  
17                   **NOLOGY-ENHANCED CAPABILITIES WITH**  
18                   **PARTNERSHIP INTERMEDIARIES.**

19       “(a) ESTABLISHMENT.—The Secretary of Defense  
20       may authorize the Commander of the United States Spe-  
21       cial Operations Command to use funds described in sub-  
22       section (b) for a pilot program under which the Com-  
23       mander shall make, through the use of a partnership  
24       intermediary, covered awards to small business concerns

1 to develop technology-enhanced capabilities for special op-  
2 erations forces.

3 “(b) FUNDS.—

4 “(1) IN GENERAL.—The funds described in this  
5 subsection are funds transferred to the Commander  
6 of the United States Special Operations Command  
7 to carry out the pilot program established under this  
8 section from funds available to be expended by each  
9 covered entity pursuant to section 9(f) of the Small  
10 Business Act (15 U.S.C. 638(f)).

11 “(2) LIMITATIONS.—

12 “(A) FISCAL YEAR.—A covered entity may  
13 not transfer to the Commander an amount  
14 greater than 10 percent of the funds available  
15 to be expended by such covered entity pursuant  
16 to such section 9(f) for a fiscal year.

17 “(B) AGGREGATE AMOUNT.—The aggre-  
18 gate amount of funds to be transferred to the  
19 Commander may not exceed \$20,000,000.

20 “(c) PARTNERSHIP INTERMEDIARIES.—

21 “(1) AUTHORIZATION.—The Commander may  
22 modify an existing agreement with a partnership  
23 intermediary to assist the Commander in carrying  
24 out the pilot program under this section, including

1 with respect to the award of contracts and agree-  
2 ments to small business concerns.

3 “(2) LIMITATION.—None of the funds described  
4 in subsection (b) may be used to pay a partnership  
5 intermediary for any costs associated with the pilot  
6 program.

7 “(3) DATA.—With respect to a covered award  
8 made under this section, the Commander shall gath-  
9 er data on the role of the partnership intermediary  
10 to include the—

11 “(A) staffing structure;

12 “(B) funding sources; and

13 “(C) methods for identifying and evalu-  
14 ating small business concerns eligible for a cov-  
15 ered award.

16 “(d) REPORT.—

17 “(1) ANNUAL REPORT.—Not later than October  
18 1 of each year until October 1, 2026, the Com-  
19 mander of the United States Special Operations  
20 Command, in coordination with the Under Secretary  
21 of Defense for Research and Engineering, shall sub-  
22 mit to the congressional defense committees, the  
23 Committee on Small Business of the House of Rep-  
24 resentatives, and the Committee on Small Business

1 and Entrepreneurship of the Senate a report includ-  
2 ing—

3 “(A) a description of each agreement with  
4 a partnership intermediary entered into pursu-  
5 ant to this section;

6 “(B) for each covered award made under  
7 this section—

8 “(i) a description of the role served by  
9 the partnership intermediary;

10 “(ii) the amount of funds obligated;

11 “(iii) an identification of the small  
12 business concern that received such cov-  
13 ered award;

14 “(iv) a description of the use of such  
15 covered award;

16 “(v) a description of the role served  
17 by the program manager (as defined in  
18 section 1737 of title 10, United States  
19 Code) of the covered entity with respect to  
20 the small business concern that received  
21 such covered award, including a descrip-  
22 tion of interactions and the process of the  
23 program manager in producing a past per-  
24 formance evaluation of such concern; and

1                   “(vi) the benefits achieved as a result  
2                   of the use of a partnership intermediary  
3                   for the pilot program established under  
4                   this section as compared to previous efforts  
5                   of the Commander to increase participa-  
6                   tion by small business concerns in the de-  
7                   velopment of technology-enhanced capabili-  
8                   ties for special operations forces; and

9                   “(C) a plan detailing how each covered en-  
10                  tity will apply lessons learned from the pilot  
11                  program to improve processes for directly work-  
12                  ing with and supporting small business con-  
13                  cerns to develop technology-enhanced capabili-  
14                  ties for special operations forces.

15                  “(2) FINAL REPORT.—The final report required  
16                  under this subsection shall include, along with the  
17                  requirements of paragraph (1), a recommendation  
18                  regarding—

19                         “(A) whether and for how long the pilot  
20                         program established under this section should  
21                         be extended; and

22                         “(B) whether to increase funding for the  
23                         pilot program, including a justification for such  
24                         an increase.

1       “(e) TERMINATION.—The authority to carry out a  
2 pilot program under this section shall terminate on Sep-  
3 tember 30, 2025.

4       “(f) DEFINITIONS.—In this section:

5           “(1) The term ‘covered award’ means an award  
6 made under the Small Business Innovation Research  
7 Program.

8           “(2) The term ‘covered entity’ means—

9               “(A) the Army;

10              “(B) the Navy;

11              “(C) the Air Force;

12              “(D) the Marine Corps;

13              “(E) the Space Force; and

14              “(F) any element of the Department of  
15 Defense that makes awards under the Small  
16 Business Innovation Research Program.

17           “(3) The term ‘partnership intermediary’ has  
18 the meaning given the term in section 23(c) of the  
19 Stevenson-Wydler Technology Innovation Act of  
20 1980 (15 U.S.C. 3715(c)).

21           “(4) The term ‘small business concern’ has the  
22 meaning given the term under section 3 of the Small  
23 Business Act (15 U.S.C. 632).

24           “(5) The term ‘Small Business Innovation Re-  
25 search Program’ has the meaning given the term in

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

3 “(6) The term ‘technology-enhanced capability’  
4 means a product, concept, or process that improves  
5 the ability of a member of the Armed Forces to  
6 achieve an assigned mission.”.

7 **SEC. 853. ADDITIONAL TESTING OF COMMERCIAL E-COM-**  
8 **MERCE PORTAL MODELS.**

9 Section 846(c) of the National Defense Authorization  
10 Act for Fiscal Year 2018 (41 U.S.C. 1901 note) is amend-  
11 ed by adding at the end the following new paragraphs:

12 “(5) **ADDITIONAL TESTING.**—Not later than  
13 180 days after the date of the enactment of this  
14 paragraph, the Administrator shall—

15 “(A) begin testing commercial e-commerce  
16 portal models (other than any such model se-  
17 lected for the initial proof of concept) identified  
18 pursuant to paragraph (2); and

19 “(B) submit to the congressional defense  
20 committees, the Committee on Oversight and  
21 Reform of the House of Representatives, and  
22 the Committee on Homeland Security and Gov-  
23 ernmental Affairs of the Senate a report that  
24 includes—

1           “(i) a summary of the assessments  
2           conducted under paragraph (2) with re-  
3           spect to a commercial e-commerce portal  
4           model identified pursuant to such para-  
5           graph;

6           “(ii) a list of the types of commercial  
7           products that could be procured using  
8           models tested pursuant to subparagraph  
9           (A);

10          “(iii) an estimate of the amount that  
11          could be spent by the head of a depart-  
12          ment or agency under the program,  
13          disaggregated by type of commercial e-  
14          commerce portal model; and

15          “(iv) an update on the models tested  
16          pursuant to subparagraph (A) and a  
17          timeline for completion of such testing.

18          “(6) REPORT.—Upon completion of testing con-  
19          ducted under paragraph (5) and before taking any  
20          action with respect to the commercial e-commerce  
21          portal models tested, the Administrator of General  
22          Services shall submit to the congressional defense  
23          committees, the Committee on Oversight and Re-  
24          form of the House of Representatives, and the Com-  
25          mittee on Homeland Security and Governmental Af-



1       fairs of the Senate, a report on the results of such  
2       testing that includes—

3               “(A) an assessment and comparison of  
4       commercial e-commerce portal models with re-  
5       spect to—

6               “(i) price and quality of the commer-  
7       cial products supplied by each commercial  
8       e-commerce portal model;

9               “(ii) supplier reliability and service;

10              “(iii) safeguards for the security of  
11       Government information and third-party  
12       supplier proprietary information;

13              “(iv) protections against counterfeit  
14       commercial products;

15              “(v) supply chain risks, particularly  
16       with respect to complex commercial prod-  
17       ucts; and

18              “(vi) overall adherence to Federal pro-  
19       curement rules and policies; and

20              “(B) an analysis of the costs and benefits  
21       of the convenience to the Federal Government  
22       of procuring commercial products from each  
23       such commercial e-commerce portal model.”.

1 **SEC. 854. REQUIREMENT FOR INDUSTRY DAYS AND RE-**  
2 **QUESTS FOR INFORMATION TO BE OPEN TO**  
3 **ALLIED DEFENSE CONTRACTORS.**

4 (a) IN GENERAL.—Not later than 90 days after the  
5 date of the enactment of this Act, each service acquisition  
6 executive shall implement a requirement that industry  
7 days and requests for information regarding acquisition  
8 programs and research and development efforts of the De-  
9 partment of Defense shall, to the maximum extent prac-  
10 ticable, be open to defense contractors of the national  
11 technology and industrial base, including when such con-  
12 tractors are acting as subcontractors in partnership with  
13 a United States contractor, provided such access is grant-  
14 ed only if the Secretary of Defense or the relevant Sec-  
15 retary concerned determines that there is reciprocal access  
16 for United States companies to equivalent information re-  
17 lated to contracting opportunities in the associated coun-  
18 try that is part of the national technology and industrial  
19 base.

20 (b) DEFINITIONS.—In this section:

21 (1) NATIONAL TECHNOLOGY AND INDUSTRIAL  
22 BASE.—The term “national technology and indus-  
23 trial base” has the meaning given the term in sec-  
24 tion 2500 of title 10, United States Code.

25 (2) SECRETARY CONCERNED; SERVICE ACQUI-  
26 TION EXECUTIVE.—The terms “Secretary con-

1           cerned” and “service acquisition executive” have the  
2           meanings given such terms in section 101(a) of title  
3           10, United States Code.

4   **SEC. 855. EMPLOYMENT TRANSPARENCY REGARDING INDI-**  
5                           **VIDUALS WHO PERFORM WORK IN THE PEO-**  
6                           **PLE’S REPUBLIC OF CHINA.**

7           (a) DISCLOSURE REQUIREMENTS.—

8                   (1) INITIAL DISCLOSURES.—The Secretary of  
9           Defense shall require each covered entity to disclose  
10          to the Secretary of Defense if the entity employs one  
11          or more individuals who will perform work in the  
12          People’s Republic of China on a covered contract  
13          when the entity submits a bid or proposal for such  
14          covered contract, except that such disclosure shall  
15          not be required to the extent that the Secretary de-  
16          termines that such disclosure would not be in the in-  
17          terest of national security.

18                   (2) RECURRING DISCLOSURES.—For each of  
19          fiscal years 2023 and 2024, the Secretary of De-  
20          fense shall require each covered entity that is a  
21          party to one or more covered contracts in the fiscal  
22          year to disclose to the Secretary if the entity em-  
23          ploys one or more individuals who perform work in  
24          the People’s Republic of China on any such contract.

1           (3) MATTERS TO BE INCLUDED.—If a covered  
2           entity required to make a disclosure under para-  
3           graph (1) or (2) employs any individual who will  
4           perform work in the People’s Republic of China on  
5           a covered contract, such disclosure shall include—

6                   (A) the total number of such individuals  
7                   who will perform work in the People’s Republic  
8                   of China on the covered contracts funded by the  
9                   Department of Defense; and

10                   (B) a description of the physical presence  
11                   in the People’s Republic of China where work  
12                   on the covered contract will be performed.

13           (b) FUNDING FOR COVERED ENTITIES.—The Sec-  
14           retary of Defense may not award a covered contract to,  
15           or renew a covered contract with, a covered entity unless  
16           such covered entity has submitted each disclosure such  
17           covered entity is required to submit under subsection (a).

18           (c) SEMI-ANNUAL BRIEFING.—Beginning on January  
19           1, 2023, the Secretary of Defense shall provide to the con-  
20           gressional defense committees semi-annual briefings that  
21           summarize the disclosures received by the Department  
22           over the previous 180 days pursuant to this section, and  
23           such briefings may be classified.

24           (d) DEFINITIONS.—In this section:

1           (1) COVERED CONTRACT.—The term “covered  
2 contract” means any Department of Defense con-  
3 tract or subcontract with a value in excess of  
4 \$5,000,000, excluding contracts for commercial  
5 products or services.

6           (2) COVERED ENTITY.—The term “covered en-  
7 tity” means any corporation, company, limited liabil-  
8 ity company, limited partnership, business trust,  
9 business association, or other similar entity, includ-  
10 ing any subsidiary thereof, performing work on a  
11 covered contract in the People’s Republic of China,  
12 including by leasing or owning real property used in  
13 the performance of the covered contract in the Peo-  
14 ple’s Republic of China.

15       (e) EFFECTIVE DATE.—This section shall take effect  
16 on July 1, 2022.

17 **SEC. 856. BRIEFING ON COMPLIANCE WITH CONTRACTOR**  
18 **LOBBYING RESTRICTIONS.**

19       (a) BRIEFING REQUIRED.—Not later than 180 days  
20 after the date of the enactment of this Act, the Secretary  
21 of Defense shall provide the congressional defense commit-  
22 tees with a briefing on the progress of the Department  
23 in ensuring compliance with the requirements of section  
24 1045 of the National Defense Authorization Act for Fiscal

1 Year 2018 (10 U.S.C. 971 note prec; Public Law 115-  
2 91; 131 Stat. 155).

3 (b) ELEMENTS.—The briefing required in paragraph  
4 (a) shall include—

5 (1) the number, title, and status of any open  
6 Defense Federal Acquisition Regulation Supplement  
7 case relating to such section;

8 (2) the timeline for closing any such Defense  
9 Federal Acquisition Regulation Supplement case;  
10 and

11 (3) other related matters the Secretary deems  
12 appropriate.

13 **SEC. 857. CONGRESSIONAL OVERSIGHT OF PERSONNEL**  
14 **AND CONTRACTS OF PRIVATE SECURITY**  
15 **CONTRACTORS.**

16 (a) REPORT ON ACTIONS TAKEN TO IMPLEMENT  
17 GOVERNMENT ACCOUNTABILITY OFFICE RECOMMENDA-  
18 TIONS.—Not later than October 1, 2022, the Secretary of  
19 Defense, in consultation with each Secretary of a military  
20 department (as defined in section 101 of title 10, United  
21 States Code), shall submit to the congressional defense  
22 committees a report on the efforts and plans of the De-  
23 partment of Defense to implement the recommendations  
24 contained in the report of the Government Accountability  
25 Office titled “Private Security Contractors: DOD Needs

1 to Better Identify and Monitor Personnel and Contracts”  
2 (GAO–21–255), dated July 29, 2021.

3 (b) CONTENTS.—The report required by subsection  
4 (a) shall include—

5 (1) a summary of the actions planned or taken  
6 by the Secretary of Defense to implement the rec-  
7 ommendations in the report of the Government Ac-  
8 countability Office described in such subsection; and

9 (2) a schedule for completing the implementa-  
10 tion of each such recommendation, including specific  
11 milestones for such implementation.

12 (c) FORM.—The report required by subsection (a)  
13 shall be submitted in unclassified form but may include  
14 a classified annex.

## 15 **Subtitle G—Small Business Matters**

### 16 **SEC. 861. EXEMPTION OF CERTAIN CONTRACTS FROM THE** 17 **PERIODIC INFLATION ADJUSTMENTS TO THE** 18 **ACQUISITION-RELATED DOLLAR THRESH-** 19 **OLD.**

20 (a) IN GENERAL.—Section 1908(b)(2) of title 41,  
21 United States Code, is amended—

22 (1) in subparagraph (B), by striking “or” at  
23 the end;

24 (2) in subparagraph (C), by striking the period  
25 at the end and inserting “; or”; and

1           (3) by adding at the end the following new sub-  
2 paragraph:

3           “(D) in sections 3131 through 3134 of  
4 title 40, except any modification of any such  
5 dollar threshold made by regulation in effect on  
6 the date of the enactment of this subparagraph  
7 shall remain in effect.”.

8           (b) TECHNICAL AMENDMENT.—Section 1908(d) of  
9 such title is amended by striking the period at the end.

10 **SEC. 862. MODIFICATION TO THE PILOT PROGRAM FOR**  
11 **STREAMLINING AWARDS FOR INNOVATIVE**  
12 **TECHNOLOGY PROJECTS.**

13           (a) EXTENSION.—Subsection (f) of section 873 of the  
14 National Defense Authorization Act for Fiscal Year 2016  
15 (Public Law 114–92; 10 U.S.C. 2306a note) is amended  
16 by striking “October 1, 2022” and inserting “October 1,  
17 2024”.

18           (b) DATA COLLECTION.—The Secretary of Defense  
19 shall develop and implement a plan to collect and analyze  
20 data on the use of authority under such section 873 for  
21 the purposes of—

- 22           (1) developing and sharing best practices; and  
23           (2) providing information to the Secretary of  
24 Defense and Congress on the use of authority under  
25 such section 873 and related policy issues.



1 (c) RECOMMENDATION ON EXTENSION.—Not later  
2 than April 1, 2023, the Secretary of Defense shall submit  
3 to the congressional defense committees a recommenda-  
4 tion regarding a further extension of the pilot program  
5 for streamlining awards for innovative technology projects  
6 established under such section 873, and if applicable, the  
7 duration of any such extension.

8 **SEC. 863. PROTESTS AND APPEALS RELATING TO ELIGI-**  
9 **BILITY OF BUSINESS CONCERNS.**

10 Section 5(i) of the Small Business Act (15 U.S.C.  
11 634(i)) is amended—

12 (1) by redesignating paragraph (4) as para-  
13 graph (5); and

14 (2) by inserting after paragraph (3) the fol-  
15 lowing new paragraph:

16 “(4) DETERMINATIONS REGARDING STATUS OF  
17 CONCERNS.—

18 “(A) IN GENERAL.—Not later than 2 days  
19 after the date on which a final determination  
20 that a business concern does not meet the re-  
21 quirements of the status such concern claims to  
22 hold is made, such concern or the Adminis-  
23 trator, as applicable, shall update the status of  
24 such concern in the System for Award Manage-  
25 ment (or any successor system).

1           “(B) ADMINISTRATOR UPDATES.—If such  
2 concern fails to update the status of such con-  
3 cern as described in subparagraph (A), not  
4 later than 2 days after such failure the Admin-  
5 istrator shall make such update.

6           “(C) NOTIFICATION.—A concern required  
7 to make an update described under subpara-  
8 graph (A) shall notify a contracting officer for  
9 each contract with respect to which such con-  
10 cern has an offer or bid pending of the deter-  
11 mination made under subparagraph (A), if the  
12 concern finds, in good faith, that such deter-  
13 mination affects the eligibility of the concern to  
14 perform such a contract.”.

15 **SEC. 864. AUTHORITY FOR THE OFFICE OF HEARINGS AND**  
16 **APPEALS TO DECIDE APPEALS RELATING TO**  
17 **QUALIFIED HUBZONE SMALL BUSINESS CON-**  
18 **CERNS.**

19           Not later than 1 year after the date of the enactment  
20 of this Act, the Administrator of the Small Business Ad-  
21 ministration shall issue a rule authorizing the Office of  
22 Hearings and Appeals of the Administration to decide all  
23 appeals from formal protest determinations in connection  
24 with the status of a concern as a qualified HUBZone small

1 business concern (as such term is defined in section 31(b)  
2 of the Small Business Act (15 U.S.C. 657a(b)).

3 **SEC. 865. REPORT ON UNFUNDED PRIORITIES OF THE**  
4 **SMALL BUSINESS INNOVATION RESEARCH**  
5 **AND SMALL BUSINESS TECHNOLOGY TRANS-**  
6 **FER PROGRAM.**

7 (a) IN GENERAL.—Not later than 10 days after the  
8 date on which the budget of the President for fiscal years  
9 2022 through 2032 is submitted to Congress pursuant to  
10 section 1105 of title 31, United States Code, each Sec-  
11 retary of a military department and the Under Secretary  
12 of Defense for Research and Engineering shall submit to  
13 the Secretary of Defense, the Chairman of the Joint  
14 Chiefs of Staff, and the congressional defense committees  
15 a report on unfunded priorities of the Department of De-  
16 fense related to high-priority Small Business Innovation  
17 Research and Small Business Technology Transfer  
18 projects.

19 (b) ELEMENTS.—

20 (1) IN GENERAL.—Each report under sub-  
21 section (a) shall include identification of not more  
22 than five unfunded priority projects and the fol-  
23 lowing information for each such unfunded priority  
24 project:

1 (A) A summary description of the un-  
2 funded priority project, including the objectives  
3 to be achieved if such project were to be funded  
4 (either in whole or in part).

5 (B) The additional amount of funds rec-  
6 ommended to achieve the objectives identified  
7 under subparagraph (A).

8 (C) Account information with respect to  
9 such unfunded priority project, including, as  
10 applicable, the following:

11 (i) Line item number, in the case of  
12 applicable procurement accounts.

13 (ii) Program element number, in the  
14 case of applicable research, development,  
15 test, and evaluation accounts.

16 (iii) Subactivity group, in the case of  
17 applicable operation and maintenance ac-  
18 counts.

19 (2) PRIORITY.—Each Secretary of a military  
20 department and the Under Secretary of Defense for  
21 Research and Engineering shall ensure that the un-  
22 funded priorities covered by a report submitted  
23 under subsection (a) are listed in the order of ur-  
24 gency of priority.

25 (c) DEFINITIONS.—In this section:

1           (1) UNFUNDED PRIORITY.—The term “un-  
2 funded priority”, with respect to a fiscal year, means  
3 a specific project related to a project successfully  
4 funded under Phase II of the Small Business Inno-  
5 vation Research or Small Business Technology  
6 Transfer program that—

7           (A) is not funded in the budget of the  
8 President for that fiscal year, as submitted to  
9 Congress pursuant to section 1105 of title 31,  
10 United States Code;

11           (B) has the potential to—

12           (i) advance the national security capa-  
13 bilities of the United States;

14           (ii) provide new technologies or proc-  
15 esses, or new applications of existing tech-  
16 nologies or processes, that will enable new  
17 alternatives to existing programs; and

18           (iii) provide future cost savings; and

19           (C) would have been recommended for  
20 funding through the budget referred to in sub-  
21 paragraph (A) if—

22           (i) additional resources had been  
23 available to fund the program, activity, or  
24 mission requirement to which the specific  
25 project relates; or

1 (ii) the program, activity, or mission  
2 requirement for such specific project had  
3 emerged before the budget was formulated.

4 (2) PHASE II; SMALL BUSINESS INNOVATION  
5 RESEARCH; SMALL BUSINESS TECHNOLOGY TRANS-  
6 FER.—The terms “Phase II”, “Small Business In-  
7 novation Research”, and “Small Business Tech-  
8 nology Transfer” have the meanings given such  
9 terms, respectively, in section 9(e) of the Small  
10 Business Act (15 U.S.C. 638(e)).

11 **SEC. 866. REPORT ON CYBERSECURITY MATURITY MODEL**  
12 **CERTIFICATION EFFECTS ON SMALL BUSI-**  
13 **NESS.**

14 Not later than 180 days after the date of the enact-  
15 ment of this Act, the Secretary of Defense shall submit  
16 to the congressional defense committees, the Committee  
17 on Small Business and Entrepreneurship of the Senate,  
18 and the Committee on Small Business of the House of  
19 Representatives a report on the effects of the Cybersecu-  
20 rity Maturity Model Certification framework of the De-  
21 partment of Defense on small business concerns (as de-  
22 fined under section 3 of the Small Business Act (15  
23 U.S.C. 632), including—

24 (1) the estimated costs of complying with each  
25 level of the framework based on verified representa-

1       tive samples of actual costs of compliance small  
2       business concerns and an explanation of how these  
3       costs will be recoverable by such small business con-  
4       cerns;

5           (2) the estimated change in the number of  
6       small business concerns that are part of the defense  
7       industrial base resulting from the implementation  
8       and use of the framework;

9           (3) explanations of how the Department of De-  
10      fense will—

11           (A) mitigate negative effects to such small  
12      business concerns resulting from the implemen-  
13      tation and use of the framework;

14           (B) ensure small business concerns are  
15      trained on the requirements for passing a third-  
16      party assessment, self-assessment, or Govern-  
17      ment-assessment, as applicable, for compliance  
18      with the relevant level of the framework; and

19           (C) work with small business concerns and  
20      nontraditional defense contractors (as defined  
21      under section 2302 of title 10, United States  
22      Code) to enable such concerns and contractors  
23      to bid on and win contracts with the Depart-  
24      ment without first having to risk funds on cost-  
25      ly security certifications; and





1 (4) the original Phase I or Phase II award top-  
2 ics and the associated Phase III contracts awarded;

3 (5) where possible, an identification of the spe-  
4 cific program executive office involved in each Phase  
5 III transition; and

6 (6) a list of the five highest performing  
7 projects, as determined by the Secretary.

## 8 **Subtitle H—Other Matters**

### 9 **SEC. 871. MISSION MANAGEMENT PILOT PROGRAM.**

10 (a) IN GENERAL.—Subject to the availability of ap-  
11 propriations, the Secretary of Defense shall establish a  
12 pilot program to identify lessons learned and improved  
13 mission outcomes achieved by quickly delivering solutions  
14 that fulfill critical operational needs arising from cross-  
15 service missions undertaken by combatant commands  
16 through the use of a coordinated and iterative approach  
17 to develop, evaluate, and transition such solutions.

18 (b) MISSIONS SELECTION.—

19 (1) IN GENERAL.—Except as provided in para-  
20 graph (3), the Deputy Secretary of Defense shall se-  
21 lect missions with respect to which to carry out the  
22 pilot program.

23 (2) SELECTION CRITERIA.—When selecting mis-  
24 sions under paragraph (1), the Deputy Secretary of  
25 Defense shall—

1 (A) select missions with critical cross-serv-  
2 ice operational needs; and

3 (B) consider—

4 (i) the strategic importance of the  
5 critical cross-service operational needs to  
6 the operational plans of the relevant com-  
7 batant commands; and

8 (ii) the advice of key stakeholders, in-  
9 cluding the Joint Staff, regarding mission  
10 selection.

11 (3) INITIAL MISSION.—

12 (A) IN GENERAL.—Not later than four  
13 months after the date of the enactment of this  
14 section, the Director of the Strategic Capabili-  
15 ties Office shall select the initial mission under  
16 the pilot program that has critical cross-service  
17 operational needs and which is of strategic im-  
18 portance to the operational plans of the United  
19 States Indo-Pacific Command.

20 (B) RESPONSIBILITY.—The mission se-  
21 lected under subparagraph (A) shall be estab-  
22 lished within the Strategic Capabilities Office of  
23 the Department of Defense, in coordination  
24 with the Office of the Under Secretary of De-  
25 fense for Research and Engineering.

1 (C) MISSION SELECTION APPROVAL.—The  
2 mission selected by the Director of the Strategic  
3 Capabilities Office under subparagraph (A)  
4 shall be subject to the approval of the Tech-  
5 nology Cross-Functional Team of the Strategic  
6 Capabilities Office that is chaired by the Under  
7 Secretary of Defense for Research and Engi-  
8 neering.

9 (c) MISSION MANAGERS.—

10 (1) IN GENERAL.—A mission manager shall  
11 carry out the pilot program with respect to each  
12 mission.

13 (2) RESPONSIBILITIES.—With respect to each  
14 mission, the relevant mission manager shall—

15 (A) identify critical cross-service, cross-pro-  
16 gram, and cross-domain operational needs by  
17 enumerating the options available to the com-  
18 batant command responsible for carrying out  
19 such mission and determining the resiliency of  
20 such options to threats from adversaries;

21 (B) in coordination with the military serv-  
22 ices and appropriate Defense Agencies and  
23 Field Activities, develop and deliver solutions,  
24 including software and information technology  
25 solutions and other functionalities unaligned

1 with any one weapon system of a covered  
2 Armed Service, to—

3 (i) fulfill critical cross-service, cross-  
4 program, and cross-domain operational  
5 needs; and

6 (ii) address future changes to existing  
7 critical cross-service, cross-program, and  
8 cross-domain operational needs by pro-  
9 viding additional capabilities;

10 (C) work with the combatant command re-  
11 sponsible for such mission and the related plan-  
12 ning organizers, program managers of a covered  
13 Armed Force, and defense research and devel-  
14 opment activities to carry out iterative testing  
15 and support to initial operational fielding of the  
16 solutions described in subparagraph (B);

17 (D) conduct research, development, test,  
18 evaluation, and transition support activities  
19 with respect to the delivery of the solutions de-  
20 scribed in subparagraph (B);

21 (E) seek to integrate existing, emerging,  
22 and new capabilities available to the Depart-  
23 ment of Defense in the development of the solu-  
24 tions described in subparagraph (B), including

1 by incenting and working with program man-  
2 agers of a covered Armed Force; and

3 (F) provide to the Deputy Secretary of De-  
4 fense mission management activity updates and  
5 reporting on the use of funds under the pilot  
6 program with respect to such mission.

7 (3) APPOINTMENT.—Each mission selected  
8 under subsection (b) shall have a mission manager—

9 (A) appointed at the time of mission ap-  
10 proval; and

11 (B) who may be from any suitable organi-  
12 zation, except that the mission manager with  
13 respect the initial mission under (b)(3) shall be  
14 the Director of the Strategic Capabilities Office.

15 (4) ITERATIVE APPROACH.—The mission man-  
16 ager shall, to the extent practicable, carry out the  
17 pilot program with respect to each mission selected  
18 under subsection (b) by integrating existing, emerg-  
19 ing, and new military capabilities, and managing a  
20 portfolio of small, iterative development and support  
21 to initial operational fielding efforts.

22 (5) OTHER PROGRAM MANAGEMENT RESPON-  
23 SIBILITIES.—The activities undertaken by the mis-  
24 sion manager with respect to a mission, including  
25 mission management, do not supersede or replace

1 the program management responsibilities of any  
2 other individual that are related to such missions.

3 (d) DATA COLLECTION REQUIREMENT.—The Deputy  
4 Secretary of Defense shall develop and implement a plan  
5 to collect and analyze data on the pilot program for the  
6 purposes of—

7 (1) developing and sharing best practices for  
8 applying emerging technology and supporting new  
9 operational concepts to improve outcomes on key  
10 military missions and operational challenges; and

11 (2) providing information to the leadership of  
12 the Department on the implementation of the pilot  
13 program and related policy issues.

14 (e) ASSESSMENTS.—During the five-year period be-  
15 ginning on the date of the enactment of this Act, the Dep-  
16 uty Secretary of Defense shall regularly assess—

17 (1) the authorities required by the mission  
18 managers to effectively and efficiently carry out the  
19 pilot program with respect to the missions selected  
20 under subsection (b); and

21 (2) whether the mission managers have access  
22 to sufficient funding to carry out the research, devel-  
23 opment, test, evaluation, and support to initial oper-  
24 ational fielding activities required to deliver solutions

1       fulfilling the critical cross-service, cross-program,  
2       and cross-domain operational needs of the missions.

3       (f) BRIEFINGS.—

4             (1) SEMIANNUAL BRIEFING.—

5                     (A) IN GENERAL.—Not later than July 1,  
6                     2022, and every six months thereafter until the  
7                     date that is five years after the date of the en-  
8                     actment of this Act, the mission manager shall  
9                     provide to the congressional defense committees  
10                    a briefing on the progress of the pilot program  
11                    with respect to each mission selected under sub-  
12                    section (b), the anticipated mission outcomes,  
13                    and the funds used to carry out the pilot pro-  
14                    gram with respect to such mission.

15                    (B) INITIAL BRIEFING.—The Deputy Sec-  
16                    retary of Defense shall include in the first brief-  
17                    ing submitted under subparagraph (A) a brief-  
18                    ing on the implementation of the pilot program,  
19                    including—

20                             (i) the actions taken to implement the  
21                             pilot program;

22                             (ii) an assessment of the pilot pro-  
23                             gram;

1 (iii) requests for Congress to provide  
2 authorities required to successfully carry  
3 out the pilot program; and

4 (iv) a description of the data plan re-  
5 quired under subsection (d).

6 (2) ANNUAL BRIEFING.—Not later than one  
7 year after the date on which the pilot program is es-  
8 tablished, and annually thereafter until the date that  
9 is five years after the date of the enactment of this  
10 Act, the Deputy Secretary of Defense shall submit  
11 to the congressional defense committees a briefing  
12 on the pilot program, including—

13 (A) the data collected and analysis per-  
14 formed under subsection (d);

15 (B) lessons learned;

16 (C) the priorities for future activities of  
17 the pilot program; and

18 (D) such other information as the Deputy  
19 Secretary determines appropriate.

20 (3) RECOMMENDATION.—Not later than two  
21 years after the date of the enactment of this Act, the  
22 Deputy Secretary of Defense shall submit to Con-  
23 gress a briefing on the recommendations of the Dep-  
24 uty Secretary with respect to the pilot program and  
25 shall concurrently submit to Congress—



1 (A) a written assessment of the pilot pro-  
2 gram;

3 (B) a written recommendation on con-  
4 tinuing or expanding the mission integration  
5 pilot program;

6 (C) requests for Congress to provide au-  
7 thorities required to successfully carry out the  
8 pilot program; and

9 (D) the data collected and analysis per-  
10 formed under subsection (d).

11 (g) TRANSITION.—Beginning in fiscal year 2025, the  
12 Deputy Secretary of Defense may transition responsibil-  
13 ities for research, development, test, evaluation, and sup-  
14 port to initial operational fielding activities started under  
15 the pilot program to other elements of the Department  
16 for purposes of delivering solutions fulfilling critical cross-  
17 service, cross-program, and cross-domain operational  
18 needs.

19 (h) TERMINATION DATE.—The pilot program shall  
20 terminate on the date that is five years after the date of  
21 the enactment of this Act.

22 (i) RULE OF CONSTRUCTION.—Nothing in this sec-  
23 tion shall be construed as providing any authority not oth-  
24 erwise provided by law to procure, or enter agreements  
25 to procure, any goods, materials, or services.

1 (j) DEFINITIONS.—In this section:

2 (1) COVERED ARMED FORCE.—The term “cov-  
3 ered Armed Force” means—

4 (A) the Army;

5 (B) the Navy;

6 (C) the Air Force;

7 (D) the Marine Corps; or

8 (E) the Space Force.

9 (2) CROSS-FUNCTIONAL TEAMS OF THE STRA-  
10 TEGIC CAPABILITIES OFFICE.—The term “Cross-  
11 Functional Teams of the Strategic Capabilities Of-  
12 fice” means the teams established in the Strategic  
13 Capabilities Office of the Department of Defense  
14 pursuant to section 233(b) of the National Defense  
15 Authorization Act for Fiscal Year 2020 (Public Law  
16 116–92; 133 Stat. 1277; 10 U.S.C. 132 note).

17 (3) CROSS-SERVICE.—The term “cross-service”  
18 means pertaining to multiple covered Armed Forces.

19 (4) CROSS-DOMAIN.—The term “cross-domain”  
20 means pertaining to multiple operational domains of  
21 land, maritime, air, space, and cyberspace.

22 (4) CROSS-SERVICE OPERATIONAL NEED.—The  
23 term “cross-service operational need” means an  
24 operational need arising from a mission undertaken

1 by a combatant command which involves multiple  
2 covered Armed Forces.

3 (5) DEFENSE AGENCY; MILITARY DEPART-  
4 MENT.—The terms “Defense Agency” and “military  
5 department” have the meanings given such terms in  
6 section 101(a) of title 10, United States Code.

7 (6) FIELD ACTIVITY.—The term “Field Activ-  
8 ity” has the meaning given the term “Department of  
9 Defense Field Activity” in section 101(a) of title 10,  
10 United States Code.

11 (7) MISSION MANAGEMENT.—The term “mis-  
12 sion management” means the integration of mate-  
13 riel, digital, and operational elements to improve de-  
14 fensive and offensive options and outcomes for a  
15 specific mission or operational challenge.

16 (8) PILOT PROGRAM.—The term “pilot pro-  
17 gram” means the pilot program established under  
18 subsection (a).

19 **SEC. 872. ESTABLISHMENT OF MISSION-ORIENTED PILOT**  
20 **PROGRAMS TO CLOSE SIGNIFICANT CAPA-**  
21 **BILITIES GAPS.**

22 (a) IN GENERAL.—The Secretary of Defense shall es-  
23 tablish, within the Strategic Capabilities Office of the Of-  
24 fice of the Secretary of Defense, not fewer than two mis-  
25 sion-oriented integration pilot programs with the objective

1 of closing significant capabilities gaps by developing and  
2 implementing capabilities and by synchronizing and inte-  
3 grating missions across covered Armed Forces and De-  
4 fense Agencies.

5 (b) ELEMENTS.—The pilot programs established  
6 under subsection (a) shall—

7 (1) seek to address specific outstanding oper-  
8 ational challenges of high importance to the oper-  
9 ational plans of the United States Indo-Pacific Com-  
10 mand and the United States European Command;

11 (2) be designed to leverage industry cost shar-  
12 ing by using sources such as private equity and ven-  
13 ture capital funding to develop technologies and  
14 overall capabilities that resolve significant capability  
15 gaps for delivery to the Department of Defense, as  
16 a product or as a service;

17 (3) not later than three years after the date on  
18 which the pilot program commences, demonstrate  
19 the efficacy of the solutions being developed under  
20 the pilot program;

21 (4) deliver an operational capability not later  
22 than five years after the pilot program commences;

23 (5) provide an operationally relevant solution  
24 for—

1 (A)(i) maintaining resilient aircraft oper-  
2 ations in and around Guam in the face of evol-  
3 ving regional threats, including large salvo su-  
4 personic and hypersonic missile threats; or

5 (ii) an operational challenge of similar  
6 strategic importance and relevance to the re-  
7 sponsibilities and plans of the United States  
8 Indo-Pacific Command or the United States  
9 European Command; and

10 (B)(i) providing a resilient logistic and re-  
11 supply capability in the face of evolving regional  
12 threats, including operations within an anti-ac-  
13 cess-area denial environment; or

14 (ii) an operational challenge of similar  
15 strategic importance and relevance to the re-  
16 sponsibilities and plans of the United States  
17 Indo-Pacific Command; and

18 (6) incorporate—

19 (A) existing and planned Department of  
20 Defense systems and capabilities to achieve mis-  
21 sion objectives; and

22 (B) to the extent practicable, technologies  
23 that have military applications and the potential  
24 for nonmilitary applications.

25 (c) ROLE OF STRATEGIC CAPABILITIES OFFICE.—

1           (1) IN GENERAL.—With respect to the pilot  
2 programs established under subsection (a), the Di-  
3 rector of the Strategic Capabilities Office, in con-  
4 sultation with the Under Secretary of Defense for  
5 Research and Engineering, shall—

6           (A) assign mission managers or program  
7 managers—

8           (i) to coordinate and collaborate with  
9 entities awarded contracts or agreements  
10 under the pilot program, parties to cost  
11 sharing agreements for such awarded con-  
12 tracts or agreements, combatant com-  
13 mands, and military departments to define  
14 mission requirements and solutions; and

15           (ii) to coordinate and monitor pilot  
16 program implementation;

17           (B) provide technical assistance for pilot  
18 program activities, including developing and im-  
19 plementing metrics, which shall be used—

20           (i) to assess each operational chal-  
21 lenge such pilot programs are addressing;  
22 and

23           (ii) to characterize the resilience of so-  
24 lutions being developed under the pilot pro-

1           grams to known threats and single points  
2           of failure;

3           (C) provide operational use case expertise  
4           to the entities awarded contracts or agreements  
5           under the pilot program and parties to cost  
6           sharing agreements for such awarded contracts  
7           or agreements;

8           (D) serve as the liaison between the Armed  
9           Forces, the combatant commanders, and the  
10          participants in the pilot programs; and

11          (E) use flexible acquisition practices and  
12          authorities, including—

13               (i) the authorities under section 2371  
14               and 2371b of title 10, United States Code;

15               (ii) payments for demonstrated  
16               progress;

17               (iii) authorities under the Defense  
18               Production Act of 1950 (50 U.S.C. 4501  
19               et seq.); and

20               (iv) other acquisition practices that  
21               support efficient and effective access to  
22               emerging technologies and capabilities, in-  
23               cluding technologies and capabilities from  
24               companies funded with private investment.

1           (2) REPORTS TO CONGRESS.—Not later than  
2           180 days after the date of the enactment of this Act,  
3           and every 180 days thereafter, the Director of the  
4           Strategic Capabilities Office shall submit to the con-  
5           gressional defense committees a report on the pilot  
6           programs.

7           (d) ADDITIONAL AUTHORITIES.—The Secretary of  
8           Defense shall assess authorities required for such mission  
9           managers and program managers to effectively and effi-  
10          ciently fulfill their responsibilities under the pilot pro-  
11          grams, including the delegation of personnel hiring and  
12          contracting authorities.

13          (e) DATA.—The Secretary of Defense shall establish  
14          mechanisms to collect and analyze data on the implemen-  
15          tation of the pilot programs for the purposes of—

16                (1) developing and sharing best practices for  
17                achieving goals established for the pilot programs;  
18                and

19                (2) providing information to the Secretary and  
20                the congressional defense committees on—

21                    (A) the implementation of the pilot pro-  
22                    grams; and

23                    (B) related policy issues.

24          (f) RECOMMENDATIONS.—Not later than two years  
25          after the date of the enactment of this Act, the Secretary



1 of Defense shall submit to the congressional defense com-  
2 mittees a recommendation with respect to continuing or  
3 expanding the pilot program.

4 (g) TRANSITION OF PILOT PROGRAM RESPONSIBIL-  
5 ITIES.—Beginning in fiscal year 2025, the Secretary may  
6 transition the responsibility for the pilot programs to an-  
7 other organization.

8 (h) DEFINITIONS.—In this section:

9 (1) COVERED ARMED FORCE.—The term “cov-  
10 ered Armed Force” means—

11 (A) the Army;

12 (B) the Navy;

13 (C) the Air Force;

14 (D) the Marine Corps; or

15 (E) the Space Force.

16 (2) DEFENSE AGENCY.—The term “Defense  
17 Agency” has the meaning given such term in section  
18 101(a) of title 10, United States Code.

19 (3) MISSION MANAGER.—The term “mission  
20 manager” means an individual that, with respect to  
21 a mission under a pilot program established under  
22 subsection (a), shall have the responsibilities de-  
23 scribed in subparagraphs (B) through (F) of section  
24 871(c)(2) of this Act.

1 **SEC. 873. INDEPENDENT STUDY ON ACQUISITION PRAC-**  
2 **TICES AND POLICIES.**

3 (a) STUDY REQUIRED.—Not later than March 30,  
4 2022, the Secretary of Defense shall enter into an agree-  
5 ment with a federally funded research and development  
6 center under which such center shall conduct a study on  
7 the acquisition practices and policies described in sub-  
8 section (b).

9 (b) STUDY ELEMENTS.—The study required under  
10 subsection (a) shall identify the knowledge and tools need-  
11 ed for the acquisition workforce of the Department of De-  
12 fense to—

13 (1) engage in acquisition planning practices  
14 that assess the cost, resource, and energy preserva-  
15 tion differences resulting from selecting environ-  
16 mentally preferable goods or services when identi-  
17 fying requirements or drafting statements of work;

18 (2) engage in acquisition planning practices  
19 that promote the acquisition of resilient and re-  
20 source-efficient goods and services and that support  
21 innovation in environmental technologies, includ-  
22 ing—

23 (A) technical specifications that establish  
24 performance levels for goods and services to di-  
25 minish greenhouse gas emissions;

1 (B) statements of work or specifications  
2 restricted to environmentally preferable goods  
3 or services where the quality, availability, and  
4 price is comparable to traditional goods or serv-  
5 ices;

6 (C) engaging in public-private partnerships  
7 to design, build, and fund resilient, low-carbon  
8 infrastructure;

9 (D) collaborating with local jurisdictions  
10 surrounding military installations, with a focus  
11 on reducing environmental costs; and

12 (E) technical specifications that consider  
13 risk to supply chains from extreme weather and  
14 changes in environmental conditions;

15 (3) employ source selection practices that pro-  
16 mote the acquisition of resilient and resource-effi-  
17 cient goods and services and that support innovation  
18 in environmental technologies, including—

19 (A) considering resilience, low-carbon, or  
20 low-toxicity criteria as competition factors on  
21 the basis of which the award is made in addi-  
22 tion to cost, past performance, and quality fac-  
23 tors;

24 (B) using accepted standards, emissions  
25 data, certifications, and labels to verify the en-

1            vironmental impact of a good or service and en-  
2            hance procurement efficiency;

3            (C) evaluating the veracity of certifications  
4            and labels purporting to convey information  
5            about the environmental impact of a good or  
6            service; and

7            (D) considering the costs of a good or serv-  
8            ice that will be incurred throughout its lifetime,  
9            including operating costs, maintenance, end of  
10           life costs, and residual value, including costs re-  
11           sulting from the carbon dioxide and other  
12           greenhouse gas emissions associated with the  
13           good or service; and

14           (4) consider external effects, including eco-  
15           nomic, environmental, and social, arising over the  
16           entire life cycle of an acquisition when making ac-  
17           quisition planning and source selection decisions.

18           (c) SUBMISSION TO DEPARTMENT OF DEFENSE.—  
19           Not later than one year after the date of the enactment  
20           of this Act, the federally funded research and development  
21           center that conducts the study under subsection (a) shall  
22           submit to the Secretary of Defense a report on the results  
23           of the study in an unclassified form but may include a  
24           classified annex.

1 (d) SUBMISSION TO CONGRESS.—Not later than 30  
2 days after the date on which the Secretary of Defense re-  
3 ceives the report under subsection (c), the Secretary shall  
4 submit to the congressional defense committees an  
5 unaltered copy along with any comments the Secretary  
6 may have with respect to the report.

7 (e) DEFINITIONS.—In this section:

8 (1) The term “environmentally preferable”,  
9 with respect to a good or service, means that the  
10 good or service has a lesser or reduced effect on  
11 human health and the environment when compared  
12 with competing goods or services that serve the same  
13 purpose or achieve the same or substantially similar  
14 result. The comparison may consider raw materials  
15 acquisition, production, manufacturing, packaging,  
16 distribution, reuse, operation, maintenance, or dis-  
17 posal of the good or service.

18 (2) The term “resource-efficient goods and  
19 services” means goods and services—

20 (A) that use fewer resources than com-  
21 peting goods and services to serve the same  
22 purposes or achieve the same or substantially  
23 similar result as such competing goods and  
24 services; and

1 (B) for which the negative environmental  
2 impacts across the full life cycle of such goods  
3 and services are minimized.

4 **SEC. 874. PILOT PROGRAM TO INCENTIVIZE CONTRACTING**  
5 **WITH EMPLOYEE-OWNED BUSINESSES.**

6 (a) QUALIFIED BUSINESS WHOLLY-OWNED  
7 THROUGH AN EMPLOYEE STOCK OWNERSHIP PLAN DE-  
8 FINED.—The term “qualified businesses wholly-owned  
9 through an Employee Stock Ownership Plan” means an  
10 S corporation (as defined in section 1361(a)(1) of the In-  
11 ternal Revenue Code of 1986) for which 100 percent of  
12 the outstanding stock is held through an employee stock  
13 ownership plan (as defined in section 4975(e)(7) of such  
14 Code).

15 (b) PILOT PROGRAM TO USE NONCOMPETITIVE PRO-  
16 CEDURES FOR CERTAIN FOLLOW-ON CONTRACTS TO  
17 QUALIFIED BUSINESSES WHOLLY-OWNED THROUGH AN  
18 EMPLOYEE STOCK OWNERSHIP PLAN.—

19 (1) ESTABLISHMENT.—The Secretary of De-  
20 fense may establish a pilot program to carry out the  
21 requirements of this section.

22 (2) FOLLOW-ON CONTRACTS.—Notwithstanding  
23 the requirements of section 2304 of title 10, United  
24 States Code, and with respect to a follow-on contract  
25 for the continued development, production, or provi-

1 sion of products or services that are the same as or  
2 substantially similar to the products or services pro-  
3 cured by the Department of Defense under a prior  
4 contract held by a qualified business wholly-owned  
5 through an Employee Stock Ownership Plan, the  
6 products or services to be procured under the follow-  
7 on contract may be procured by the Department of  
8 Defense through procedures other than competitive  
9 procedures if the performance of the qualified busi-  
10 ness wholly-owned through an Employee Stock Own-  
11 ership Plan on the prior contract was rated as satis-  
12 factory (or the equivalent) or better in the applicable  
13 past performance database.

14 (3) LIMITATION.—A qualified business wholly-  
15 owned through an Employee Stock Ownership Plan  
16 may have a single opportunity for award of a sole-  
17 source follow-on contract under this section, unless  
18 a senior contracting official (as defined in section  
19 1737 of title 10, United States Code) approves a  
20 waiver of the requirements of this section.

21 (c) VERIFICATION AND REPORTING OF QUALIFIED  
22 BUSINESSES WHOLLY-OWNED THROUGH AN EMPLOYEE  
23 STOCK OWNERSHIP PLAN.—Under a pilot program estab-  
24 lished under this section, the Secretary of Defense shall  
25 establish procedures—

1           (1) for businesses to verify status as a qualified  
2           businesses wholly-owned through an Employee Stock  
3           Ownership Plan for the purposes of this section by  
4           using existing Federal reporting mechanisms;

5           (2) for a qualified businesses wholly-owned  
6           through an Employee Stock Ownership Plan to cer-  
7           tify that not more than 50 percent of the amount  
8           paid under the contract will be expended on sub-  
9           contracts, subject to such necessary and reasonable  
10          waivers as the Secretary may prescribe; and

11          (3) to record information on each follow-on con-  
12          tract awarded under subsection (b), including details  
13          relevant to the nature of such contract and the  
14          qualified business wholly-owned through an Em-  
15          ployee Stock Ownership Plan that received such con-  
16          tract, and to provide such information to the Comp-  
17          troller General of the United States.

18          (d) DATA.—

19           (1) IN GENERAL.—If the Secretary of Defense  
20           establishes a pilot program under this section, the  
21           Secretary shall establish mechanisms to collect and  
22           analyze data on the pilot program for the purposes  
23           of—

24                   (A) developing and sharing best practices  
25                   relating to the pilot program;



1 (B) providing information to leadership  
2 and the congressional defense committees on  
3 the pilot program, including with respect to  
4 each qualified business wholly-owned through  
5 an Employee Stock Ownership Plan that re-  
6 ceived a follow-on contract under this section—

7 (i) the size of such business;

8 (ii) performance of the follow-on con-  
9 tract; and

10 (iii) other information as determined  
11 necessary; and

12 (C) providing information to leadership  
13 and the congressional defense committees on  
14 policy issues related to the pilot program.

15 (2) LIMITATION.—The Secretary of Defense  
16 may not carry out the pilot program under this sec-  
17 tion before—

18 (A) completing a data collection and re-  
19 porting strategy and plan to meet the require-  
20 ments of this subsection; and

21 (B) submitting the strategy and plan to  
22 the congressional defense committees.

23 (e) SUNSET.—Any pilot program established under  
24 this section shall expire on the date that is five years after  
25 the date of the enactment of this Act.

1 (f) COMPTROLLER GENERAL REPORT.—

2 (1) IN GENERAL.—Not later than three years  
3 after the date of the enactment of this Act, the  
4 Comptroller General of the United States shall sub-  
5 mit to Congress a report on any individual and ag-  
6 gregate uses of the authority under a pilot program  
7 established under this section.

8 (2) ELEMENTS.—The report under paragraph  
9 (1) shall include the following elements:

10 (A) An assessment of the frequency and  
11 nature of the use of the authority under the  
12 pilot program.

13 (B) An assessment of the impact of the  
14 pilot program in supporting the national de-  
15 fense strategy required under section 113(g) of  
16 title 10, United States Code.

17 (C) The number of businesses that became  
18 qualified businesses wholly-owned through an  
19 Employee Stock Ownership Plan in order to  
20 benefit from the pilot program and the factors  
21 that influenced that decision.

22 (D) Acquisition authorities that could  
23 incentivize businesses to become qualified busi-  
24 nesses wholly-owned through an Employee

1 Stock Ownership Plan, including an extension  
2 of the pilot program.

3 (E) Any related matters the Comptroller  
4 General considers appropriate.

5 **SEC. 875. GUIDANCE, TRAINING, AND REPORT ON PLACE OF**  
6 **PERFORMANCE CONTRACT REQUIREMENTS.**

7 (a) GUIDANCE AND TRAINING.—Not later than July  
8 1, 2022, the Secretary of Defense shall—

9 (1) issue guidance on covered contracts to en-  
10 sure that, to the maximum extent practicable, the  
11 terms of such covered contract avoid specifying an  
12 unnecessarily restrictive place of performance for  
13 such covered contract; and

14 (2) implement any necessary training for appro-  
15 priate individuals relating to the guidance required  
16 under paragraph (1).

17 (b) REPORT.—

18 (1) IN GENERAL.—Not later than July 1, 2022,  
19 the Secretary of Defense shall submit to the con-  
20 gressional defense committees a report on covered  
21 contracts.

22 (2) ELEMENTS.—The report required under  
23 paragraph (1) shall include the following elements:

24 (A) A description of the criteria that is  
25 considered when the Secretary specifies a par-

1            ticular place of performance in a covered con-  
2            tract.

3            (B) The number of covered contracts  
4            awarded during each of fiscal years 2016  
5            through 2020.

6            (C) An assessment of the extent to which  
7            revisions to guidance or regulations related to  
8            the use of covered contracts could improve the  
9            effectiveness and efficiency of the Department  
10           of Defense, including a description of such revi-  
11           sions.

12           (c) COVERED CONTRACT DEFINED.—In this section,  
13           the term “covered contract” means a contract for which  
14           the Secretary of Defense specifies the place of perform-  
15           ance for such contract.

16           **SEC. 876. NOTIFICATION OF CERTAIN INTERGOVERN-**  
17           **MENTAL SUPPORT AGREEMENTS.**

18           (a) NOTIFICATION REQUIRED.—During fiscal years  
19           2022 and 2023, not less than 60 days before entering into  
20           an intergovernmental support agreement under section  
21           2679 of title 10, United States Code, that is an exception  
22           to the requirements of chapter 85 of title 41, United  
23           States Code, the Secretary concerned shall submit, in writ-  
24           ing, to the congressional defense committees a report in-  
25           cluding the following relating to such agreement:

1           (1) The circumstances that resulted in the need  
2           to enter into an intergovernmental support agree-  
3           ment that included such exception.

4           (2) The anticipated benefits of entering into  
5           such agreement that included such exception.

6           (3) The anticipated impact on persons covered  
7           under such chapter 85 because of such exception.

8           (4) The extent to which such agreement com-  
9           plies with applicable policies, directives, or other  
10          guidance of the Department of Defense.

11         (b) RECOMMENDATIONS.—

12           (1) IN GENERAL.—The Secretary of Defense  
13           shall submit to the congressional defense commit-  
14           tees, along with the budget request materials for fis-  
15           cal year 2023, specific recommendations for modi-  
16           fications to the legislative text of subsection (a)(1)  
17           of section 2679 of title 10, United States Code,  
18           along with a rationale for any such modifications, to  
19           identify specific provisions of Federal contracting  
20           law appropriate for waiver or exemption to ensure  
21           effective use of intergovernmental support agree-  
22           ments under such section.

23           (2) BUDGET REQUEST MATERIALS DEFINED.—  
24           In this subsection, the term “budget request mate-  
25           rials” means the materials submitted to Congress by

1 the President under section 1105(a) of title 31,  
2 United States Code.

3 (c) BRIEFING REQUIRED.—Not later than 6 months  
4 after the date of enactment of this Act the Secretary of  
5 Defense shall provide to the congressional defense commit-  
6 tees a briefing on activities taken to carry out the require-  
7 ments of this section.

8 (d) POLICY REQUIRED.—Not later than one year  
9 after the date of the enactment of this Act, the Secretary  
10 of Defense shall issue guidance to clarify the use of the  
11 authority under section 2679 of title 10, United States  
12 Code, including with respect to—

13 (1) the application of other requirements of ac-  
14 quisition law and policy; and

15 (2) chapter 85 of title 41, United States Code.

16 (e) SECRETARY CONCERNED DEFINED.—In this sec-  
17 tion, the term “Secretary concerned” means—

18 (1) the Secretary of the Army, with respect to  
19 matters concerning the Army;

20 (2) the Secretary of the Navy, with respect to  
21 matters concerning the Navy and the Marine Corps;  
22 and

23 (3) the Secretary of the Air Force, with respect  
24 to matters concerning the Air Force and the Space  
25 Force.

1 **SEC. 877. REPORT ON REQUESTS FOR EQUITABLE ADJUST-**  
2 **MENT IN DEPARTMENT OF THE NAVY.**

3 (a) REPORT REQUIRED.—Not later than 60 days  
4 after the date of the enactment of this Act, the Secretary  
5 of the Navy shall submit to the congressional defense com-  
6 mittees a report describing in detail the processing of re-  
7 quests for equitable adjustment by the Department of the  
8 Navy between October 1, 2011, and the date of the enact-  
9 ment of this Act, including progress by components within  
10 the Department of the Navy in complying with the covered  
11 directive.

12 (b) CONTENTS.—The report required under sub-  
13 section (a) shall include, at a minimum, the following:

14 (1) The number of requests for equitable ad-  
15 justment submitted between October 1, 2011, and  
16 the date of the enactment of this Act.

17 (2) The components within the Department of  
18 the Navy to which each such request was submitted.

19 (3) The number of requests for equitable ad-  
20 justment outstanding as of the date of the enact-  
21 ment of this Act.

22 (4) The number of requests for equitable ad-  
23 justment settled but not paid as of the date of the  
24 enactment of this Act, including a description of why  
25 each such request has not been paid.

1           (5) A detailed explanation of the efforts by the  
2           Secretary of the Navy to ensure compliance of com-  
3           ponents within the Department of the Navy with the  
4           covered directive.

5           (c) COVERED DIRECTIVE DEFINED.—In this section,  
6           the term “covered directive” means the directive of the  
7           Assistant Secretary of the Navy for Research, Develop-  
8           ment, and Acquisition, dated March 20, 2020, and titled  
9           “(Intent and Direction) Withholds and Retentions During  
10          COVID-19” requiring—

11           (1) payment to contractors of all settled re-  
12          quests for equitable adjustment; and

13           (2) the expeditious resolution of all outstanding  
14          requests for equitable adjustment.

15   **SEC. 878. MILITARY STANDARDS FOR ARMOR MATERIALS**  
16                                   **IN VEHICLE SPECIFICATIONS.**

17          (a) IN GENERAL.—Not later than June 30, 2022, the  
18          Secretary of the Army shall establish technical specifica-  
19          tion standards for all metal and non-metal armor for in-  
20          corporation into specifications for current and future ar-  
21          mored vehicles developed or procured by the Department  
22          of the Army.

23          (b) REPORT REQUIRED.—

24           (1) IN GENERAL.—On the date on which the  
25          standards described in subsection (a) are established



1 under such subsection, the Secretary of the Army  
2 shall submit to the congressional defense committees  
3 a report describing—

4 (A) the establishment of such standards;

5 and

6 (B) the strategy for incorporating such  
7 standards as requirements for armored vehicles  
8 developed and procured by the Department of  
9 the Army.

10 (2) FORM.—The report required by paragraph

11 (1) shall be in an unclassified form, but may include  
12 a classified annex.

13 (c) ARMORED VEHICLE DEFINED.—For purposes of  
14 this section, the term “armored vehicle” means a tracked  
15 or wheeled tactical vehicle incorporating armor in its man-  
16 ufacture.

17 **TITLE IX—DEPARTMENT OF DE-**  
18 **FENSE ORGANIZATION AND**  
19 **MANAGEMENT**

Sec. 901. Change in eligibility requirements for appointment to certain Department of Defense leadership positions.

Sec. 902. Clarification of treatment of Office of Local Defense Community Cooperation as a Department of Defense Field Activity.

Sec. 903. Enhanced role of the Under Secretary of Defense for Research and Engineering on the Joint Requirements Oversight Council.

Sec. 904. Implementation of repeal of Chief Management Officer of the Department of Defense.

Sec. 905. Space Force organizational matters and modification of certain space-related acquisition authorities.

Sec. 906. Assignments for participants in the John S. McCain Strategic Defense Fellows Program.

- Sec. 907. Designation of senior official for implementation of Electromagnetic Spectrum Superiority Strategy.
- Sec. 908. Management innovation activities.
- Sec. 909. Digital talent recruiting officer.
- Sec. 910. Cross-functional team for emerging threat relating to anomalous health incidents.
- Sec. 911. Alignment of Close Combat Lethality Task Force.
- Sec. 912. Independent review of and report on the Unified Command Plan.
- Sec. 913. Study and report on the role and organization of space assets in the reserve components.

1 **SEC. 901. CHANGE IN ELIGIBILITY REQUIREMENTS FOR AP-**  
2 **POINTMENT TO CERTAIN DEPARTMENT OF**  
3 **DEFENSE LEADERSHIP POSITIONS.**

4 (a) SECRETARY OF DEFENSE.—Subsection (a) of  
5 section 113 of title 10, United States Code, is amended  
6 to read as follows:

7 “(a)(1) There is a Secretary of Defense, who is the  
8 head of the Department of Defense, appointed from civil-  
9 ian life by the President, by and with the advice and con-  
10 sent of the Senate.

11 “(2) A person may not be appointed as Secretary of  
12 Defense—

13 “(A) within seven years after relief from active  
14 duty as a commissioned officer of a regular compo-  
15 nent of an armed force in a grade below O–7; or

16 “(B) within 10 years after relief from active  
17 duty as a commissioned officer of a regular compo-  
18 nent of an armed force in the grade of O–7 or  
19 above.”.

1 (b) ASSISTANT SECRETARY OF DEFENSE FOR SPE-  
2 CIAL OPERATIONS AND LOW INTENSITY CONFLICT.—Sec-  
3 tion 138(b)(2)(A) of title 10, United States Code, is  
4 amended by inserting after the third sentence the fol-  
5 lowing: “A person may not be appointed as Assistant Sec-  
6 retary within seven years after relief from active duty as  
7 a commissioned officer of a regular component of an  
8 armed force.”.

9 (c) SECRETARY OF THE ARMY.—Section 7013(a)(2)  
10 of title 10, United States Code, is amended by striking  
11 “five” and inserting “seven”.

12 (d) SECRETARY OF THE NAVY.—Section 8013(a)(2)  
13 of title 10, United States Code, is amended by striking  
14 “five” and inserting “seven”.

15 (e) SECRETARY OF THE AIR FORCE.—Section  
16 9013(a)(2) of title 10, United States Code, is amended  
17 by striking “five” and inserting “seven”.

18 (f) TECHNICAL CORRECTIONS RELATING TO OTHER  
19 POSITIONS.—

20 (1) UNDER SECRETARY OF DEFENSE (COMP-  
21 TROLLER).—Section 135(a)(1) of title 10, United  
22 States Code, is amended by striking “the armed  
23 forces” and inserting “an armed force”.

24 (2) UNDER SECRETARY OF DEFENSE FOR PER-  
25 SONNEL AND READINESS.—Section 136(a) of title

1       10, United States Code, is amended by striking “the  
2       armed forces” and inserting “an armed force”.

3           (3) UNDER SECRETARY OF DEFENSE FOR IN-  
4       TELLIGENCE AND SECURITY.—Section 137(a) of  
5       title 10, United States Code, is amended by striking  
6       “the armed forces” and inserting “an armed force”.

7       (g) APPLICABILITY.—The amendments made by sub-  
8       sections (a) through (e) shall apply with respect to ap-  
9       pointments made on or after the date of the enactment  
10      of this Act.

11   **SEC. 902. CLARIFICATION OF TREATMENT OF OFFICE OF**  
12                   **LOCAL DEFENSE COMMUNITY COOPERATION**  
13                   **AS A DEPARTMENT OF DEFENSE FIELD AC-**  
14                   **TIVITY.**

15       (a) TREATMENT OF OFFICE OF LOCAL DEFENSE  
16      COMMUNITY COOPERATION AS A DEPARTMENT OF DE-  
17      FENSE FIELD ACTIVITY.—

18           (1) TRANSFER TO CHAPTER 8.—Section 146 of  
19       title 10, United States Code, is transferred to sub-  
20       chapter I of chapter 8 of such title, inserted after  
21       section 197, and redesignated as section 198.

22           (2) TREATMENT AS DEPARTMENT OF DEFENSE  
23       FIELD ACTIVITY.—Section 198(a) of such title, as  
24       transferred and redesignated by subsection (a) of  
25       this subsection, is amended—

1 (A) by striking “in the Office of the Sec-  
2 retary of Defense an office to be known as the”  
3 and inserting “in the Department of Defense  
4 an”; and

5 (B) by adding at the end the following:  
6 “The Secretary shall designate the Office as a  
7 Department of Defense Field Activity pursuant  
8 to section 191, effective as of the date of the  
9 enactment of the William M. (Mac) Thornberry  
10 National Defense Authorization Act for Fiscal  
11 Year 2021 (Public Law 116–283).”.

12 (3) APPOINTMENT OF DIRECTOR.—Such section  
13 198 is further amended—

14 (A) in subsection (b) in the matter pre-  
15 ceeding paragraph (1), by striking “Under Sec-  
16 retary of Defense for Acquisition and  
17 Sustainment” and inserting “Secretary of De-  
18 fense”; and

19 (B) in subsection (c)(4), by striking  
20 “Under Secretary of Defense for Acquisition  
21 and Sustainment” and inserting “Secretary”.

22 (4) CLERICAL AMENDMENTS.—

23 (A) CHAPTER 4.—The table of sections at  
24 the beginning of chapter 4 of title 10, United

1 States Code, is amended by striking the item  
2 relating to section 146.

3 (B) CHAPTER 8.—The table of sections at  
4 the beginning of subtitle I of chapter 8 of such  
5 title is amended by inserting after the item re-  
6 lating to section 197 the following new item:

“198. Office of Local Defense Community Cooperation.”.

7 (b) LIMITATION ON INVOLUNTARY SEPARATION OF  
8 PERSONNEL.—No personnel of the Office of Local De-  
9 fense Community Cooperation under section 198 of title  
10 10, United States Code (as added by subsection (a)), may  
11 be involuntarily separated from service with that Office  
12 during the one-year period beginning on the date of the  
13 enactment of this Act, except for cause.

14 (c) ADMINISTRATION OF PROGRAMS.—Any program,  
15 project, or other activity administered by the Office of  
16 Economic Adjustment of the Department of Defense as  
17 of the date of the enactment of the William M. (Mac)  
18 Thornberry National Defense Authorization Act for Fiscal  
19 Year 2021 (Public Law 116–283) shall be administered  
20 by the Office of Local Defense Community Cooperation  
21 under section 198 of title 10, United States Code (as  
22 added by subsection (a)).

23 (d) CONFORMING REPEAL.—Section 905 of the Wil-  
24 liam M. (Mac) Thornberry National Defense Authoriza-

1 tion Act for Fiscal Year 2021 (Public Law 116–283) is  
2 repealed.

3 **SEC. 903. ENHANCED ROLE OF THE UNDER SECRETARY OF**  
4 **DEFENSE FOR RESEARCH AND ENGINEERING**  
5 **ON THE JOINT REQUIREMENTS OVERSIGHT**  
6 **COUNCIL.**

7 (a) IN GENERAL.—Section 181 of title 10, United  
8 States Code, is amended—

9 (1) in subsection (b)—

10 (A) by redesignating paragraphs (2)  
11 through (6) as paragraphs (3) through (7), re-  
12 spectively; and

13 (B) by inserting after paragraph (1) the  
14 following new paragraph:

15 “(2) increasing awareness of global trends,  
16 threats, and adversary capabilities to address gaps  
17 in joint military capabilities and validate joint re-  
18 quirements developed by the military departments;”;  
19 and

20 (2) in subsection (d)(1)(D), by striking the pe-  
21 riod at the end and inserting the following: “who  
22 shall serve as the Chief Technical Advisor to the  
23 Council and—

1           “(i) shall provide assistance in evalu-  
2           ating the technical feasibility of require-  
3           ments under development; and

4           “(ii) shall identify options for expand-  
5           ing or generating new requirements based  
6           on opportunities provided by new or  
7           emerging technologies.”.

8           (b) INDEPENDENT STUDY.—

9           (1) STUDY REQUIRED.—The Secretary of De-  
10          fense shall enter into an agreement with a covered  
11          entity to conduct an independent study assessing the  
12          role of the Under Secretary of Defense for Research  
13          and Engineering on the Joint Requirements Over-  
14          sight Council.

15          (2) ELEMENTS.—The study required by para-  
16          graph (1) shall include the following:

17                (A) The current role and contribution of  
18                the Under Secretary of Defense for Research  
19                and Engineering to the Joint Requirements  
20                Oversight Council.

21                (B) The extent to which the role of the  
22                Under Secretary on the Joint Requirements  
23                Oversight Council should be adjusted to further  
24                maximize Council outcomes as well as the addi-



1           tional resources, if any, such adjustments would  
2           require.

3           (C) The extent to which the Under Sec-  
4           retary of Defense should provide additional  
5           views and recommendations on Joint Require-  
6           ments Oversight Council preparations, delibera-  
7           tions, and outcomes.

8           (D) Such other matters as the Secretary of  
9           Defense determines to be appropriate

10          (3) SUBMISSION TO CONGRESS.—Not later than  
11          December 31, 2022, the Secretary shall submit to  
12          the congressional defense committees the results of  
13          the study required by paragraph (1).

14          (4) FORM.—The study required by paragraph  
15          (1) shall be submitted in unclassified form but may  
16          include a classified annex.

17          (5) COVERED ENTITY DEFINED.—In this sub-  
18          section, the term “covered entity” means—

19                (A) a federally funded research and devel-  
20                opment center; or

21                (B) an independent, nongovernmental or-  
22                ganization, described under section 501(c)(3) of  
23                the Internal Revenue Code of 1986 and which  
24                is exempt from taxation under section 501(a) of  
25                such Code, which has recognized credentials

1           and expertise in national security and military  
2           affairs.

3           (c) REPORT ON THE ROLE OF THE UNDER SEC-  
4   RETARY OF DEFENSE FOR RESEARCH AND ENGINEERING  
5   IN THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.—

6           (1) IN GENERAL.—Not later than March 1,  
7   2023, the Secretary of Defense, in consultation with  
8   the Chairman of the Joint Chiefs of Staff and the  
9   Under Secretary of Defense for Research and Engi-  
10  neering, shall submit to the congressional defense  
11  committees a report on the recommendations of the  
12  Secretary of Defense on the extent to which adjust-  
13  ments to the role of the Under Secretary of Defense  
14  for Research and Engineering on the Joint Require-  
15  ments Oversight Council are warranted. The report  
16  shall include—

17           (A) consideration of the findings of the  
18           study required by subsection (b);

19           (B) the rationale for recommendations of  
20           the Secretary of Defense; and

21           (C) a description of additional resources  
22           that may be required to support those rec-  
23           ommendations.

1           (2) ADDITIONAL INPUT.—The report may also  
2           include input from each member or advisor of the  
3           Joint Requirements Oversight Council.

4 **SEC. 904. IMPLEMENTATION OF REPEAL OF CHIEF MAN-**  
5 **AGEMENT OFFICER OF THE DEPARTMENT OF**  
6 **DEFENSE.**

7           Section 901(b)(1) of the William M. (Mac) Thorn-  
8           berry National Defense Authorization Act for Fiscal Year  
9           2021 (Public Law 116–283) is amended by striking “, ex-  
10          cept that any officer or employee so designated may not  
11          be an individual who served as the Chief Management Of-  
12          ficer before the date of the enactment of this Act”.

13 **SEC. 905. SPACE FORCE ORGANIZATIONAL MATTERS AND**  
14 **MODIFICATION OF CERTAIN SPACE-RELATED**  
15 **ACQUISITION AUTHORITIES.**

16          (a) IMPLEMENTATION DATE FOR SERVICE ACQUISI-  
17          TION EXECUTIVE OF THE DEPARTMENT OF THE AIR  
18          FORCE FOR SPACE SYSTEMS AND PROGRAMS.—

19               (1) IMPLEMENTATION DATE.—Section 957 of  
20               the National Defense Authorization Act for Fiscal  
21               Year 2020 (Public Law 116–92; 10 U.S.C. 9016  
22               note) is amended—

23                       (A) in subsection (a), by striking “Effec-  
24                       tive October 1, 2022, there shall be” and insert-

1           ing “Effective on the date specified in sub-  
2           section (d), there shall be”;

3           (B) in subsection (b)—

4           (i) in paragraph (1), by striking “Ef-  
5           fective as of October 1, 2022,” and insert-  
6           ing “Effective as of the date specified in  
7           subsection (d)”;

8           (ii) in paragraph (2), by striking “as  
9           of October 1, 2022,” and inserting “as of  
10          the date specified in subsection (d)”;

11          (C) in subsection (c)(3), by striking “Octo-  
12          ber 1, 2022” and inserting “the date specified  
13          in subsection (d)”;

14          (D) by adding at the end the following new  
15          subsection:

16          “(d) DATE SPECIFIED.—The date specified in this  
17          subsection is a date determined by the Secretary of the  
18          Air Force that is not later than October 1, 2022.”.

19          (2) CONFORMING AMENDMENTS.—

20          (A) TRANSFER OF ACQUISITION PROJECTS  
21          FOR SPACE SYSTEMS AND PROGRAMS.—Section  
22          956(b)(3) of the National Defense Authoriza-  
23          tion Act for Fiscal Year 2020 (Public Law  
24          116–92; 10 U.S.C. 9016 note) is amended—

1 (i) by striking “Effective October 1,  
2 2022,” and inserting “Effective on the  
3 date specified in section 957(d),”; and

4 (ii) by striking “as of September 30,  
5 2022” and inserting “as of the day before  
6 the date specified in section 957(d)”.

7 (B) RESPONSIBILITIES OF ASSISTANT SEC-  
8 RETARY OF THE AIR FORCE FOR SPACE ACQUI-  
9 SITION AND INTEGRATION.—Section  
10 9016(b)(6)(B)(vi) of title 10, United States  
11 Code, is amended by striking “Effective as of  
12 October 1, 2022, in accordance with section  
13 957 of that Act,” and inserting “Effective as of  
14 the date specified in section 957(d) of such Act,  
15 and in accordance with such section 957,”.

16 (b) SENIOR PROCUREMENT EXECUTIVE AUTHORI-  
17 TIES.—

18 (1) OFFICE OF THE SECRETARY OF THE AIR  
19 FORCE.—Section 9014(c) of title 10, United States  
20 Code, is amended—

21 (A) in paragraph (2), by striking “The  
22 Secretary of the Air Force shall” and inserting  
23 “Subject to paragraph (6), the Secretary of the  
24 Air Force shall”; and

1 (B) by inserting after paragraph (5) the  
2 following new paragraph:

3 “(6) Notwithstanding section 1702 of title 41, the  
4 Secretary of the Air Force may assign to the Assistant  
5 Secretary of the Air Force for Space Acquisition and Inte-  
6 gration duties and authorities of the senior procurement  
7 executive that pertain to space systems and programs.”.

8 (2) ASSISTANT SECRETARIES OF THE AIR  
9 FORCE.—Section 9016(b)(6)(B)(vi) of title 10,  
10 United States Code, as amended by subsection  
11 (a)(2)(B) of this section, is further amended by in-  
12 serting “and discharge any senior procurement exec-  
13 utive duties and authorities assigned by the Sec-  
14 retary of the Air Force pursuant to section  
15 9014(c)(6) of this title” after “Space Systems and  
16 Programs”.

17 **SEC. 906. ASSIGNMENTS FOR PARTICIPANTS IN THE JOHN**  
18 **S. MCCAIN STRATEGIC DEFENSE FELLOWS**  
19 **PROGRAM.**

20 Section 932(e) of the John S. McCain National De-  
21 fense Authorization Act for Fiscal Year 2019 (Public Law  
22 115–232; 10 U.S.C. 1580 note prec.) is amended—

23 (1) in paragraph (2)—

24 (A) by striking “and each Under Secretary  
25 of Defense and Director of a Defense Agency

1 who reports directly to the Secretary of De-  
2 fense,” and inserting “, each Under Secretary  
3 of Defense, and other officials, as designated by  
4 the Secretary of Defense, within the Office of  
5 the Secretary of Defense (as defined in section  
6 131 of title 10, United States Code) who report  
7 directly to the Secretary of Defense”; and

8 (B) by striking “or Director” and inserting  
9 “or official within the Office of the Secretary of  
10 Defense”;

11 (2) in paragraph (3)—

12 (A) by striking “Under Secretaries and Di-  
13 rectors” and inserting “Under Secretaries of  
14 Defense and other officials within the Office of  
15 the Secretary of Defense”; and

16 (B) by striking “Under Secretary, or Di-  
17 rector” and inserting “Under Secretary of De-  
18 fense, or other official within the Office of the  
19 Secretary of Defense”; and

20 (3) in paragraph (7), by striking “shall be on  
21 a first-come, first-served basis” and inserting “may  
22 require a minimum service agreement, as determined  
23 by the Secretary”.

1 **SEC. 907. DESIGNATION OF SENIOR OFFICIAL FOR IMPLE-**  
2 **MENTATION OF ELECTROMAGNETIC SPEC-**  
3 **TRUM SUPERIORITY STRATEGY.**

4 (a) REQUIREMENTS.—Section 1053 of the John S.  
5 McCain National Defense Authorization Act for Fiscal  
6 Year 2019 (Public Law 116–283; 10 U.S.C. 113 note) is  
7 amended by adding at the end the following new sub-  
8 section:

9 “(f) ELECTROMAGNETIC SPECTRUM SUPERIORITY  
10 STRATEGY.—

11 “(1) DESIGNATION.—

12 “(A) REQUIREMENT.—Not later than 60  
13 days after the date of the enactment of the Na-  
14 tional Defense Authorization Act for Fiscal  
15 Year 2022, the Secretary of Defense shall des-  
16 ignate a senior official of the Department of  
17 Defense to be responsible for, and accountable  
18 to the Secretary with respect to, the implemen-  
19 tation of the electromagnetic spectrum superi-  
20 ority strategy. The Secretary shall designate the  
21 senior official from among individuals who are  
22 appointed to a position in the Department by  
23 the President, by and with the advice and con-  
24 sent of the Senate.

25 “(B) CONDITIONS RELATING TO DESIGNA-  
26 TION OF CHIEF INFORMATION OFFICER.—



1           “(i) CERTIFICATION.—The Secretary  
2           may not designate the Chief Information  
3           Officer of the Department of Defense as  
4           the senior official under subparagraph (A)  
5           unless the Secretary has first included in  
6           the report under paragraph (3)(A) a cer-  
7           tification that the Chief Information Offi-  
8           cer has the expertise, authority, funding,  
9           and personnel to ensure the successful im-  
10          plementation of the electromagnetic spec-  
11          trum superiority strategy.

12          “(ii) CAPE ASSESSMENT.—If the Sec-  
13          retary designates the Chief Information  
14          Officer of the Department of Defense as  
15          the senior official under subparagraph (A),  
16          not later than 180 days after the date of  
17          the enactment of the National Defense Au-  
18          thorization Act for Fiscal Year 2022, the  
19          Director of Cost Assessment and Program  
20          Evaluation shall submit to the congres-  
21          sional defense committees an evaluation of  
22          the ability of the Chief Information Officer  
23          to ensure the successful implementation of  
24          the electromagnetic spectrum superiority  
25          strategy, including, at a minimum, an eval-

1                   uation of the expertise, authority, funding,  
2                   and personnel of the Chief Information Of-  
3                   ficer.

4                   “(2) RESPONSIBILITIES.—The senior official  
5                   designated under paragraph (1)(A) shall be respon-  
6                   sible for the following:

7                   “(A) Oversight of policy, strategy, plan-  
8                   ning, resource management, operational consid-  
9                   erations, personnel, and technology development  
10                  necessary to implement the electromagnetic  
11                  spectrum superiority strategy.

12                  “(B) Evaluating whether the amount that  
13                  the Department of Defense expends on electro-  
14                  magnetic warfare and electromagnetic spectrum  
15                  operations capabilities is properly aligned.

16                  “(C) Evaluating whether the Department  
17                  is effectively incorporating electromagnetic spec-  
18                  trum operations capabilities and considerations  
19                  into current and future operational plans and  
20                  concepts.

21                  “(D) Such other matters relating to elec-  
22                  tromagnetic spectrum operations as the Sec-  
23                  retary specifies for purposes of this paragraph.

24                  “(3) REPORTS.—

1           “(A) IMPLEMENTATION REPORT.—Not  
2 later than 60 days after the date of the enact-  
3 ment of the National Defense Authorization Act  
4 for Fiscal Year 2022, the Secretary shall sub-  
5 mit to the congressional defense committees a  
6 report on the implementation of the Electro-  
7 magnetic Spectrum Superiority Strategy pub-  
8 lished in October 2020, including—

9           “(i) an evaluation of the additional  
10 personnel, resources, and authorities the  
11 Secretary determines will be needed by the  
12 senior official designated under paragraph  
13 (1)(A) who is responsible for implementing  
14 the electromagnetic spectrum superiority  
15 strategy; and

16           “(ii) a description of how the Sec-  
17 retary will ensure that such implementa-  
18 tion will be successful.

19           “(B) RULES OF ENGAGEMENT REPORT.—  
20 Not later than 270 days after the date of the  
21 National Defense Authorization Act for Fiscal  
22 Year 2022, the Secretary shall submit to the  
23 congressional defense committees a report that  
24 includes the following:

1           “(i) A review of the sufficiency of the  
2           authorities and rules of engagement of the  
3           Department of Defense relating to electro-  
4           magnetic spectrum operations, in par-  
5           ticular with respect to operating below the  
6           level of armed conflict short of or in ad-  
7           vance of kinetic activity and to protect the  
8           Department from electronic attack and dis-  
9           ruption.

10           “(ii) Recommended changes to the au-  
11           thorities or rules of engagement to ensure  
12           the Department can effectively compete,  
13           deter conflict, and maintain protection  
14           from electronic attack and disruption.

15           “(iii) Any other matters the Secretary  
16           determines relevant.

17           “(4) SEMIANNUAL BRIEFINGS.—On a semi-  
18           annual basis during the five-year period beginning  
19           on the date of the enactment of the National De-  
20           fense Authorization Act for Fiscal Year 2022, the  
21           Secretary shall provide to the congressional defense  
22           committees a briefing on the status of the implemen-  
23           tation of the electromagnetic spectrum superiority  
24           strategy. Each briefing shall include, at a minimum,  
25           the following:

1           “(A) An update on the efforts of the De-  
2           partment of Defense to—

3                   “(i) achieve the strategic goals set out  
4                   in the electromagnetic spectrum superiority  
5                   strategy; and

6                   “(ii) implement such strategy through  
7                   various elements of the Department.

8           “(B) An identification of any additional  
9           authorities or resources relating to electro-  
10          magnetic spectrum operations that the Sec-  
11          retary determines is necessary to implement the  
12          strategy.

13          “(5) ELECTROMAGNETIC SPECTRUM SUPERI-  
14          ORITY STRATEGY DEFINED.—In this subsection, the  
15          term ‘electromagnetic spectrum superiority strategy’  
16          means the Electromagnetic Spectrum Superiority  
17          Strategy of the Department of Defense published in  
18          October 2020, and any such successor strategy.”.

19          (b) CLARIFICATION OF CROSS-FUNCTIONAL TEAM  
20          PLANS.—Subsection (d)(2) of such section is amended by  
21          striking “biennially thereafter” and inserting “biennially  
22          thereafter during the life of the cross-functional team es-  
23          tablished pursuant to subsection (c)”.

24          (c) TRANSFER OF CERTAIN PROVISION.—Section  
25          152 of the William M. (Mac) Thornberry National De-

1 fense Authorization Act for Fiscal Year 2021 (Public Law  
2 116–283) is—

3 (1) amended—

4 (A) in subsection (a), by striking “two  
5 years after the date of the enactment of this  
6 Act and in accordance with the plan developed  
7 pursuant to subsection (b)” and inserting “Jan-  
8 uary 1, 2023, and in accordance with the plan  
9 developed pursuant to paragraph (2)”;

10 (B) by striking “paragraph (1)” each place  
11 it appears and inserting “subparagraph (A)”;

12 (C) by striking “subsection (a)” each place  
13 it appears and inserting “paragraph (1)”;

14 (D) in subsection (b)(2)(D), by striking  
15 “subsections (c) and (d)” and inserting “para-  
16 graphs (3) and (4)”;

17 (E) in subsection (e), by striking “this sec-  
18 tion” and inserting “this subsection”;

19 (2) transferred to such section 1053, redesign-  
20 nated as subsection (g) (including by redesignating  
21 its subsections as paragraphs, paragraphs as sub-  
22 paragraphs, and clauses as subclauses, respectively,  
23 and indenting such provisions accordingly) and  
24 added so as to appear after subsection (f), as added  
25 by subsection (a) of this section.

1 **SEC. 908. MANAGEMENT INNOVATION ACTIVITIES.**

2 (a) IN GENERAL.—The Secretary of Defense shall  
3 carry out a set of activities to improve the effectiveness  
4 of management activities within the Department of De-  
5 fense, with the goals of incorporating appropriate private  
6 sector management practices and technologies and en-  
7 hancing the capabilities of the defense management work-  
8 force.

9 (b) MANAGEMENT ACTIVITIES.—Subject to the total  
10 force management requirements under section 129a of  
11 title 10, United States Code, the activities carried out  
12 under subsection (a) may include the following:

13 (1) Public-private partnerships with appropriate  
14 private sector and government organizations.

15 (2) Personnel exchange programs with appro-  
16 priate industry, academic, and government organiza-  
17 tions to enhance the capabilities of the defense man-  
18 agement workforce.

19 (3) Research, development, and technology and  
20 business process prototyping activities to create new  
21 technological capabilities to support management  
22 missions, or development and testing of new man-  
23 agement concepts and business transformation ac-  
24 tivities.

25 (4) The designation of appropriate organiza-  
26 tions to lead management innovation activities.

1           (5) A process by which defense business process  
2 owners and other personnel of the Department of  
3 Defense can identify management and business proc-  
4 ess challenges and opportunities that could be ad-  
5 dressed by activities carried out under this section.

6           (6) Processes to develop, prototype, test, and  
7 field new business processes and practices to im-  
8 prove defense management capabilities.

9           (7) Academic research and educational activi-  
10 ties related to defense management missions to pro-  
11 mote—

12                 (A) development of innovative management  
13 concepts;

14                 (B) analyses and addressing of appropriate  
15 management challenges; and

16                 (C) development of programs and activities  
17 to develop the defense management workforce.

18           (8) Academic research and independent studies  
19 from federally funded research and development cen-  
20 ters assessing lessons learned from previous Depart-  
21 mental management reform initiatives and whether  
22 legacy organizations exist and should be consoli-  
23 dated.

24           (c) PLAN REQUIRED.—Not later than February 1,  
25 2023, the Secretary of Defense shall submit to the con-



1 gressional defense committees a plan for carrying out the  
2 activities under this section.

3 (d) BRIEFINGS.—

4 (1) INITIAL BRIEFING.—Not later than July 1,  
5 2022, the Secretary of Defense shall provide to the  
6 congressional defense committees an initial briefing  
7 on the activities carried out and plans developed  
8 under this section.

9 (2) SUBSEQUENT BRIEFING.—On a date occur-  
10 ring after the briefing under paragraph (1), but not  
11 later than July 1, 2023, the Secretary of Defense  
12 shall provide to the congressional defense commit-  
13 tees a briefing on the activities carried out and plans  
14 developed under this section.

15 **SEC. 909. DIGITAL TALENT RECRUITING OFFICER.**

16 (a) DIGITAL TALENT RECRUITING FOR THE DE-  
17 PARTMENT OF DEFENSE.—

18 (1) IN GENERAL.—Not later than 270 days  
19 after the date of the enactment of this Act, the Sec-  
20 retary of Defense shall designate a chief digital re-  
21 cruiting officer within the office of the Under Sec-  
22 retary of Defense for Personnel and Readiness to  
23 carry out the responsibilities set forth in paragraph  
24 (2).

1           (2) RESPONSIBILITIES.—The chief digital re-  
2           cruiting officer shall be responsible for—

3                   (A) identifying Department of Defense  
4                   needs for, and skills gaps in, specific types of  
5                   civilian digital talent;

6                   (B) recruiting individuals with the skills  
7                   that meet the needs and skills gaps identified  
8                   under subparagraph (A), in partnership with  
9                   the military departments and other organiza-  
10                  tions and elements of the Department;

11                  (C) ensuring Federal scholarship for serv-  
12                  ice programs are incorporated into civilian re-  
13                  cruiting strategies;

14                  (D) when appropriate and within authority  
15                  granted under other Federal law, offering re-  
16                  cruitment and referral bonuses; and

17                  (E) partnering with human resource teams  
18                  in the military departments and other organiza-  
19                  tions and elements of the Department to help  
20                  train all Department of Defense human re-  
21                  sources staff on the available hiring flexibilities  
22                  to accelerate the hiring of individuals with the  
23                  skills that fill the needs and skills gaps identi-  
24                  fied under subparagraph (A).

1           (3) RESOURCES.—The Secretary of Defense  
2 shall ensure that the chief digital recruiting officer  
3 is provided with personnel and resources sufficient  
4 to carry out the duties set forth in paragraph (2).

5           (4) ROLE OF CHIEF HUMAN CAPITAL OFFI-  
6 CER.—

7           (A) IN GENERAL.—The chief digital re-  
8 cruiting officer shall report directly to the Chief  
9 Human Capital Officer of the Department of  
10 Defense.

11           (B) INCORPORATION.—The Chief Human  
12 Capital Officer shall ensure that the chief dig-  
13 ital recruiting officer is incorporated into the  
14 agency human capital operating plan and re-  
15 cruitment strategy. In carrying out this para-  
16 graph, the Chief Human Capital Officer shall  
17 ensure that the chief digital recruiting officer’s  
18 responsibilities are deconflicted with any other  
19 recruitment initiatives and programs.

20           (b) DIGITAL TALENT DEFINED.—For the purposes  
21 of this section, the term “digital talent” includes positions  
22 and capabilities in, or related to, software development,  
23 engineering, and product management; data science; arti-  
24 ficial intelligence; distributed ledger technologies; auton-

1 omy; data management; product and user experience de-  
2 sign; and cybersecurity.

3 (c) ANNUAL BRIEFING REQUIREMENT.—Not later  
4 than one year after the date of the enactment of this Act,  
5 and on an annual basis thereafter, the chief digital recruit-  
6 ing officer shall provide to the congressional defense com-  
7 mittees a briefing on—

8 (1) the efforts of the Department of Defense to  
9 recruit digital talent to positions in the Department;  
10 and

11 (2) a summary of any accomplishments and  
12 challenges with respect to such recruiting.

13 (d) SUNSET.—The requirements under subsection (a)  
14 shall expire on September 30, 2025.

15 **SEC. 910. CROSS-FUNCTIONAL TEAM FOR EMERGING**  
16 **THREAT RELATING TO ANOMALOUS HEALTH**  
17 **INCIDENTS.**

18 (a) ESTABLISHMENT.—Using the authority provided  
19 pursuant to section 911(c) of the National Defense Au-  
20 thorization Act for Fiscal Year 2017 (Public Law 114–  
21 328; 10 U.S.C. 111 note), the Secretary of Defense shall  
22 establish a cross-functional team to address national secu-  
23 rity challenges posed by anomalous health incidents (as  
24 defined by the Secretary) and ensure that individuals af-  
25 fected by anomalous health incidents receive timely and

1 comprehensive health care and treatment pursuant to title  
2 10, United States Code, for symptoms consistent with an  
3 anomalous health incident.

4 (b) DUTIES.—The duties of the cross-functional team  
5 established under subsection (a) shall be—

6 (1) to assist the Secretary of Defense with ad-  
7 dressing the challenges posed by anomalous health  
8 incidents and any other efforts regarding such inci-  
9 dents that the Secretary determines necessary; and

10 (2) to integrate the efforts of the Department  
11 of Defense regarding anomalous health incidents  
12 with the efforts of other departments or agency of  
13 the Federal Government regarding such incidents.

14 (c) TEAM LEADERSHIP.—The Secretary shall select  
15 an Under Secretary of Defense to lead the cross-functional  
16 team and a senior military officer to serve as the deputy  
17 to the Under Secretary so selected.

18 (d) DETERMINATION OF ORGANIZATIONAL ROLES  
19 AND RESPONSIBILITIES.—The Secretary, in consultation  
20 with the Director of National Intelligence and acting  
21 through the cross-functional team established under sub-  
22 section (a), shall determine the roles and responsibilities  
23 of the organizations and elements of the Department of  
24 Defense with respect to addressing anomalous health inci-  
25 dents, including the roles and responsibilities of the Office

1 of the Secretary of Defense, the intelligence components  
2 of the Department, Defense agencies, Department of De-  
3 fense field activities, the military departments, combatant  
4 commands, and the Joint Staff.

5 (e) BRIEFINGS.—

6 (1) INITIAL BRIEFING.—Not later than 45 days  
7 after the date of the enactment of this Act, the Sec-  
8 retary shall provide to the appropriate congressional  
9 committees a briefing on—

10 (A) the progress of the Secretary in estab-  
11 lishing the cross-functional team; and

12 (B) the progress the team has made in—

13 (i) determining the roles and respon-  
14 sibilities of the organizations and elements  
15 of the Department of Defense with respect  
16 the cross-functional team; and

17 (ii) carrying out the duties under sub-  
18 section (b).

19 (2) UPDATES.—Not later than 90 days after  
20 the date of the enactment of this Act, and once  
21 every 60 days thereafter during the one-year period  
22 following such date of enactment, the Secretary shall  
23 provide to the appropriate congressional committees  
24 a briefing containing updates with respect to the ef-

1       forts of the Department regarding anomalous health  
2       incidents.

3       (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
4       FINED.—In this section, the term “appropriate congres-  
5       sional committees” means—

6               (1) the congressional defense committees; and

7               (2) the Permanent Select Committee on Intel-  
8       ligence of the House of Representatives and the Se-  
9       lect Committee on Intelligence of the Senate.

10   **SEC. 911. ALIGNMENT OF CLOSE COMBAT LETHALITY TASK**  
11                           **FORCE.**

12       (a) IN GENERAL.—Beginning not later than 60 days  
13       after the date of the enactment of this Act, and continuing  
14       until the date on which the Secretary of Defense submits  
15       to the congressional defense committees the report de-  
16       scribed in subsection (b), the Secretary shall reinstate—

17               (1) the initial alignment of the Close Combat  
18       Lethality Task Force so that the Task Force reports  
19       directly to the Secretary; and

20               (2) the designation of the Task Force as a  
21       cross-functional team under section 911 of the Na-  
22       tional Defense Authorization Act for Fiscal Year  
23       2017 (Public Law 114–328; 10 U.S.C. 111 note).

24       (b) REPORT DESCRIBED.—The report described in  
25       this subsection is a report on a proposed alternative align-

1 ment for the Close Combat Lethality Task Force that in-  
2 cludes—

3 (1) a description of—

4 (A) how the proposed alternative alignment  
5 of the Task Force would—

6 (i) facilitate the effective pursuit of,  
7 and support for, both materiel and non-  
8 materiel initiatives by the Task Force;

9 (ii) maintain benefits for the Task  
10 Force similar to the benefits associated  
11 with reporting directly to the Secretary of  
12 Defense and designation as a cross-func-  
13 tional team; and

14 (iii) ensure collaboration and support  
15 from the primary stakeholders in the Task  
16 Force, including the Army, the Marine  
17 Corps, and the United States Special Op-  
18 erations Command; and

19 (B) how the Task Force would be funded  
20 and gain appropriate resourcing for cross-func-  
21 tional team initiatives supported by the Sec-  
22 retary; and

23 (2) supporting analysis for the matters de-  
24 scribed in paragraph (1).



1 (c) EXCEPTION.—Subsection (a) does not apply if the  
2 President submits to the congressional defense commit-  
3 tees—

4 (1) a certification that implementing that sub-  
5 section would be detrimental to the defense interests  
6 of the United States; and

7 (2) a justification for the certification.

8 **SEC. 912. INDEPENDENT REVIEW OF AND REPORT ON THE**  
9 **UNIFIED COMMAND PLAN.**

10 (a) REVIEW REQUIRED.—

11 (1) IN GENERAL.—The Secretary of Defense  
12 shall provide for an independent review of the cur-  
13 rent Unified Command Plan.

14 (2) ELEMENTS.—The review required by para-  
15 graph (1) shall include the following:

16 (A) An assessment of the most recent Uni-  
17 fied Command Plan with respect to—

18 (i) current and anticipated threats;

19 (ii) deployment and mobilization of  
20 the Armed Forces; and

21 (iii) the most current versions of the  
22 National Defense Strategy and Joint  
23 Warfighting Concept.

1 (B) An evaluation of the missions, respon-  
2 sibilities, and associated force structure of each  
3 geographic and functional combatant command.

4 (C) An assessment of the feasibility of al-  
5 ternative Unified Command Plan structures.

6 (D) Recommendations, if any, for alter-  
7 native Unified Command Plan structures.

8 (E) Recommendations, if any, on refining  
9 the manner by which combatant commanders  
10 identify priority capabilities, gaps, and oper-  
11 ational requirements and how the Department  
12 of Defense incorporates those identified ele-  
13 ments into planning, programming, budgeting,  
14 execution, and modernization processes.

15 (F) Recommendations, if any, for modifica-  
16 tions to sections 161 through 169 of title 10,  
17 United States Code.

18 (G) Any other matter the Secretary of De-  
19 fense determines appropriate.

20 (3) CONDUCT OF REVIEW BY INDEPENDENT  
21 ENTITY.—

22 (A) IN GENERAL.—The Secretary of De-  
23 fense shall—

24 (i) seek to enter into an agreement  
25 with an entity described in subparagraph

1 (B) to conduct the review required by  
2 paragraph (1); and

3 (ii) ensure that the review is con-  
4 ducted independently of the Department of  
5 Defense.

6 (B) ENTITY DESCRIBED.—An entity de-  
7 scribed in this subparagraph is—

8 (i) a federally funded research and de-  
9 velopment center; or

10 (ii) an independent, nongovernmental  
11 institute that—

12 (I) is described in section  
13 501(c)(3) of the Internal Revenue  
14 Code of 1986;

15 (II) is exempt from tax under  
16 section 501(a) of that Code; and

17 (III) has recognized credentials  
18 and expertise in national security and  
19 military affairs.

20 (b) REPORT TO CONGRESS.—

21 (1) IN GENERAL.—Not later than October 1,  
22 2022, the Secretary of Defense shall submit to the  
23 Committees on Armed Services of the Senate and  
24 the House of Representatives a report that includes

1 the results of the review conducted under subsection  
2 (a).

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

6 **SEC. 913. STUDY AND REPORT ON THE ROLE AND ORGANI-**  
7 **ZATION OF SPACE ASSETS IN THE RESERVE**  
8 **COMPONENTS.**

9 (a) STUDY.—The Secretary of Defense shall conduct  
10 a study to determine the appropriate role and organization  
11 of space-related assets within the reserve components of  
12 the Armed Forces.

13 (b) REPORT.—Not later than March 31, 2022, the  
14 Secretary of Defense shall submit to the Committees on  
15 Armed Services of the Senate and the House of Represent-  
16 atives a report on the results of the study conducted under  
17 subsection (a).

18 (c) ELEMENTS.—The report under subsection (b)  
19 shall include the following:

20 (1) The determinations of the Secretary of De-  
21 fense with respect to the—

22 (A) the organization and integration of  
23 space-related units within the reserve compo-  
24 nents of the Armed Forces;

1 (B) the staffing of such units, including  
2 the recruitment and retention of personnel for  
3 such units (including any reserve units of the  
4 Space force);

5 (C) the missions of such units; and

6 (D) the operational requirements applica-  
7 ble to such units.

8 (2) An analysis of—

9 (A) the costs of establishing a Space Na-  
10 tional Guard in accordance with subtitle C of  
11 title IX of H.R. 4350, One Hundred Seven-  
12 teenth Congress, as passed by the House of  
13 Representatives on September 23, 2021; and

14 (B) how a Space National Guard estab-  
15 lished in accordance with such subtitle would  
16 operate as part of the reserve components.

17 (3) Based on the analysis under paragraph (2),  
18 the recommendations of the Secretary with respect  
19 to the potential establishment of a Space National  
20 Guard.

21 (4) If applicable, any savings or costs that may  
22 result from the preservation of the space-related  
23 force structures of the Air National Guard, as such  
24 force structures are in effect on the date of the en-  
25 actment of this Act.

# 1 **TITLE X—GENERAL PROVISIONS**

## Subtitle A—Financial Matters

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

## Subtitle B—Counterdrug Activities

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

## Subtitle C—Naval Vessels and Shipyards

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

## Subtitle D—Counterterrorism

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

- Sec. 1035. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.
- Sec. 1036. Report on medical care provided to detainees at United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

- Sec. 1041. Congressional oversight of alternative compensatory control measures.
- Sec. 1042. Modification of notification requirements for sensitive military operations.
- Sec. 1043. Authority to provide space and services to military welfare societies.
- Sec. 1044. Congressional notification of significant Army force structure changes.
- Sec. 1045. Prohibition on use of Navy, Marine Corps, and Space Force as posse comitatus.
- Sec. 1046. Comparative testing reports for certain aircraft.
- Sec. 1047. Special operations forces joint operating concept for competition and conflict.
- Sec. 1048. Limitation on availability of certain funding for operation and maintenance.
- Sec. 1049. Limitation on use of certain funds pending submission of report, strategy, and posture review relating to information environment.
- Sec. 1050. Briefing by Comptroller General and limitation on use of funds pending compliance with requirement for independent studies regarding potential cost savings.
- Sec. 1051. Survey on relations between members of the Armed Forces and military communities.
- Sec. 1052. Limitation on use of funds pending compliance with certain statutory reporting requirements.
- Sec. 1053. Navy coordination with Coast Guard and Space Force on aircraft, weapons, tactics, technique, organization, and equipment of joint concern.

Subtitle F—Studies and Reports

- Sec. 1061. Inclusion of support services for Gold Star families in quadrennial quality of life review.
- Sec. 1062. Public availability of semi-annual summaries of reports.
- Sec. 1063. Extension of reporting requirement regarding enhancement of information sharing and coordination of military training between Department Of Homeland Security and Department Of Defense.
- Sec. 1064. Continuation of certain Department of Defense reporting requirements.
- Sec. 1065. Updated review and enhancement of existing authorities for using Air Force and Air National Guard modular airborne fire-fighting systems and other Department of Defense assets to fight wildfires.
- Sec. 1066. Geographic combatant command risk assessment of Air Force airborne intelligence, surveillance, and reconnaissance modernization plan.
- Sec. 1067. Biennial assessments of Air Force Test Center.
- Sec. 1068. Report on 2019 World Military Games.
- Sec. 1069. Reports on oversight of Afghanistan.

- Sec. 1070. Study and report on Department of Defense excess personal property program.
- Sec. 1071. Optimization of Irregular Warfare Technical Support Directorate.
- Sec. 1072. Assessment of requirements for and management of Army three-dimensional geospatial data.
- Sec. 1073. Required review of Department of Defense unmanned aircraft systems categorization.
- Sec. 1074. Annual report and briefing on Global Force Management Allocation Plan.
- Sec. 1075. Report on World War I and Korean War era Superfund facilities.
- Sec. 1076. Report on implementation of irregular warfare strategy.
- Sec. 1077. Study on providing end-to-end electronic voting services for absent uniformed services voters in locations with limited or immature postal service.
- Sec. 1078. Report on Air Force strategy for acquisition of combat rescue aircraft and equipment.

#### Subtitle G—Other Matters

- Sec. 1081. Technical, conforming, and clerical amendments.
- Sec. 1082. Modification to Regional Centers for Security Studies.
- Sec. 1083. Improvement of transparency and congressional oversight of civil reserve air fleet.
- Sec. 1084. Observance of National Atomic Veterans Day.
- Sec. 1085. Update of Joint Publication 3-68: Noncombatant Evacuation Operations.
- Sec. 1086. National Museum of the Surface Navy.
- Sec. 1087. Authorization for memorial for members of the Armed Forces killed in attack on Hamid Karzai International Airport.
- Sec. 1088. Treatment of operational data from Afghanistan.
- Sec. 1089. Responsibilities for national mobilization; personnel requirements.
- Sec. 1090. Independent assessment with respect to Arctic region.
- Sec. 1091. National Security Commission on Emerging Biotechnology.
- Sec. 1092. Quarterly security briefings on Afghanistan.
- Sec. 1093. Transition of funding for non-conventional assisted recovery capabilities.
- Sec. 1094. Afghanistan War Commission Act of 2021.
- Sec. 1095. Commission on the National Defense Strategy.

## 1       **Subtitle A—Financial Matters**

### 2       **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

#### 3       (a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

4           (1) AUTHORITY.—Upon determination by the  
 5       Secretary of Defense that such action is necessary in  
 6       the national interest, the Secretary may transfer  
 7       amounts of authorizations made available to the De-  
 8       partment of Defense in this division for fiscal year



1       2022 between any such authorizations for that fiscal  
2       year (or any subdivisions thereof). Amounts of au-  
3       thorizations so transferred shall be merged with and  
4       be available for the same purposes as the authoriza-  
5       tion to which transferred.

6           (2) LIMITATION.—Except as provided in para-  
7       graph (3), the total amount of authorizations that  
8       the Secretary may transfer under the authority of  
9       this section may not exceed \$6,000,000,000.

10          (3) EXCEPTION FOR TRANSFERS BETWEEN  
11       MILITARY PERSONNEL AUTHORIZATIONS.—A trans-  
12       fer of funds between military personnel authoriza-  
13       tions under title IV shall not be counted toward the  
14       dollar limitation in paragraph (2).

15          (b) LIMITATIONS.—The authority provided by sub-  
16       section (a) to transfer authorizations—

17           (1) may only be used to provide authority for  
18       items that have a higher priority than the items  
19       from which authority is transferred; and

20           (2) may not be used to provide authority for an  
21       item that has been denied authorization by Con-  
22       gress.

23          (c) EFFECT ON AUTHORIZATION AMOUNTS.—A  
24       transfer made from one account to another under the au-  
25       thority of this section shall be deemed to increase the

1 amount authorized for the account to which the amount  
2 is transferred by an amount equal to the amount trans-  
3 ferred.

4 (d) NOTICE TO CONGRESS.—The Secretary shall  
5 promptly notify Congress of each transfer made under  
6 subsection (a).

7 **SEC. 1002. REVISION OF LIMITATION ON FUNDING FOR**  
8 **COMBATANT COMMANDS THROUGH COMBAT-**  
9 **ANT COMMANDER INITIATIVE FUND.**

10 Section 166a(e)(1) of title 10, United States Code,  
11 is amended—

12 (1) in subparagraph (A)—

13 (A) by striking “\$20,000,000” and insert-  
14 ing “\$25,000,000”; and

15 (B) by striking “\$250,000” and inserting  
16 “\$300,000”;

17 (2) in subparagraph (B), by striking  
18 “\$10,000,000” and inserting “\$15,000,000”; and

19 (3) in subparagraph (C), by striking  
20 “\$5,000,000” and inserting “\$10,000,000”.

1 **SEC. 1003. PLAN FOR CONSOLIDATION OF INFORMATION**  
2 **TECHNOLOGY SYSTEMS USED IN DEPART-**  
3 **MENT OF DEFENSE PLANNING, PROGRAM-**  
4 **MING, BUDGETING, AND EXECUTION PROC-**  
5 **ESS.**

6 Not later than 180 days after the date of the enact-  
7 ment of this Act, the Under Secretary of Defense (Comp-  
8 troller), in consultation with the Chief Information Officer  
9 and the Chief Data Officer of the Department of Defense,  
10 shall submit to the congressional defense committees a  
11 plan to consolidate the information technology systems  
12 used to manage data and support the planning, program-  
13 ming, budgeting, and execution process of the Department  
14 of Defense. The plan shall include the consolidation of  
15 such systems used by each of the military departments  
16 and such systems used by the Defense Agencies, and shall  
17 address the retirement or elimination of such systems.

18 **SEC. 1004. COMMISSION ON PLANNING, PROGRAMMING,**  
19 **BUDGETING, AND EXECUTION REFORM.**

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—There is hereby established  
22 an independent commission in the legislative branch  
23 to be known as the “Commission on Planning, Pro-  
24 gramming, Budgeting, and Execution Reform” (in  
25 this section referred to as the “Commission”).

1           (2) DATE OF ESTABLISHMENT.—The Commis-  
2           sion shall be established not later 30 days after the  
3           date of the enactment of this Act.

4           (b) MEMBERSHIP.—

5           (1) NUMBER AND APPOINTMENT.—The Com-  
6           mission shall be composed of 14 civilian individuals  
7           not employed by the Federal Government who are  
8           recognized experts and have relevant professional ex-  
9           perience one or more of the following:

10                   (A) Matters relating to the planning, pro-  
11                   gramming, budgeting, and execution process of  
12                   the Department of Defense.

13                   (B) Innovative budgeting and resource al-  
14                   location methods of the private sector.

15                   (C) Iterative design and acquisition proc-  
16                   ess.

17                   (D) Budget or program execution data  
18                   analysis.

19           (2) MEMBERS.—The members shall be ap-  
20           pointed as follows:

21                   (A) The Secretary of Defense shall appoint  
22                   two members.

23                   (B) The Majority Leader and the Minority  
24                   Leader of the Senate shall each appoint one  
25                   member.

1           (C) The Speaker of the House of Rep-  
2           resentatives and the Minority Leader shall each  
3           appoint one member.

4           (D) The Chair and the Ranking Member  
5           of the Committee on Armed Services of the  
6           Senate shall each appoint one member.

7           (E) The Chair and the Ranking Member of  
8           the Committee on Armed Services of the House  
9           of Representatives shall each appoint one mem-  
10          ber.

11          (F) The Chair and the Ranking Member of  
12          the Committee on Appropriations of the Senate  
13          shall each appoint one member.

14          (G) The Chair and the Ranking Member of  
15          the Committee on Appropriations of the House  
16          of Representatives shall each appoint one mem-  
17          ber.

18          (3) DEADLINE FOR APPOINTMENT.—Not later  
19          than 30 days after the date described in subsection  
20          (a)(2), members shall be appointed to the Commis-  
21          sion.

22          (4) EXPIRATION OF APPOINTMENT AUTHOR-  
23          ITY.—The authority to make appointments under  
24          this subsection shall expire on the date described in  
25          subsection (a)(2), and the number of members of the

1 Commission shall be reduced by the number equal to  
2 the number of appointments so not made.

3 (c) CHAIR AND VICE CHAIR.—The Commission shall  
4 elect a Chair and Vice Chair from among its members.

5 (d) PERIOD OF APPOINTMENT AND VACANCIES.—  
6 Members shall be appointed for the term of the Commis-  
7 sion. A vacancy in the Commission shall not affect its pow-  
8 ers and shall be filled in the same manner as the original  
9 appointment was made.

10 (e) PURPOSE.—The purpose of the Commission is  
11 to—

12 (1) examine the effectiveness of the planning,  
13 programming, budgeting, and execution process and  
14 adjacent practices of the Department of Defense,  
15 particularly with respect to facilitating defense mod-  
16 ernization;

17 (2) consider potential alternatives to such proc-  
18 ess and practices to maximize the ability of the De-  
19 partment of Defense to respond in a timely manner  
20 to current and future threats; and

21 (3) make legislative and policy recommenda-  
22 tions to improve such process and practices in order  
23 to field the operational capabilities necessary to out-  
24 pace near-peer competitors, provide data and analyt-

1        ical insight, and support an integrated budget that  
2        is aligned with strategic defense objectives.

3        (f) SCOPE AND DUTIES.—The Commission shall per-  
4        form the following duties:

5            (1) Compare the planning, programming, budg-  
6            eting, and execution process of the Department of  
7            Defense, including the development and production  
8            of documents including the Defense Planning Guid-  
9            ance (described in section 113(g) of title 10, United  
10          States Code), the Program Objective Memorandum,  
11          and the Budget Estimate Submission, with similar  
12          processes of private industry, other Federal agencies,  
13          and other countries.

14          (2) Conduct a comprehensive assessment of the  
15          efficacy and efficiency of all phases and aspects of  
16          the planning, programming, budgeting, and execu-  
17          tion process, which shall include an assessment of—

18            (A) the roles of Department officials and  
19            the timelines to complete each such phase or as-  
20            pect;

21            (B) the structure of the budget of Depart-  
22            ment of Defense, including the effectiveness of  
23            categorizing the budget by program, appropria-  
24            tions account, major force program, budget ac-  
25            tivity, and line item, and whether this structure

1 supports modern warfighting requirements for  
2 speed, agility, iterative development, testing,  
3 and fielding;

4 (C) a review of how the process supports  
5 joint efforts, capability and platform lifecycles,  
6 and transitioning technologies to production;

7 (D) the timelines, mechanisms, and sys-  
8 tems for presenting and justifying the budget of  
9 Department of Defense, monitoring program  
10 execution and Department of Defense budget  
11 execution, and developing requirements and  
12 performance metrics;

13 (E) a review of the financial management  
14 systems of the Department of Defense, includ-  
15 ing policies, procedures, past and planned in-  
16 vestments, and recommendations related to re-  
17 placing, modifying, and improving such systems  
18 to ensure that such systems and related proc-  
19 esses of the Department result in—

20 (i) effective internal controls;

21 (ii) the ability to achieve auditable fi-  
22 nancial statements; and

23 (iii) the ability to meet other financial  
24 management and operational needs; and



1 (F) a review of budgeting methodologies  
2 and strategies of near-peer competitors to un-  
3 derstand if and how such competitors can ad-  
4 dress current and future threats more or less  
5 successfully than the United States.

6 (3) Develop and propose recommendations to  
7 improve the effectiveness of the planning, program-  
8 ming, budgeting, and execution process.

9 (g) COMMISSION REPORT AND RECOMMENDA-  
10 TIONS.—

11 (1) INTERIM REPORT.—Not later than Feb-  
12 ruary 6, 2023, the Commission shall submit to the  
13 Secretary of Defense and the congressional defense  
14 committees an interim report including the fol-  
15 lowing:

16 (A) An examination of the development of  
17 the documents described in subsection (f)(1).

18 (B) An analysis of the timelines involved in  
19 developing an annual budget request and the  
20 future-years defense program (as described in  
21 section 221 of title 10, United States Code), in-  
22 cluding the ability to make changes to such re-  
23 quest or such program within those timelines.

24 (C) A review of the sufficiency of the civil-  
25 ian personnel workforce in the Office of the

1 Secretary of Defense and the Office of Cost As-  
2 sessment and Program Evaluation to conduct  
3 budgetary and program evaluation analysis.

4 (D) An examination of efforts by the De-  
5 partment of Defense to develop new and agile  
6 programming and budgeting to enable the  
7 United States to more effectively counter near-  
8 peer competitors.

9 (E) A review of the frequency and suffi-  
10 ciency of budget and program execution anal-  
11 ysis, to include any existing data analytics tools  
12 and any suggested improvements.

13 (F) Recommendations for internal reform  
14 to the Department relating to the planning,  
15 programming, budgeting, and execution process  
16 for the Department of Defense to make inter-  
17 nally.

18 (G) Recommendations for reform to the  
19 planning, programming, budgeting, and execu-  
20 tion process that require statutory changes.

21 (H) Any other matters the Commission  
22 considers appropriate.

23 (2) FINAL REPORT.—Not later than September  
24 1, 2023, the Commission shall submit to the Sec-  
25 retary of Defense and the congressional defense

1 committees a final report that includes the elements  
2 required under paragraph (1).

3 (3) BRIEFINGS.—Not later than 180 days after  
4 the date specified in subsection (a)(2), and not later  
5 than 30 days after each of the interim and final re-  
6 ports are submitted, the Commission shall provide to  
7 the congressional defense committees a briefing on  
8 the status of the review and assessment conducted  
9 under subsection (f) and include a discussion of any  
10 interim or final recommendations.

11 (4) FORM.—The reports submitted to Congress  
12 under paragraphs (1) and (2) shall be submitted in  
13 unclassified form but may include a classified annex.

14 (h) GOVERNMENT COOPERATION.—

15 (1) COOPERATION.—In carrying out its duties,  
16 the Commission shall receive the full and timely co-  
17 operation of the Secretary of Defense in providing  
18 the Commission with analysis, briefings, and other  
19 information necessary for the fulfillment of its re-  
20 sponsibilities.

21 (2) LIAISON.—The Secretary shall designate at  
22 least one officer or employee of the Department of  
23 Defense to serve as a liaison between the Depart-  
24 ment and the Commission.

1           (3) DETAILEES AUTHORIZED.—The Secretary  
2           may provide, and the Commission may accept and  
3           employ, personnel detailed from the Department of  
4           Defense, without reimbursement.

5           (4) FACILITATION.—

6                   (A) INDEPENDENT, NON-GOVERNMENT IN-  
7                   STITUTE.—Not later than 45 days after the  
8                   date specified in subsection (a)(2), the Sec-  
9                   retary of Defense shall make available to the  
10                  Commission the services of an independent,  
11                  nongovernmental organization, described under  
12                  section 501(c)(3) of the Internal Revenue Code  
13                  of 1986 and which is exempt from taxation  
14                  under section 501(a) of such Code, which has  
15                  recognized credentials and expertise in national  
16                  security and military affairs, in order to facili-  
17                  tate the discharge of the duties of the Commis-  
18                  sion under this section.

19                   (B) FEDERALLY FUNDED RESEARCH AND  
20                   DEVELOPMENT CENTER.—On request of the  
21                  Commission, the Secretary of Defense shall  
22                  make available the services of a federally fund-  
23                  ed research and development center in order to  
24                  enhance the discharge of the duties of the Com-  
25                  mission under this section.

1 (i) STAFF.—

2 (1) STATUS AS FEDERAL EMPLOYEES.—Not-  
3 withstanding the requirements of section 2105 of  
4 title 5, United States Code, including the required  
5 supervision under subsection (a)(3) of such section,  
6 the members of the commission shall be deemed to  
7 be Federal employees.

8 (2) EXECUTIVE DIRECTOR.—The Commission  
9 shall appoint and fix the rate of basic pay for an Ex-  
10 ecutive Director in accordance with section 3161(d)  
11 of title 5, United States Code.

12 (3) PAY.—The Executive Director, with the ap-  
13 proval of the Commission, may appoint and fix the  
14 rate of basic pay for additional personnel as staff of  
15 the Commission in accordance with section 3161(d)  
16 of title 5, United States Code.

17 (j) PERSONAL SERVICES.—

18 (1) AUTHORITY TO PROCURE.—The Commis-  
19 sion may—

20 (A) procure the services of experts or con-  
21 sultants (or of organizations of experts or con-  
22 sultants) in accordance with the provisions of  
23 section 3109 of title 5, United States Code; and

24 (B) pay in connection with such services  
25 the travel expenses of experts or consultants,

1 including transportation and per diem in lieu of  
2 subsistence, while such experts or consultants  
3 are traveling from their homes or places of  
4 business to duty stations.

5 (2) MAXIMUM DAILY PAY RATES.—The daily  
6 rate paid an expert or consultant procured pursuant  
7 to paragraph (1) may not exceed the daily rate paid  
8 a person occupying a position at level IV of the Ex-  
9 ecutive Schedule under section 5315 of title 5,  
10 United States Code.

11 (k) AUTHORITY TO ACCEPT GIFTS.—The Commis-  
12 sion may accept, use, and dispose of gifts or donations  
13 of services, goods, and property from non-Federal entities  
14 for the purposes of aiding and facilitating the work of the  
15 Commission. The authority in this subsection does not ex-  
16 tend to gifts of money. Gifts accepted under this authority  
17 shall be documented, and conflicts of interest or the ap-  
18 pearance of conflicts of interest shall be avoided. Subject  
19 to the authority in this section, commissioners shall other-  
20 wise comply with rules set forth by the Select Committee  
21 on Ethics of the Senate and the Committee on Ethics of  
22 the House of Representatives governing Senate and House  
23 employees.

24 (l) LEGISLATIVE ADVISORY COMMITTEE.—The Com-  
25 mission shall operate as a legislative advisory committee

1 and shall not be subject to the provisions of the Federal  
2 Advisory Committee Act (Public Law 92–463; 5 U.S.C.  
3 App) or section 552b, United States Code (commonly  
4 known as the Government in the Sunshine Act).

5 (m) CONTRACTING AUTHORITY.—The Commission  
6 may acquire administrative supplies and equipment for  
7 Commission use to the extent funds are available.

8 (n) USE OF GOVERNMENT INFORMATION.—The  
9 Commission may secure directly from any department or  
10 agency of the Federal Government such information as the  
11 Commission considers necessary to carry out its duties.  
12 Upon such request of the chair of the Commission, the  
13 head of such department or agency shall furnish such in-  
14 formation to the Commission.

15 (o) POSTAL SERVICES.—The Commission may use  
16 the United States mail in the same manner and under the  
17 same conditions as departments and agencies of the  
18 United States.

19 (p) SPACE FOR USE OF COMMISSION.—Not later  
20 than 30 days after the establishment date of the Commis-  
21 sion, the Administrator of General Services, in consulta-  
22 tion with the Commission, shall identify and make avail-  
23 able suitable excess space within the Federal space inven-  
24 tory to house the operations of the Commission. If the Ad-  
25 ministrator is not able to make such suitable excess space

1 available within such 30-day period, the Commission may  
2 lease space to the extent the funds are available.

3 (q) REMOVAL OF MEMBERS.—A member may be re-  
4 moved from the Commission for cause by the individual  
5 serving in the position responsible for the original appoint-  
6 ment of such member under subsection (b)(1), provided  
7 that notice has first been provided to such member of the  
8 cause for removal and voted and agreed upon by three  
9 quarters of the members serving. A vacancy created by  
10 the removal of a member under this subsection shall not  
11 affect the powers of the Commission, and shall be filled  
12 in the same manner as the original appointment was  
13 made.

14 (r) TERMINATION.—The Commission shall terminate  
15 180 days after the date on which it submits the final re-  
16 port required by subsection (g)(2).

## 17 **Subtitle B—Counterdrug Activities**

### 18 **SEC. 1007. EXTENSION OF AUTHORITY TO SUPPORT A UNI-** 19 **FIED COUNTERDRUG AND COUNTERTER-** 20 **RORISM CAMPAIGN IN COLOMBIA.**

21 Section 1021 of the Ronald W. Reagan National De-  
22 fense Authorization Act for Fiscal Year 2005 (Public Law  
23 108–375; 118 Stat. 2042), as most recently amended by  
24 section 1021 of the National Defense Authorization Act



1 for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
2 1577), is further amended—

3 (1) in subsection (a)(1), by striking “2022” and  
4 inserting “2023”; and

5 (2) in subsection (c), by striking “2022” and  
6 inserting “2023”.

7 **SEC. 1008. AUTHORITY FOR JOINT TASK FORCES TO PRO-**  
8 **VIDE SUPPORT TO LAW ENFORCEMENT**  
9 **AGENCIES CONDUCTING COUNTER-TER-**  
10 **RORISM ACTIVITIES.**

11 (a) EXTENSION.—Subsection (b) of section 1022 of  
12 the National Defense Authorization Act for Fiscal Year  
13 2004 (Public Law 108–136; 10 U.S.C. 271 note) is  
14 amended by striking “2022” and inserting “2027”.

15 (b) CONDITIONS.—Subsection (d) of such section is  
16 amended—

17 (1) by striking paragraph (1);

18 (2) by striking (2);

19 (3) by redesignating subparagraphs (A) and  
20 (B) as paragraphs (1) and (2), respectively, and ad-  
21 justing the margins accordingly; and

22 (4) in paragraph (2), as so redesignated, by  
23 striking “subparagraph (A)” and inserting “para-  
24 graph (1)”.

1           **Subtitle C—Naval Vessels and**  
2                           **Shipyards**

3   **SEC. 1011. MODIFICATION TO ANNUAL NAVAL VESSEL CON-**  
4                           **STRUCTION PLAN.**

5           (a) IN GENERAL.—Section 231 of title 10, United  
6 States Code, is amended—

7                   (1) in subsection (b)(2), by adding at the end  
8 the following new subparagraphs:

9                   “(G) The expected service life of each vessel in  
10 the naval vessel force provided for under the naval  
11 vessel construction plan, disaggregated by ship class,  
12 and the rationale for any changes to such expecta-  
13 tions from the previous year’s plan.

14                   “(H) A certification by the appropriate Senior  
15 Technical Authority designated under section 8669b  
16 of this title of the expected service life of each vessel  
17 in the naval vessel force provided for under the naval  
18 vessel construction plan, disaggregated by ship class,  
19 and the rationale for any changes to such expecta-  
20 tions from the previous year’s plan.

21                   “(I) For each battle force ship planned to be in-  
22 activated during the five-year period beginning on  
23 the date of the submittal of the report, a description  
24 of the planned disposition of each such ship fol-  
25 lowing such inactivation and the potential gaps in

1 warfighting capability that will result from such ship  
2 being removed from service.”; and

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

5 “(6) The term ‘expected service life’ means the  
6 number of years a naval vessel is expected to be in  
7 service.”.

8 (b) REPEAL OF TERMINATION OF ANNUAL NAVAL  
9 VESSEL CONSTRUCTION PLAN.—Section 1061(c) of the  
10 National Defense Authorization Act for Fiscal Year 2017  
11 (Public Law 114–328; 10 U.S.C. 111 note) is amended  
12 by striking paragraph (15).

13 **SEC. 1012. IMPROVING OVERSIGHT OF NAVY CONTRACTS**  
14 **FOR SHIPBUILDING, CONVERSION, AND RE-**  
15 **PAIR.**

16 (a) IN GENERAL.—Chapter 805 title 10, United  
17 States Code, is amended by adding at the end the fol-  
18 lowing new section:

19 **“§ 8039. Deputy Commander of the Naval Sea Systems**  
20 **Command for the Supervision of Ship-**  
21 **building, Conversion, and Repair**

22 “(a) IN GENERAL.—The Secretary of the Navy shall  
23 establish and appoint an individual to the position of Dep-  
24 uty Commander of the Naval Sea Systems Command for

1 the Supervision of Shipbuilding, Conversion, and Repair  
2 (in this section referred to as the ‘Deputy Commander’).

3 “(b) QUALIFICATIONS.—The Deputy Commander  
4 shall be a flag officer of the Navy or an employee of the  
5 Navy in a Senior Executive Service position who possesses  
6 the expertise required to carry out the responsibilities  
7 specified in this section.

8 “(c) REPORTING.—The Deputy Commander shall re-  
9 port directly to the Commander of the Naval Sea Systems  
10 Command.

11 “(d) GENERAL RESPONSIBILITIES.—The Deputy  
12 Commander shall oversee—

13 “(1) the independent administration and man-  
14 agement of the execution of Department of Defense  
15 contracts awarded to commercial entities for ship-  
16 building, conversion, and repair at the facilities of  
17 such entities;

18 “(2) the designated contract administration of-  
19 fice of the Department responsible for performing  
20 contract administration services for such contracts;

21 “(3) enforcement of requirements of such con-  
22 tracts to ensure satisfaction of all contractual obliga-  
23 tions;

1           “(4) the work performed on such contracts to  
2           facilitate greater quality and economy in the prod-  
3           ucts and services being procured; and

4           “(5) on-site quality assurance by the Govern-  
5           ment for such contracts, including inspections.

6           “(e) NON-CONTRACT ADMINISTRATION SERVICES  
7           FUNCTIONS.—The Deputy Commander shall manage the  
8           complexities and unique demands of shipbuilding, conver-  
9           sion, and repair by overseeing the performance of the fol-  
10          lowing non-contract administration services functions for  
11          Navy Program Executives Offices, fleet commanders, and  
12          the Naval Sea Systems Command headquarters:

13           “(1) Project oversight, including the following:

14           “(A) Coordinating responses to non-con-  
15           tractual emergent problems, as assigned by the  
16           Commander of Naval Sea Systems Command.

17           “(B) Jointly coordinating activities of  
18           precommissioning crews and ship’s force, and  
19           other Government activities.

20           “(C) Communicating with customers and  
21           higher authority regarding matters that may af-  
22           fect project execution.

23           “(D) Contract planning and procurement,  
24           including participation in acquisition planning

1 and pre-award activities, including assessment  
2 of contractor qualifications.

3 “(2) Technical authority, including the fol-  
4 lowing:

5 “(A) Execution of the technical authority  
6 responsibilities by the Waterfront Chief Engi-  
7 neer.

8 “(B) Execution of the waterfront technical  
9 authority responsibilities of the Naval Sea Sys-  
10 tems Command for providing Government di-  
11 rection and coordination in the resolution of  
12 technical issues.

13 “(f) COMPREHENSIVE CONTRACT MANAGEMENT.—  
14 The Deputy Commander shall maintain direct relation-  
15 ships with the Director of the Defense Contract Manage-  
16 ment Agency and the Director of the Defense Contract  
17 Audit Agency to facilitate comprehensive contract man-  
18 agement and oversight of commercial entities awarded a  
19 contract described in subsection (d)(1) and subcontractors  
20 (at any tier).

21 “(g) SUBCONTRACTOR AUDITS.—The Deputy Com-  
22 mander shall request that the Director of the Defense  
23 Contract Audit Agency perform periodic audits of sub-  
24 contractors that perform cost-type subcontracts or incen-  
25 tive subcontracts—

1           “(1) that are valued at \$50,000,000 or more;  
2           and

3           “(2) for which the Deputy Commander oversees  
4           the designated contract administration office of the  
5           Department pursuant to subsection (d)(2).

6           “(h) ANNUAL WRITTEN ASSESSMENT.—(1) Not later  
7           than March 1 of each year, the Deputy Commander shall  
8           submit to the congressional defense committees a written  
9           assessment summarizing the activities and results associ-  
10          ated with the contracts for which the Deputy Commander  
11          oversees the designated contract administration office of  
12          the Department.

13          “(2) Each written assessment required by paragraph  
14          (1) shall include the following:

15                 “(A) A summary of shipbuilding performance  
16                 that—

17                         “(i) includes common critical process  
18                         metrics documented by the appropriate Navy  
19                         supervisor of shipbuilding, conversion, and re-  
20                         pair for each commercial entity described in  
21                         subsection (d)(1);

22                         “(ii) outlines corrective action requests for  
23                         critical defects and any actions planned or  
24                         taken to address them;

1           “(iii) indicates waivers approved to support  
2           acceptance trials, combined trials, and Navy ac-  
3           ceptance of ship delivery from the commercial  
4           entity described in subsection (d)(1), to include  
5           the conditions requiring the approval of each  
6           waiver; and

7           “(iv) includes information on the extent to  
8           which letters of delegation are used for each  
9           shipbuilding program to provide for quality as-  
10          surance oversight of subcontractors (at any  
11          tier) by the Defense Contract Management  
12          Agency.

13          “(B) A summary of any significant deficiencies  
14          in contractor business systems or other significant  
15          contract discrepancies documented by the appro-  
16          priate Navy supervisor of shipbuilding, conversion,  
17          and repair, the Defense Contract Management  
18          Agency, or the Defense Contract Audit Agency for  
19          such contracts, and any actions planned or taken in  
20          response.

21          “(C) A summary of the results from audits and  
22          inspections completed by Naval Sea Systems Com-  
23          mand that evaluate the performance of the appro-  
24          priate Navy supervisor of shipbuilding, conversion,



1 and repair in executing their quality assurance and  
2 contract administration responsibilities.

3 “(D) A summary of any dedicated evaluation,  
4 such as a review by a task force or working group,  
5 of the organizational structure and resourcing plans  
6 and requirements that support the supervision of  
7 shipbuilding, conversion, and repair, that—

8 “(i) includes key findings, recommenda-  
9 tions, and implementation plans; and

10 “(ii) indicates any additional support need-  
11 ed from other organizations of the Department,  
12 such as the Defense Contract Audit Agency and  
13 the Defense Contract Management Agency, for  
14 implementation.”.

15 (b) CLERICAL AMENDMENT.—The table of sections  
16 at the beginning of chapter 805 of such title is amended  
17 by adding at the end the following new item:

“8039. Deputy Commander of the Naval Sea Systems Command for the Super-  
vision of Shipbuilding, Conversion, and Repair.”.

18 (c) EFFECTIVE DATE.—On the date that is 30 days  
19 after the date of enactment of the National Defense Au-  
20 thorization Act for Fiscal Year 2023—

21 (1) this section and the amendments made by  
22 this section shall take effect; and

23 (2) the Secretary of the Navy shall appoint an  
24 individual to the position of Deputy Commander of

1 the Naval Sea Systems Command for the Super-  
2 vision of Shipbuilding, Conversion, and Repair and  
3 notify the congressional defense committees of such  
4 appointment.

5 **SEC. 1013. CODIFICATION OF REQUIREMENT FOR ASSESS-**  
6 **MENTS PRIOR TO START OF CONSTRUCTION**  
7 **ON FIRST SHIP OF A SHIPBUILDING PRO-**  
8 **GRAM.**

9 (a) IN GENERAL.—Chapter 863 of title 10, United  
10 States Code, is amended by inserting after section 8669b  
11 the following new section:

12 **“§ 8669c. Assessments required prior to start of con-**  
13 **struction on first ship of a shipbuilding**  
14 **program**

15 “(a) IN GENERAL.—The Secretary of the Navy may  
16 not approve the start of construction of the first ship for  
17 any major shipbuilding program until a period of 30 days  
18 has elapsed following the date on which the Secretary—

19 “(1) submits a report to the congressional de-  
20 fense committees on the results of any production  
21 readiness review;

22 “(2) certifies to the congressional defense com-  
23 mittees that the findings of any such review support  
24 commencement of construction; and

1           “(3) certifies to the congressional defense com-  
2           mittees that the basic and functional design of the  
3           vessel is complete.

4           “(b) REPORT.—The report required by subsection  
5 (a)(1) shall include, at a minimum, an assessment of each  
6 of the following:

7           “(1) The maturity of the ship’s design, as  
8           measured by stability of the ship contract specifica-  
9           tions and the degree of completion of detail design  
10          and production design drawings.

11          “(2) The maturity of developmental command  
12          and control systems, weapon and sensor systems,  
13          and hull, mechanical and electrical systems.

14          “(3) The readiness of the shipyard facilities and  
15          workforce to begin construction.

16          “(4) The Navy’s estimated cost at completion  
17          and the adequacy of the budget to support the esti-  
18          mate.

19          “(5) The Navy’s estimated delivery date and  
20          description of any variance to the contract delivery  
21          date.

22          “(6) The extent to which adequate processes  
23          and metrics are in place to measure and manage  
24          program risks.

1       “(c) DEFINITIONS.—For the purposes of subsection  
2 (a):

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

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

9           “(B) sets the hydrodynamics of the vessel;  
10 and

11           “(C) routes major portions of all distribu-  
12 tive systems of the vessel, including electricity,  
13 water, and other utilities.

14           “(2) FIRST SHIP.—The term ‘first ship’ applies  
15 to a ship if—

16           “(A) the ship is the first ship to be con-  
17 structed under that shipbuilding program; or

18           “(B) the shipyard at which the ship is to  
19 be constructed has not previously started con-  
20 struction on a ship under that shipbuilding pro-  
21 gram.

22           “(3) MAJOR SHIPBUILDING PROGRAM.—The  
23 term ‘major shipbuilding program’ means a program  
24 for the construction of combatant and support ves-  
25 sels required for the naval vessel force, as reported

1 within the annual naval vessel construction plan re-  
2 quired by section 231 of this title.

3 “(4) PRODUCTION READINESS REVIEW.—The  
4 term ‘production readiness review’ means a formal  
5 examination of a program prior to the start of con-  
6 struction to determine if the design is ready for pro-  
7 duction, production engineering problems have been  
8 resolved, and the producer has accomplished ade-  
9 quate planning for the production phase.

10 “(5) START OF CONSTRUCTION.—The term  
11 ‘start of construction’ means the beginning of fab-  
12 rication of the hull and superstructure of the ship.”.

13 (b) CLERICAL AMENDMENT.—The table of sections  
14 at the beginning of such chapter is amended by inserting  
15 after the item relating to section 8669b the following new  
16 item:

“8669e. Assessments required prior to start of construction on first ship of a  
shipbuilding program.”.

17 (c) CONFORMING REPEAL.—Section 124 of the Na-  
18 tional Defense Authorization Act for Fiscal Year 2008  
19 (Public Law 110–181; 122 Stat. 28; 10 U.S.C. 8661 note)  
20 is repealed.

1 **SEC. 1014. LIMITATION ON DECOMMISSIONING OR INAC-**  
2 **TIVATING A BATTLE FORCE SHIP BEFORE**  
3 **THE END OF EXPECTED SERVICE LIFE.**

4 (a) IN GENERAL.—Chapter 863 of title 10, United  
5 States Code, is amended by inserting after section 8678  
6 the following new section:

7 **“§ 8678a. Limitation on decommissioning or inac-**  
8 **tivating a battle force ship before the end**  
9 **of expected service life**

10 “(a) LIMITATION.—The Secretary of the Navy may  
11 not decommission or inactivate a battle force ship before  
12 the end of the expected service life of the ship.

13 “(b) WAIVER.—The Secretary of the Navy may waive  
14 the limitation under subsection (a) with respect to a battle  
15 force ship if—

16 “(1) the Secretary submits to the congressional  
17 defense committees the certification described in  
18 subsection (c) with respect to such ship; and

19 “(2) a period of 30 days has elapsed following  
20 the date on which such certification was submitted.

21 “(c) CERTIFICATION DESCRIBED.—A certification  
22 described in this subsection is a certification that—

23 “(1)(A) maintaining the battle force ship in a  
24 reduced operating status is not feasible;

25 “(B) maintaining the ship with reduced capa-  
26 bility is not feasible;

1           “(C) maintaining the ship as a Navy Reserve  
2           unit is not feasible;

3           “(D) transferring the ship to the Coast Guard  
4           is not feasible; and

5           “(E) maintaining the ship is not required to  
6           support the most recent national defense strategy re-  
7           quired by section 113(g) of this title; and

8           “(2) includes an explanation of—

9                   “(A) the options assessed and the rationale  
10                   for the determinations under subparagraphs (A)  
11                   through (D) of paragraph (1); and

12                   “(B) the rationale for the determination  
13                   under subparagraph (E) of such paragraph.

14           “(d) FORM.—A certification submitted under sub-  
15           section (b) shall be submitted in unclassified form, but  
16           may include a classified annex.

17           “(e) DEFINITIONS.—In this section:

18                   “(1) The term ‘battle force ship’ means the fol-  
19                   lowing:

20                           “(A) A commissioned United States Ship  
21                           warship capable of contributing to combat oper-  
22                           ations.

23                           “(B) A United States Naval Ship that con-  
24                           tributes directly to Navy warfighting or support  
25                           missions.

1           “(2) The term ‘expected service life’ means the  
2           number of years a naval vessel is expected to be in  
3           service.”.

4           (b) CLERICAL AMENDMENT.—The table of sections  
5           at the beginning of chapter 863 of such title is amended  
6           by inserting after the item relating to section 8678 the  
7           following new item:

          “8678a. Limitation on decommissioning or inactivating a battle force ship before  
          the end of expected service life.”.

8           **SEC. 1015. BIENNIAL REPORT ON SHIPBUILDER TRAINING**  
9   **AND THE DEFENSE INDUSTRIAL BASE.**

10          (a) TECHNICAL CORRECTION.—The second section  
11          8692 of title 10, United States Code, as added by section  
12          1026 of the William M. (Mac) Thornberry National De-  
13          fense Authorization Act for Fiscal Year 2021 (Public Law  
14          116–283), is redesignated as section 8693 and the table  
15          of sections at the beginning of chapter 863 of such title  
16          is conformed accordingly.

17          (b) MODIFICATION OF REPORT.—Such section is fur-  
18          ther amended—

19                 (1) by striking “Not later” and inserting “(a)  
20                 IN GENERAL.—Not later”;

21                 (2) in subsection (a), as so redesignated, by  
22                 adding at the end the following new paragraph:



1           “(7) An analysis of the potential benefits of  
2 multi-year procurement contracting for the stability  
3 of the shipbuilding defense industrial base.”; and

4           (3) by adding at the end the following new sub-  
5 section:

6           “(b) SOLICITATION AND ANALYSIS OF INFORMA-  
7 TION.—In order to carry out subsection (a)(2), the Sec-  
8 retary of the Navy and Secretary of Labor shall—

9           “(1) solicit information regarding the age demo-  
10 graphics and occupational experience level from the  
11 private shipyards of the shipbuilding defense indus-  
12 trial base; and

13           “(2) analyze such information for findings rel-  
14 evant to carrying out subsection (a)(2), including  
15 findings related to the current and projected defense  
16 shipbuilding workforce, current and projected labor  
17 needs, and the readiness of the current and pro-  
18 jected workforce to supply the proficiencies analyzed  
19 in subsection (a)(1).”.

20 **SEC. 1016. ANNUAL REPORT ON SHIP MAINTENANCE.**

21           (a) IN GENERAL.—Chapter 863 of title 10, United  
22 States Code, is amended by adding at the end the fol-  
23 lowing new section:

1 **“§ 8694. Annual report on ship maintenance**

2 “(a) REPORT REQUIRED.—Not later than October 15  
3 of each year, the Secretary of the Navy shall submit to  
4 the Committees on Armed Services of the Senate and  
5 House of Representatives a report setting forth each of  
6 the following:

7 “(1) A description of all ship maintenance  
8 planned for the fiscal year during which the report  
9 is submitted, by hull.

10 “(2) The estimated cost of the maintenance de-  
11 scribed pursuant to paragraph (1).

12 “(3) A summary of all ship maintenance con-  
13 ducted by the Secretary during the previous fiscal  
14 year.

15 “(4) A detailed description of any ship mainte-  
16 nance that was deferred during the previous fiscal  
17 year, including specific reasons for the delay or can-  
18 cellation of any availability.

19 “(5) A detailed description of the effect of each  
20 of the planned ship maintenance actions that were  
21 delayed or cancelled during the previous fiscal year,  
22 including—

23 “(A) a summary of the effects on the costs  
24 and schedule for each delay or cancellation; and

25 “(B) the accrued operational and fiscal  
26 cost of all the deferments over the fiscal year.

1       “(b) FORM OF REPORT.— Each report submitted  
2 under subsection (a) shall be submitted in unclassified  
3 form and made publicly available on an appropriate inter-  
4 net website in a searchable format, but may contain a clas-  
5 sified annex.”.

6       (b) CLERICAL AMENDMENT.—The table of sections  
7 at the beginning of such chapter is amended by adding  
8 at the end the following new section:

“8694. Annual report on ship maintenance.”.

9       **SEC. 1017. NAVY BATTLE FORCE SHIP ASSESSMENT AND**  
10                                   **REQUIREMENT REPORTING.**

11       (a) IN GENERAL.—Chapter 863 of title 10, United  
12 States Code, as amended by section 1023, is further  
13 amended by adding at the end the following new section:

14       **“SEC. 8695. NAVY BATTLE FORCE SHIP ASSESSMENT AND**  
15                                   **REQUIREMENT REPORTING.**

16       “(a) IN GENERAL.—Not later than 180 days after  
17 the date on which a covered event occurs, the Chief of  
18 Naval Operations shall submit to the congressional de-  
19 fense committees a battle force ship assessment and re-  
20 quirement.

21       “(b) ASSESSMENT.—Each assessment required by  
22 subsection (a) shall include the following:

23               “(1) A review of the strategic guidance of the  
24 Federal Government, the Department of Defense,  
25 and the Navy for identifying priorities, missions, ob-

1       jectives, and principles, in effect as of the date on  
2       which the assessment is submitted, that the force  
3       structure of the Navy must follow.

4               “(2) An identification of the steady-state de-  
5       mand for maritime security and security force assist-  
6       ance activities.

7               “(3) An identification of the force options that  
8       can satisfy the steady-state demands for activities  
9       required by theater campaign plans of combatant  
10      commanders.

11              “(4) A force optimization analysis that pro-  
12      duces a day-to-day global posture required to accom-  
13      plish peacetime and steady-state tasks assigned by  
14      combatant commanders.

15              “(5) A modeling of the ability of the force to  
16      fight and win scenarios approved by the Department  
17      of Defense.

18              “(6) A calculation of the number and global  
19      posture of each force element required to meet  
20      steady-state presence demands and warfighting re-  
21      sponse timelines.

22              “(c) REQUIREMENT.—(1) Each requirement required  
23      by subsection (a) shall—

24                      “(A) be based on the assessment required by  
25      subsection (b); and

1           “(B) identify, for each of the fiscal years that  
2           are five, 10, 15, 20, 25, and 30 years from the date  
3           of the covered event—

4                   “(i) the total number of battle force ships  
5           required;

6                   “(ii) the number of battle force ships re-  
7           quired in each of the categories described in  
8           paragraph (2);

9                   “(iii) the classes of battle force ships in-  
10          cluded in each of the categories described in  
11          paragraph (2); and

12                   “(iv) the number of battle force ships re-  
13          quired in each class.

14          “(2) The categories described in this paragraph are  
15          the following:

16                   “(A) Aircraft carriers.

17                   “(B) Large surface combatants.

18                   “(C) Small surface combatants.

19                   “(D) Amphibious warfare ships.

20                   “(E) Attack submarines.

21                   “(F) Ballistic missile submarines.

22                   “(G) Combat logistics force.

23                   “(H) Expeditionary fast transport.

24                   “(I) Expeditionary support base.

25                   “(J) Command and support.

1 “(K) Other.

2 “(d) DEFINITIONS.—In this section:

3 “(1) The term ‘battle force ship’ means the fol-  
4 lowing:

5 “(A) A commissioned United States Ship  
6 warship capable of contributing to combat oper-  
7 ations.

8 “(B) A United States Naval Ship that con-  
9 tributes directly to Navy warfighting or support  
10 missions.

11 “(2) The term ‘covered event’ means a signifi-  
12 cant change to any of the following:

13 “(A) Strategic guidance that results in  
14 changes to theater campaign plans or  
15 warfighting scenarios.

16 “(B) Strategic laydown of vessels or air-  
17 craft that affects sustainable peacetime pres-  
18 ence or warfighting response timelines.

19 “(C) Operating concepts, including employ-  
20 ment cycles, crewing constructs, or operational  
21 tempo limits, that affect peacetime presence or  
22 warfighting response timelines.

23 “(D) Assigned missions that affect the  
24 type or quantity of force elements.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 863 of such title is further  
3 amended by adding at the end the following new item:

“8695. Navy battle force ship assessment and requirement reporting.”.

4 (c) BASELINE ASSESSMENT AND REQUIREMENT RE-  
5 QUIRED.—The date of the enactment of this Act is deemed  
6 to be a covered event for the purposes of establishing a  
7 baseline battle force ship assessment and requirement  
8 under section 8695 of title 10, United States Code, as  
9 added by subsection (a).

10 **SEC. 1018. PROHIBITION ON USE OF FUNDS FOR RETIRE-**  
11 **MENT OF MARK VI PATROL BOATS.**

12 (a) PROHIBITION.—None of the funds authorized to  
13 be appropriated by this Act or otherwise made available  
14 for fiscal year 2022 for the Navy may be obligated or ex-  
15 pended to retire, prepare to retire, or place in storage any  
16 Mark VI patrol boat.

17 (b) REPORT.—Not later than February 15, 2022, the  
18 Secretary of the Navy, in consultation with the Com-  
19 mandant of the Marine Corps, shall submit to the congres-  
20 sional defense committees a report that includes each of  
21 the following:

22 (1) The rationale for the retirement of existing  
23 Mark VI patrol boats, including an operational anal-  
24 ysis of the effect of such retirements on the

1 warfighting requirements of the commanders of each  
2 of the combatant commands.

3 (2) A review of how the Fifth Fleet require-  
4 ments, which are currently being met by Mark VI  
5 patrol boats, will continue to be met without such  
6 boats, including an evaluation of the cumulative ef-  
7 fect of eliminating Mark VI patrol boats in addition  
8 to other recent reductions in Navy riverine force  
9 structure, such as riverine command boats, in the  
10 theater.

11 (3) An update on the implementation of the  
12 corrective actions and lessons learned from the  
13 Navy's investigation of the January 12, 2016, inci-  
14 dent in which 10 United States sailors were detained  
15 by Iranian forces near Farsi Island, the extent to  
16 which retiring existing Mark VI patrol boats will af-  
17 fect such implementation, and how such implementa-  
18 tion will be sustained in the absence of Mark VI pa-  
19 trol boats.

20 (4) A review of operating concepts for escorting  
21 high value units without Mark VI patrol boats.

22 (5) A description of the manner and concept of  
23 operations in which the Marine Corps could use  
24 Mark VI patrol boats to support distributed mari-  
25 time operations, advanced expeditionary basing oper-



1 ations, and persistent presence near maritime choke  
2 points and strategic littorals in the Indo-Pacific re-  
3 gion.

4 (6) An assessment of the potential for modifica-  
5 tion, and the associated costs, of the Mark VI patrol  
6 boat for the inclusion of loitering munitions or anti-  
7 ship cruise missiles, such as the Long Range Anti-  
8 Ship Missile and the Naval Strike Missile, particu-  
9 larly to support the concept of operations described  
10 in paragraph (5).

11 (7) A description of resources required for the  
12 Marine Corps to possess, man, train, and maintain  
13 Mark VI patrol boats in the performance of the con-  
14 cept of operations described in paragraph (5) and  
15 modifications described in paragraph (6).

16 (8) A determination of whether the Marine  
17 Corps should take possession of the Mark VI patrol  
18 boats effective on or before September 30, 2022.

19 (9) Such other matters the Secretary deter-  
20 mines appropriate.

21 **SEC. 1019. AVAILABILITY OF FUNDS FOR RETIREMENT OR**  
22 **INACTIVATION OF GUIDED MISSILE CRUIS-**  
23 **ERS.**

24 None of the funds authorized to be appropriated by  
25 this Act or otherwise made available for fiscal year 2022

1 for the Department of Defense may be obligated or ex-  
2 pended to retire, prepare to retire, inactivate, or place in  
3 storage more than 5 guided missile cruisers.

4 **SEC. 1020. REVIEW OF SUSTAINMENT KEY PERFORMANCE**  
5 **PARAMETERS FOR SHIPBUILDING PRO-**  
6 **GRAMS.**

7 (a) IN GENERAL.—Not later than 90 days after the  
8 date of the enactment of this Act, the Chairman of the  
9 Joint Chiefs of Staff shall initiate a review of the Joint  
10 Capabilities Integration and Development System policy  
11 related to the setting of sustainment key performance pa-  
12 rameters and key system attributes for shipbuilding pro-  
13 grams to ensure such parameters and attributes account  
14 for a comprehensive range of factors that could affect the  
15 operational availability and materiel availability of a ship.  
16 Such review shall include the extent to which—

17 (1) the term “operational availability” should  
18 be redefined by mission area and to include equip-  
19 ment failures that affect the ability of a ship to per-  
20 form primary missions; and

21 (2) the term “materiel availability” should be  
22 redefined to take into account factors that could re-  
23 sult in a ship being unavailable for operations, in-  
24 cluding unplanned maintenance, unplanned losses,  
25 and training.

1 (b) REPORT REQUIRED.—Not later than 180 days  
2 after the date of the enactment of this Act, the Chairman  
3 of the Joint Chiefs of Staff shall submit to congressional  
4 defense committees a report on the findings and rec-  
5 ommendations of the review required under paragraph (a).

6 **SEC. 1021. ASSESSMENT OF SECURITY OF GLOBAL MARI-**  
7 **TIME CHOKEPOINTS.**

8 (a) IN GENERAL.—Not later than 180 days after the  
9 date of the enactment of this Act, the Secretary of Defense  
10 shall submit to the congressional defense committees a re-  
11 port on the security of global maritime chokepoints from  
12 the threat of hostile kinetic attacks, cyber disruptions, and  
13 other form of sabotage. The report shall include an assess-  
14 ment of each of the following with respect to each global  
15 maritime chokepoint covered by the report:

16 (1) The expected length of time and resources  
17 required for operations to resume at the chokepoint  
18 in the event of attack, sabotage, or other disruption  
19 of regular maritime operations.

20 (2) The security of any secondary chokepoint  
21 that could be affected by a disruption at the global  
22 maritime chokepoint.

23 (3) Options to mitigate any vulnerabilities re-  
24 sulting from a hostile kinetic attack, cyber disrup-  
25 tion, or other form of sabotage at the chokepoint.

1 (b) FORM OF REPORT.—The report required by sub-  
2 section (a) shall be submitted in unclassified form, but  
3 may contain a classified annex.

4 (c) GLOBAL MARITIME CHOKEPOINT.—In this sec-  
5 tion, the term “global maritime chokepoint” means any  
6 of the following:

7 (1) The Panama Canal.

8 (2) The Suez Canal.

9 (3) The Strait of Malacca.

10 (4) The Strait of Hormuz.

11 (5) The Bab el-Mandeb Strait.

12 (6) Any other chokepoint determined appro-  
13 priate by the Secretary.

14 **SEC. 1022. REPORT ON ACQUISITION, DELIVERY, AND USE**  
15 **OF MOBILITY ASSETS THAT ENABLE IMPLE-**  
16 **MENTATION OF EXPEDITIONARY ADVANCED**  
17 **BASE OPERATIONS.**

18 (a) REPORT REQUIRED.—Not later than 180 days  
19 after the date of the enactment of this Act, the Secretary  
20 of the Navy shall submit to the congressional defense com-  
21 mittees a report that includes a detailed description of  
22 each of the following:

23 (1) The doctrine, organization, training, mate-  
24 riel, leadership and education, personnel, and facili-

1 ties required to operate and maintain a force of 24  
2 to 35 Light Amphibious Warships, including—

3 (A) the estimated timeline for procuring  
4 and delivering such warships;

5 (B) the estimated cost to procure, man,  
6 train, operate, maintain, and modernize such  
7 warships for each of the 10 years following the  
8 year in which the report is submitted, together  
9 with the notional Department of Defense appro-  
10 priations account associated with each such  
11 cost; and

12 (C) the feasibility of accelerating the cur-  
13 rent Light Amphibious Warship procurement  
14 plan and delivery schedule.

15 (2) The specific number, type, and mix of  
16 manned and unmanned platforms required to sup-  
17 port distributed maritime operations and expedi-  
18 tionary advanced base operations.

19 (3) The feasibility of Marine Littoral Regiments  
20 using other joint and interagency mobility platforms  
21 prior to, in addition to, or in lieu of the operational  
22 availability of Light Amphibious Warships, includ-  
23 ing—

1 (A) Army LCU-2000, Runnymede-class  
2 and General Frank S. Besson-class logistics  
3 support vessels;

4 (B) Navy LCU-1610 or LCU-1700, Land-  
5 ing Craft Air Cushioned, and Ship-to-Shore  
6 Connector vessels;

7 (C) commercial vessel options that—

8 (i) are available as of the date of the  
9 enactment of this Act; and

10 (ii) meet Marine Littoral Regiment re-  
11 quirements for movement, maneuver,  
12 sustainment, training, interoperability, and  
13 cargo capacity and delivery;

14 (D) maritime prepositioning force vessels;

15 and

16 (E) Coast Guard vessels.

17 (4) The specific number, type, and mix of long  
18 range unmanned surface vessel platforms required to  
19 support distributed maritime operations, expedi-  
20 tionary advanced base operations, along with their  
21 operational interaction with the warfighting capabili-  
22 ties of the fleet, including—

23 (A) the estimated timeline for procuring  
24 and delivering such platforms; and

1 (B) the estimated cost to procure, man,  
2 train, operate, maintain, and modernize such  
3 platforms for each of the 10 years following the  
4 year in which the report is submitted, together  
5 with the notional Department of Defense appro-  
6 priations account associated with each such  
7 cost.

8 (5) The feasibility of integrating Marine Lit-  
9 toral Regiments with—

10 (A) special operations activities;

11 (B) joint and interagency planning;

12 (C) information warfare operations; and

13 (D) command, control, communications,  
14 computer, intelligence, surveillance and recon-  
15 naissance, and security cooperation activities.

16 (6) The projected cost and timeline for deploy-  
17 ing Marine Littoral Regiments, including—

18 (A) the extent to which such regiments will  
19 deploy with the capabilities listed in paragraphs  
20 (1) through (5) during each of the 10 years fol-  
21 lowing the year in which the report is sub-  
22 mitted; and

23 (B) options to accelerate such deployments  
24 or increase the capabilities of such regiments if

1 additional resources are available, together with  
2 a description of such resources.

3 (b) FORM OF REPORT.—The report required by sub-  
4 section (a) shall be submitted in a publicly accessible, un-  
5 classified form, but may contain a classified annex.

## 6 **Subtitle D—Counterterrorism**

### 7 **SEC. 1031. INCLUSION IN COUNTERTERRORISM BRIEFINGS** 8 **OF INFORMATION ON USE OF MILITARY** 9 **FORCE IN COLLECTIVE SELF-DEFENSE.**

10 Section 485(a) of title 10, United States Code, is  
11 amended by inserting after “activities” the following: “,  
12 including the use of military force under the notion of col-  
13 lective self-defense of foreign partners”.

### 14 **SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS** 15 **FOR TRANSFER OR RELEASE OF INDIVID-** 16 **UALS DETAINED AT UNITED STATES NAVAL** 17 **STATION, GUANTANAMO BAY, CUBA, TO CER-** 18 **TAIN COUNTRIES.**

19 Section 1035 of the John S. McCain National De-  
20 fense Authorization Act for Fiscal Year 2019 (Public Law  
21 115–232; 132 Stat. 1954), as most recently amended by  
22 section 1043 of the William M. (Mac) Thornberry Na-  
23 tional Defense Authorization Act for Fiscal Year 2021  
24 (Public Law 116–283), is further amended by striking  
25 “December 31, 2021” and inserting “December 31, 2022”.



1 **SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS**  
2 **FOR TRANSFER OR RELEASE OF INDIVID-**  
3 **UALS DETAINED AT UNITED STATES NAVAL**  
4 **STATION, GUANTANAMO BAY, CUBA, TO THE**  
5 **UNITED STATES.**

6 Section 1033 of the John S. McCain National De-  
7 fense Authorization Act for Fiscal Year 2019 (Public Law  
8 115–232; 132 Stat. 1953), as most recently amended by  
9 section 1041 of the William M. (Mac) Thornberry Na-  
10 tional Defense Authorization Act for Fiscal Year 2021  
11 (Public Law 116–283), is further amended by striking  
12 “December 31, 2021” and inserting “December 31,  
13 2022”.

14 **SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS**  
15 **TO CONSTRUCT OR MODIFY FACILITIES IN**  
16 **THE UNITED STATES TO HOUSE DETAINEES**  
17 **TRANSFERRED FROM UNITED STATES NAVAL**  
18 **STATION, GUANTANAMO BAY, CUBA.**

19 Section 1034(a) of the John S. McCain National De-  
20 fense Authorization Act for Fiscal Year 2019 (Public Law  
21 115–232; 132 Stat. 1954), as most recently amended by  
22 section 1042 of the William M. (Mac) Thornberry Na-  
23 tional Defense Authorization Act for Fiscal Year 2021  
24 (Public Law 116–283), is further amended by striking  
25 “December 31, 2021” and inserting “December 31,  
26 2022”.

1 **SEC. 1035. EXTENSION OF PROHIBITION ON USE OF FUNDS**  
2 **TO CLOSE OR RELINQUISH CONTROL OF**  
3 **UNITED STATES NAVAL STATION, GUANTA-**  
4 **NAMO BAY, CUBA.**

5 Section 1036 of the National Defense Authorization  
6 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.  
7 1551), as most recently amended by section 1044 of the  
8 William M. (Mac) Thornberry National Defense Author-  
9 ization Act for Fiscal Year 2021 (Public Law 116–283),  
10 is further amended by striking “fiscal years 2018 through  
11 2021” and inserting “any of fiscal years 2018 through  
12 2022”.

13 **SEC. 1036. REPORT ON MEDICAL CARE PROVIDED TO DE-**  
14 **TAINÉES AT UNITED STATES NAVAL STATION,**  
15 **GUANTANAMO BAY, CUBA.**

16 (a) REPORT.—Not later than 120 days after the date  
17 of the enactment of this Act, the Chief Medical Officer  
18 of United States Naval Station, Guantanamo Bay (in this  
19 section referred to as the “Chief Medical Officer”), shall  
20 submit to the Committees on Armed Services of the Sen-  
21 ate and the House of Representatives a report on the pro-  
22 vision of medical care to individuals detained at Guanta-  
23 namo.

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

1           (1) An assessment of the quality of medical  
2           care provided to individuals detained at Guanta-  
3           namo, including whether such care meets applicable  
4           standards of care.

5           (2) A description of the medical facilities and  
6           resources at United States Naval Station, Guanta-  
7           namo Bay, Cuba, available to individuals detained at  
8           Guantanamo.

9           (3) A description of the medical facilities and  
10          resources not at United States Naval Station, Guan-  
11          tanamo Bay, that would be made available to indi-  
12          viduals detained at Guantanamo as necessary to  
13          meet applicable standards of care.

14          (4) A description of the range of medical condi-  
15          tions experienced by individuals detained at Guanta-  
16          namo as of the date on which the report is sub-  
17          mitted.

18          (5) A description of the range of medical condi-  
19          tions likely to be experienced by individuals detained  
20          at Guantanamo, given the medical conditions of such  
21          individuals as of the date on which the report is sub-  
22          mitted and the likely effects of aging.

23          (6) An assessment of any gaps between—

24                 (A) the medical facilities and resources de-  
25                 scribed in paragraphs (2) and (3); and

1 (B) the medical facilities and resources re-  
2 quired to provide medical care necessary to  
3 meet applicable standards of care for the med-  
4 ical conditions described in paragraphs (4) and  
5 (5).

6 (7) The plan of the Chief Medical Officer to ad-  
7 dress the gaps described in paragraph (6), including  
8 the estimated costs associated with addressing such  
9 gaps.

10 (8) An assessment of whether the Chief Medical  
11 Officer has secured from the Department of Defense  
12 access to individuals, information, or other assist-  
13 ance that the Chief Medical Officer considers nec-  
14 essary to enable the Chief Medical Officer to carry  
15 out the Chief Medical Officer's duties, including full  
16 and expeditious access to the following:

17 (A) Any individual detained at Guanta-  
18 namo.

19 (B) Any medical records of any individual  
20 detained at Guantanamo.

21 (C) Medical professionals of the Depart-  
22 ment who are working, or have worked, at  
23 United States Naval Station, Guantanamo Bay.

24 (c) FORM OF REPORT.—The report required by sub-  
25 section (a) shall be submitted in classified form.

1 (d) DEFINITIONS.—In this section, the terms “indi-  
2 vidual detained at Guantanamo”, “medical care”, and  
3 “standard of care” have the meanings given those terms  
4 in section 1046(e) of the National Defense Authorization  
5 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
6 1586; 10 U.S.C. 801 note).

## 7 **Subtitle E—Miscellaneous** 8 **Authorities and Limitations**

### 9 **SEC. 1041. CONGRESSIONAL OVERSIGHT OF ALTERNATIVE** 10 **COMPENSATORY CONTROL MEASURES.**

11 (a) LIMITATION ON AVAILABILITY OF FUNDS PEND-  
12 ING SUBMISSION OF REPORT.—Of the funds authorized  
13 to be appropriated by this Act or otherwise made available  
14 for fiscal year 2022 for the Department of Defense for  
15 the Office of the Under Secretary of Defense for Policy,  
16 not more than 75 percent may be obligated or expended  
17 until the date on which the Secretary of Defense submits  
18 to the congressional defense committees the report re-  
19 quired under section 119a(a) for 2021.

20 (b) CONGRESSIONAL OVERSIGHT.—Section 119a of  
21 title 10, United States Code, is amended by adding at the  
22 end the following new subsection:

23 “(g) CONGRESSIONAL OVERSIGHT.—(1) Neither the  
24 Secretary of Defense nor the Director of National Intel-  
25 ligence may take any action that would have the effect

1 of limiting the access of the congressional defense commit-  
2 tees to—

3 “(A) any classified program, or any information  
4 about any classified program, to which such commit-  
5 tees have access as of the date of the enactment of  
6 the National Defense Authorization Act for Fiscal  
7 Year 2022; or

8 “(B) any classified program established, or any  
9 information about any classified program that be-  
10 comes available, after the date of the enactment of  
11 such Act that is within the jurisdiction of such com-  
12 mittees.

13 “(2) In this subsection, the term ‘classified program’  
14 includes any special access program, alternative compen-  
15 satory control measure, or any other controlled access pro-  
16 gram.”.

17 **SEC. 1042. MODIFICATION OF NOTIFICATION REQUIRE-**  
18 **MENTS FOR SENSITIVE MILITARY OPER-**  
19 **ATIONS.**

20 Section 130f(d) of title 10, United States Code, is  
21 amended—

22 (1) by striking “(1) Except as provided in para-  
23 graph (2), in” and inserting “In”;

24 (2) by striking paragraph (2);

1 (3) by redesignating subparagraphs (A) and  
2 (B) as paragraphs (1) and (2), respectively;

3 (4) in paragraph (1), as so redesignated, by  
4 striking “; or” and inserting a semicolon;

5 (5) in paragraph (2), as so redesignated, by  
6 striking the period at the end and inserting “; or”;

7 and

8 (6) by adding at the end the following new  
9 paragraph:

10 “(3) an operation conducted by the armed  
11 forces to free an individual from the control of hos-  
12 tile foreign forces.”.

13 **SEC. 1043. AUTHORITY TO PROVIDE SPACE AND SERVICES**  
14 **TO MILITARY WELFARE SOCIETIES.**

15 Section 2566 of title 10, United States Code is  
16 amended—

17 (1) in subsection (a), by striking “of a military  
18 department” and inserting “concerned”; and

19 (2) in subsection (b)(1), by adding at the end  
20 the following new subparagraph:

21 “(D) The Coast Guard Mutual Assist-  
22 ance.”.

23 **SEC. 1044. CONGRESSIONAL NOTIFICATION OF SIGNIFI-**  
24 **CANT ARMY FORCE STRUCTURE CHANGES.**

25 (a) NOTIFICATION REQUIREMENT.—

1           (1) IN GENERAL.—Chapter 711 of title 10,  
2           United States Code, is amended by inserting after  
3           section 7101 the following new section:

4   **“§ 7102. Congressional notification of significant**  
5           **Army force structure changes**

6           “(a) NOTIFICATION REQUIRED.—Except as provided  
7           in subsection (c), the Secretary of the Army shall submit  
8           to the congressional defense committees written notifica-  
9           tion of any decision to make a significant change to Army  
10          force structure prior to implementing or announcing such  
11          change.

12          “(b) CONTENTS.—A notification required under sub-  
13          section (a) shall include each of the following:

14                  “(1) The justification for the planned change.

15                  “(2) A description of the details of the planned  
16          change and timing for implementation.

17                  “(3) A description of the operational implica-  
18          tions of the planned change.

19                  “(4) The estimated costs of such change.

20          “(c) EXCEPTION.—The notification requirement  
21          under subsection (a) shall not apply if the Secretary of  
22          Defense certifies to the congressional defense committees  
23          in advance that the planned Army force structure change  
24          must be implemented immediately for reasons of military  
25          urgency.



1           “(d) DEFINITION OF SIGNIFICANT CHANGE TO ARMY  
2 FORCE STRUCTURE.—In this section, the term ‘signifi-  
3 cant change to Army force structure’ means—

4           “(1) a change in the number, type, or compo-  
5 nent of brigade-level organizations or higher-echelon  
6 headquarters;

7           “(2) a change in the number or component of  
8 theater-level capabilities, such as a multi-domain  
9 task force, Terminal High Altitude Area Defense,  
10 long range fires unit, or headquarters; or

11           “(3) a permanent or temporary activation or in-  
12 activation of an experimental unit or brigade-size or  
13 higher task force.”.

14           (2) CLERICAL AMENDMENT.—The table of sec-  
15 tions at the beginning of such chapter is amended  
16 by inserting after the item relating to section 7101  
17 the following new item:

“7102. Congressional notification of significant Army force structure changes.”.

18           (b) BRIEFING ON ARMY STRUCTURE MEMO-  
19 RANDUM.—Prior to issuing the Army Structure Memo-  
20 randum derived from the Total Army Analysis, the Sec-  
21 retary of the Army shall provide to the congressional de-  
22 fense committees a briefing on the memorandum. The  
23 briefing shall include a description of each of the following:

1 (1) The guidance and direction provided to the  
2 Army by the Secretary of Defense in the Defense  
3 Planning Guidance or other directives.

4 (2) Any scenarios and assumptions used to con-  
5 duct the analysis.

6 (3) Any significant force design updates incor-  
7 porated in the analysis.

8 (4) Any significant Army force structure  
9 changes directed in the Army Structure Memo-  
10 randum.

11 (5) Any substantive changes of assessed risk as-  
12 sociated with changes directed in the memorandum.

13 **SEC. 1045. PROHIBITION ON USE OF NAVY, MARINE CORPS,**  
14 **AND SPACE FORCE AS POSSE COMITATUS.**

15 (a) IN GENERAL.—Section 1385 of title 18, United  
16 States Code, is amended—

17 (1) by striking “or” after “Army” and inserting  
18 “, the Navy, the Marine Corps,”;

19 (2) by inserting “, or the Space Force” after  
20 “Air Force”; and

21 (3) in the section heading, by striking “**Army**  
22 **and Air Force**” and inserting “**Army, Navy,**  
23 **Marine Corps, Air Force, and Space**  
24 **Force**”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of chapter 67 of such title is amended  
3 by striking the item relating to section 1385 and inserting  
4 the following new item:

“1385. Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse  
comitatus”.

5 **SEC. 1046. COMPARATIVE TESTING REPORTS FOR CERTAIN**  
6 **AIRCRAFT.**

7 (a) MODIFICATION OF LIMITATION.—Section 134(b)  
8 of the National Defense Authorization Act for Fiscal Year  
9 2017 (Public Law 114–328; 130 Stat. 2037) is amended  
10 by striking “the report under subsection (e)(2)” and in-  
11 sserting “a report that includes the information described  
12 in subsection (e)(2)(C)”.

13 (b) COMPARATIVE TESTING REPORTS REQUIRED.—

14 (1) REPORT FROM DIRECTOR OF OPERATIONAL  
15 TEST AND EVALUATION.—Not later than 53 days  
16 after the date of the enactment of this Act, the Di-  
17 rector of Operational Test and Evaluation shall sub-  
18 mit to the congressional defense committees a report  
19 that includes the information described in section  
20 134(e)(1)(B) of the National Defense Authorization  
21 Act for Fiscal Year 2017 (Public Law 114–328; 130  
22 Stat. 2038).

23 (2) REPORT FROM SECRETARY OF THE AIR  
24 FORCE.—Not later than 53 days after the date of

1 the submission of the report under paragraph (1),  
2 the Secretary of the Air Force shall submit to the  
3 congressional defense committees a report that in-  
4 cludes the information described in section  
5 134(e)(2)(C) of the National Defense Authorization  
6 Act for Fiscal Year 2017 (Public Law 114–328; 130  
7 Stat. 2038).

8 **SEC. 1047. SPECIAL OPERATIONS FORCES JOINT OPER-**  
9 **ATING CONCEPT FOR COMPETITION AND**  
10 **CONFLICT.**

11 (a) IN GENERAL.—Not later than 180 days after the  
12 date of the enactment of this Act, the Assistant Secretary  
13 of Defense for Special Operations and Low-Intensity Con-  
14 flict and the Commander of the United States Special Op-  
15 erations Command shall jointly submit to the congres-  
16 sional defense committees a Special Operations Forces  
17 joint operating concept for competition and conflict.

18 (b) ELEMENTS.—The joint operating concept re-  
19 quired by subsection (a) shall include the following:

20 (1) A detailed description of the manner in  
21 which special operations forces will be expected to  
22 operate in the future across the spectrum of oper-  
23 ations, including operations below the threshold of  
24 traditional armed conflict, crisis, and armed conflict.

1           (2) An explanation of the roles and responsibil-  
2           ities of the national mission force and the theater  
3           special operations forces, including how such forces  
4           will be integrated with each other and with general  
5           purpose forces.

6           (3) An articulation of the required capabilities  
7           of the special operations forces.

8           (4) An explanation of the manner in which the  
9           joint operating concept relates to and fits within the  
10          joint warfighting concept produced by the Joint  
11          Chiefs of Staff.

12          (5) An explanation of the manner in which the  
13          joint operating concept relates to and integrates into  
14          the operating concepts of the Armed Forces.

15          (6) Any other matter the Assistant Secretary  
16          and the Commander consider relevant.

17 **SEC. 1048. LIMITATION ON AVAILABILITY OF CERTAIN**  
18                   **FUNDING FOR OPERATION AND MAINTEN-**  
19                   **NANCE.**

20          Of the amounts authorized to be appropriated by this  
21          Act for fiscal year 2022 for operation and maintenance,  
22          Defense-wide, and available for the Office of the Secretary  
23          of Defense, not more than 75 percent may be obligated  
24          or expended until the date that is 15 days after the date

1 on which the Secretary submits to the congressional de-  
2 fense committees the following:

3 (1) The first quarterly report identifying and  
4 summarizing all execute orders approved by the Sec-  
5 retary of Defense or the commander of a combatant  
6 command in effect for the Department of Defense as  
7 required by section 1744(c) of the National Defense  
8 Authorization Act for Fiscal Year 2020 (Public Law  
9 116–92; 10 U.S.C. 113 note).

10 (2) The report on the policy of the Department  
11 of Defense relating to civilian casualties resulting  
12 from United States military operations required by  
13 section 936(d) of the John S. McCain National De-  
14 fense Authorization Act for Fiscal Year 2019 (Pub-  
15 lic Law 115–232; 10 U.S.C. 134 note).

16 **SEC. 1049. LIMITATION ON USE OF CERTAIN FUNDS PEND-**  
17 **ING SUBMISSION OF REPORT, STRATEGY,**  
18 **AND POSTURE REVIEW RELATING TO INFOR-**  
19 **MATION ENVIRONMENT.**

20 Of the amounts authorized to be appropriated for fis-  
21 cal year 2022 by section 301 for operation and mainte-  
22 nance and available for the Office of the Secretary of De-  
23 fense for the travel of persons as specified in the table  
24 in section 4301, not more than 75 percent shall be avail-  
25 able until the date on which all of the following are sub-

1 mitted to the Committee on Armed Services of the Senate  
2 and the Committee on Armed Services House of Rep-  
3 resentatives:

4 (1) The report required by subsection (h)(1) of  
5 section 1631 of the National Defense Authorization  
6 Act for Fiscal Year 2020 (Public Law 116–92).

7 (2) The strategy and posture review required by  
8 subsection (g) of such section.

9 **SEC. 1050. BRIEFING BY COMPTROLLER GENERAL AND**  
10 **LIMITATION ON USE OF FUNDS PENDING**  
11 **COMPLIANCE WITH REQUIREMENT FOR**  
12 **INDEPENDENT STUDIES REGARDING POTEN-**  
13 **TIAL COST SAVINGS.**

14 (a) **BRIEFING REQUIREMENT.**—Not later than  
15 March 31, 2022, the Comptroller General of the United  
16 States shall provide to the congressional defense commit-  
17 tees a briefing on the status of the ongoing efforts of the  
18 Comptroller General with respect to the effectiveness of  
19 each of the following:

20 (1) Department of Defense programming and  
21 planning for the nuclear enterprise.

22 (2) Department of Defense processes for identi-  
23 fying the relevance of legacy military systems.

24 (3) Defense weapon system acquisition and con-  
25 tracting.

1 (b) LIMITATION ON AVAILABILITY OF FUNDS.—Of  
2 the funds authorized to be appropriated by this Act or  
3 otherwise made available for fiscal year 2022 for the Of-  
4 fice of the Secretary of Defense for travel expenses, not  
5 more than 90 percent may be obligated or expended before  
6 the date on which the Secretary of Defense has entered  
7 into agreements for the conduct of the independent re-  
8 views required under section 1753 of the National Defense  
9 Authorization Act for Fiscal Year 2020 (Public Law 116–  
10 92; 133 Stat. 1852).

11 **SEC. 1051. SURVEY ON RELATIONS BETWEEN MEMBERS OF**  
12 **THE ARMED FORCES AND MILITARY COMMU-**  
13 **NITIES.**

14 (a) SURVEY.—

15 (1) IN GENERAL.—Not later than one year  
16 after the date of the enactment of this Act, the Sec-  
17 retary of Defense, acting through the Under Sec-  
18 retary of Defense for Personnel and Readiness, shall  
19 conduct a survey of covered individuals regarding re-  
20 lations between covered individuals and covered com-  
21 munities.

22 (2) CONTENTS OF SURVEY.—The survey shall  
23 be designed to solicit information from covered indi-  
24 viduals regarding each of the following:



1 (A) The rank, age, racial, ethnic, and gen-  
2 der demographics of the covered individuals.

3 (B) Relationships between covered individ-  
4 uals and the covered community, including sup-  
5 port services and acceptance of the military  
6 community.

7 (C) The availability of housing, health  
8 care, mental health services, and education for  
9 covered individuals, employment opportunities  
10 for military spouses, and other relevant issues.

11 (D) Initiatives of local government and  
12 community organizations with respect to cov-  
13 ered individuals and covered communities.

14 (E) The physical safety of covered individ-  
15 uals while in a covered community but outside  
16 the military installation located in such covered  
17 community.

18 (F) Any other matters designated by the  
19 Secretary of Defense.

20 (3) LOCATIONS.—For purposes of conducting  
21 the survey under this subsection, the Secretary of  
22 Defense shall select ten geographically diverse mili-  
23 tary installations where the survey will be conducted.

24 (b) ADDITIONAL ACTIVITIES.—In the course of con-  
25 ducting surveys under this section, the Secretary may

1 carry out any of the following activities with respect to  
2 covered individuals and covered communities:

3 (1) Facilitating local listening sessions and in-  
4 formation exchanges.

5 (2) Developing educational campaigns.

6 (3) Supplementing existing local and national  
7 defense community programs.

8 (4) Sharing best practices and activities.

9 (c) COORDINATION.—To support activities under this  
10 section, the Secretary of Defense may coordinate with  
11 local governments and not-for-profit organizations that  
12 represent covered individuals.

13 (d) BRIEFING.—Not later than September 30, 2023,  
14 the Secretary of Defense shall provide to the Committees  
15 on Armed Services of the Senate and the House of Rep-  
16 resentatives a briefing on the survey conducted under sub-  
17 section (a). Such briefing shall include—

18 (1) with respect to each covered community—

19 (A) the results of the survey; and

20 (B) the activities conducted to address ra-  
21 cial inequity in the community;

22 (2) the aggregate results of the survey; and

23 (3) best practices for creating positive relation-  
24 ships between covered individuals and covered com-  
25 munities.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “covered community” means a  
3 military installation and any geographic area within  
4 10 miles of such military installation.

5 (2) The term “covered individual” means any of  
6 the following individuals who live in a covered com-  
7 munity or work on a military installation in a cov-  
8 ered community:

9 (A) A member of the Armed Forces.

10 (B) A family member of an individual de-  
11 scribed in subparagraph (A).

12 (3) The term “military installation” has the  
13 meaning given such term in section 2801 of title 10,  
14 United States Code.

15 **SEC. 1052. LIMITATION ON USE OF FUNDS PENDING COM-**  
16 **PLIANCE WITH CERTAIN STATUTORY RE-**  
17 **PORTING REQUIREMENTS.**

18 (a) LIMITATION.—Of the funds authorized to be ap-  
19 propriated or otherwise made available for fiscal year 2022  
20 for the Office of the Secretary of Defense for travel ex-  
21 penses, not more than 90 percent may be obligated or ex-  
22 pended before the date on which all of the following re-  
23 ports are submitted to Congress and the unclassified por-  
24 tions thereof made publicly available:

1           (1) The report required under section 589F(c)  
2           of the William M. (Mac) Thornberry National De-  
3           fense Authorization Act for Fiscal Year 2021 (Pub-  
4           lic Law 116–283).

5           (2) The reports required under section  
6           1299H(d) of the William M. (Mac) Thornberry Na-  
7           tional Defense Authorization Act for Fiscal Year  
8           2021 (Public Law 116–283).

9           (3) The report required under section 888(b) of  
10          the National Defense Authorization Act for Fiscal  
11          Year 2020 (Public Law 116–92).

12          (4) The report required under section 1752(b)  
13          of the National Defense Authorization Act for Fiscal  
14          Year 2020 (Public Law 116–92).

15          (b) BRIEFING REQUIREMENT.—Not later than 30  
16          days after the date of the enactment of this Act, the Sec-  
17          retary of Defense shall provide to the Committees on  
18          Armed Services of the Senate and House of Representa-  
19          tives a briefing on obstacles to compliance with congres-  
20          sional mandated reporting requirements.

1 **SEC. 1053. NAVY COORDINATION WITH COAST GUARD AND**  
2 **SPACE FORCE ON AIRCRAFT, WEAPONS, TAC-**  
3 **TICS, TECHNIQUE, ORGANIZATION, AND**  
4 **EQUIPMENT OF JOINT CONCERN.**

5 Section 8062(d) of title 10, United States Code, is  
6 amended by inserting “the Coast Guard, the Space  
7 Force,” after “the Air Force,”.

8 **Subtitle F—Studies and Reports**

9 **SEC. 1061. INCLUSION OF SUPPORT SERVICES FOR GOLD**  
10 **STAR FAMILIES IN QUADRENNIAL QUALITY**  
11 **OF LIFE REVIEW.**

12 (a) **TECHNICAL AMENDMENT.**—

13 (1) **IN GENERAL.**—The second section 118a of  
14 title 10, United States Code (relating to the quad-  
15 rennial quality of life review) is redesignated as sec-  
16 tion 118b.

17 (2) **CLERICAL AMENDMENT.**—The table of sec-  
18 tions at the beginning of chapter 2 of such title is  
19 amended by striking the item relating to the second  
20 section 118a and inserting the following new item:

“118b. Quadrennial quality of life review.”.

21 (b) **INCLUSION IN REVIEW.**—Subsection (c) of sec-  
22 tion 118b of title 10, United States Code, as redesignated  
23 under subsection (a), is amended by adding at the end  
24 the following new paragraph:

25 “(15) Support services for Gold Star families.”.

1 **SEC. 1062. PUBLIC AVAILABILITY OF SEMI-ANNUAL SUM-**  
2 **MARIES OF REPORTS.**

3 (a) IN GENERAL.—Section 122a of title 10, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing new subsection:

6 “(c) SEMI-ANNUAL SUMMARIES.—Not later than  
7 January 1 and July 1 of each year, the Secretary of De-  
8 fense shall make publicly available on an appropriate  
9 internet website a summary of all reports submitted to  
10 Congress by the Department of Defense for the preceding  
11 six-month period that are required to be submitted by  
12 statute. Each such summary shall include, for each report  
13 covered by the summary, the title of report, the date of  
14 delivery, and the section of law under which such report  
15 is required.”.

16 (b) APPLICABILITY.—Subsection (c) of section 122a  
17 of title 10, United States Code, as added by subsection  
18 (a), shall apply beginning on the date that is one year  
19 after the date of the enactment of this Act.

1 **SEC. 1063. EXTENSION OF REPORTING REQUIREMENT RE-**  
2 **GARDING ENHANCEMENT OF INFORMATION**  
3 **SHARING AND COORDINATION OF MILITARY**  
4 **TRAINING BETWEEN DEPARTMENT OF HOME-**  
5 **LAND SECURITY AND DEPARTMENT OF DE-**  
6 **FENSE.**

7 Section 1014(d)(3) of the National Defense Author-  
8 ization Act for Fiscal Year 2017 (Public Law 114–328)  
9 is amended by striking “December 31, 2022” and insert-  
10 ing “December 31, 2023”.

11 **SEC. 1064. CONTINUATION OF CERTAIN DEPARTMENT OF**  
12 **DEFENSE REPORTING REQUIREMENTS.**

13 Section 1061 of the National Defense Authorization  
14 Act for Fiscal Year 2017 (10 U.S.C. 111 note) is amend-  
15 ed—

16 (1) in subsection (b)(2), by adding at the end  
17 the following new subparagraphs:

18 “(E) The submission of the report required  
19 under section 14 of the Strategic and Critical  
20 Materials Stock Piling Act (50 U.S.C. 98h–5).

21 “(F) The submission of the report required  
22 under section 2504 of title 10, United States  
23 Code.”;

24 (2) in subsection (c), by striking paragraph  
25 (47); and

1           (3) in subsection (i), by striking paragraph  
2           (30).

3 **SEC. 1065. UPDATED REVIEW AND ENHANCEMENT OF EX-**  
4 **ISTING AUTHORITIES FOR USING AIR FORCE**  
5 **AND AIR NATIONAL GUARD MODULAR AIR-**  
6 **BORNE FIRE-FIGHTING SYSTEMS AND OTHER**  
7 **DEPARTMENT OF DEFENSE ASSETS TO FIGHT**  
8 **WILDFIRES.**

9           Section 1058 of the National Defense Authorization  
10 Act for Fiscal Year 2004 (Public Law 108–136; 31 U.S.C.  
11 1535 note) is amended by adding at the end the following  
12 new subsection:

13           “(g) **UPDATED REVIEW AND ENHANCEMENT OF AU-**  
14 **THORITIES.**—(1) Not later than 120 days after the date  
15 of the enactment of the National Defense Authorization  
16 Act for Fiscal Year 2022, the Director shall—

17           “(A) conduct a second review under subsection  
18 (a) and make a second determination under sub-  
19 section (b); and

20           “(B) submit to Congress a report that in-  
21 cludes—

22           “(i) the results of the second review and  
23 second determination required by subparagraph  
24 (A); and



1           “(ii) a description, based on such second  
2           determination, of any new modifications pro-  
3           posed to be made to existing authorities under  
4           subsection (c) or (d), including whether there is  
5           a need for legislative changes to further im-  
6           prove the procedures for using Department of  
7           Defense assets to fight wildfires.

8           “(2) Pursuant to the second determination under  
9           subsection (b) required by paragraph (1)(A), the Director  
10          shall develop and implement such modifications, regula-  
11          tions, policies, and interagency procedures as the Director  
12          determines appropriate pursuant to subsections (c) and  
13          (d). Any such modification, regulation, policy, or inter-  
14          agency procedure shall not take effect until the end of the  
15          30-day period beginning on the date on which the report  
16          is submitted to Congress under paragraph (1)(B).”.

17   **SEC. 1066. GEOGRAPHIC COMBATANT COMMAND RISK AS-**  
18                           **SESSMENT OF AIR FORCE AIRBORNE INTEL-**  
19                           **LIGENCE, SURVEILLANCE, AND RECONNAIS-**  
20                           **SANCE MODERNIZATION PLAN.**

21          (a) IN GENERAL.—Not later than March 31, 2022,  
22          each commander of a geographic combatant command  
23          shall submit to the congressional defense committees a re-  
24          port containing an assessment of the level of operational  
25          risk to that command posed by the plan of the Air Force

1 to modernize and restructure airborne intelligence, surveil-  
2 lance, and reconnaissance capabilities to meet near-, mid-  
3 , and far-term contingency and steady-state operational  
4 requirements against adversaries in support of the objec-  
5 tives of the current national defense strategy.

6 (b) PLAN ASSESSED.—The plan of the Air Force re-  
7 ferred to in subsection (a) is the plan required under sec-  
8 tion 142 of the William M. (Mac) Thornberry National  
9 Defense Authorization Act for Fiscal Year 2021 (Public  
10 Law 116–283).

11 (c) ASSESSMENT OF RISK.—In assessing levels of  
12 operational risk for purposes of subsection (a), a com-  
13 mander shall use the military risk matrix of the Chairman  
14 of the Joint Chiefs of Staff, as described in CJCS Instruc-  
15 tion 3401.01E.

16 (d) GEOGRAPHIC COMBATANT COMMAND.—In this  
17 section, the term “geographic combatant command”  
18 means each of the following:

- 19 (1) United States European Command.
- 20 (2) United States Indo-Pacific Command.
- 21 (3) United States Africa Command.
- 22 (4) United States Southern Command.
- 23 (5) United States Northern Command.
- 24 (6) United States Central Command.

1 **SEC. 1067. BIENNIAL ASSESSMENTS OF AIR FORCE TEST**  
2 **CENTER.**

3 Not later than December 1 of each of 2022, 2024,  
4 and 2026, the Secretary of the Air Force shall submit to  
5 the congressional defense committees an assessment of the  
6 Air Force Test Center. Each such assessment shall in-  
7 clude, for the period covered by the assessment, a descrip-  
8 tion of—

9 (1) any challenges of the Air Force Test Center  
10 with respect to completing its mission; and

11 (2) the plan of the Secretary to address such  
12 challenges.

13 **SEC. 1068. REPORT ON 2019 WORLD MILITARY GAMES.**

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 submit to the Committees on Armed Services of the  
17 Senate and House of Representatives a report on the par-  
18 ticipation of the United States in the 2019 World Military  
19 Games. Such report shall include a detailed description of  
20 each of the following:

21 (1) The number of United States athletes and  
22 staff who attended the 2019 World Military Games  
23 and became ill with COVID–19-like symptoms dur-  
24 ing or shortly after their return to the United  
25 States.

1           (2) The results of any blood testing conducted  
2           on athletes and staff returning from the 2019 World  
3           Military Games, including whether those blood sam-  
4           ples were subsequently tested for COVID–19.

5           (3) The number of home station Department of  
6           Defense facilities of the athletes and staff who par-  
7           ticipated in the 2019 World Military Games that ex-  
8           perienced outbreaks of illnesses consistent with  
9           COVID–19 symptoms upon the return of members  
10          of the Armed Forces from Wuhan, China.

11          (4) The number of Department of Defense fa-  
12          cilities visited by team members after returning from  
13          Wuhan, China, that experienced COVID–19 out-  
14          breaks during the first quarter of 2020, including in  
15          relation to the share of other Department of Defense  
16          facilities that experienced COVID–19 outbreaks  
17          through March 31, 2020.

18          (5) Whether the Department tested members of  
19          the Armed Forces who traveled to Wuhan, China,  
20          for the World Military Games for COVID–19 anti-  
21          bodies, and if so, what portion, if any, of those re-  
22          sults were positive, and when such testing was con-  
23          ducted.

24          (6) Whether there are, or have been, any inves-  
25          tigations, including under the auspices of an Inspec-

1       tor General, across the Department of Defense or  
2       the military departments into possible connections  
3       between United States athletes who traveled to  
4       Wuhan, China, and the outbreak of COVID–19.

5           (7) Whether the Department has engaged with  
6       the militaries of allied or partner countries about ill-  
7       nesses surrounding the 2019 World Military Games,  
8       and if so, how many participating militaries have in-  
9       dicated to the Department that their athletes or  
10      staff may have contracted COVID–19-like symptoms  
11      during or immediately after the Games.

12      (b) FORM OF REPORT.—Except to the extent prohib-  
13      ited by law, the report required under this section shall  
14      be submitted in unclassified form and made publicly avail-  
15      able on an internet website in a searchable format, but  
16      may contain a classified annex.

17      **SEC. 1069. REPORTS ON OVERSIGHT OF AFGHANISTAN.**

18      (a) REPORTS.—Not later than 60 days after the date  
19      of the enactment of this Act, and annually thereafter until  
20      December 31, 2026, the Secretary of Defense, in coordina-  
21      tion with the Director of National Intelligence and con-  
22      sistent with the protection of intelligence sources and  
23      methods, shall submit to the appropriate congressional  
24      committees a report on Afghanistan. Each such report

1 shall address, with respect to Afghanistan, the following  
2 matters:

3 (1) An up-to-date assessment of the over-the-  
4 horizon capabilities of the United States.

5 (2) A description of the concept of force with  
6 respect to the over-the-horizon force of the United  
7 States.

8 (3) The size of such over-the-horizon force.

9 (4) The location of such over-the-horizon force,  
10 including the locations of the forces as of the date  
11 of the submission of the report and any plans to ad-  
12 just such locations.

13 (5) The chain of command for such over-the-ho-  
14 rizon force.

15 (6) The launch criteria for such over-the-hori-  
16 zon force.

17 (7) Any plans to expand or adjust such over-  
18 the-horizon force capabilities in the future, to ac-  
19 count for evolving terrorist threats in Afghanistan.

20 (8) An assessment of the terrorist threat in Af-  
21 ghanistan.

22 (9) An assessment of the quantity and types of  
23 United States military equipment remaining in Af-  
24 ghanistan, including an indication of whether the

1 Secretary plans to leave, recover, or destroy such  
2 equipment.

3 (10) Contingency plans for the retrieval or hos-  
4 tage rescue of United States citizens located in Af-  
5 ghanistan.

6 (11) Contingency plans related to the continued  
7 evacuation of Afghans who hold special immigrant  
8 visa status under section 602 of the Afghan Allies  
9 Protection Act of 2009 (8 U.S.C. 1101 note) or who  
10 have filed a petition for such status, following the  
11 withdrawal of the United States Armed Forces from  
12 Afghanistan.

13 (12) A concept of logistics support to support  
14 the over-the-horizon force of the United States, in-  
15 cluding all basing and transportation plans.

16 (13) An assessment of changes in the ability of  
17 al-Qaeda and ISIS-K to conduct operations within  
18 Taliban-held Afganistan or outside of Afghanistan  
19 against the United States and allies of the United  
20 States.

21 (14) An assessment of the threat posed by pris-  
22 oners released by the Taliban from the Pul-e-  
23 Charkhi prison and Parwan detention facility, Af-  
24 ghanistan, in August 2021, including, for each such  
25 prisoner—

1 (A) the country of origin of the prisoner;

2 (B) any affiliation of the prisoner with a  
3 foreign terrorist organization; and

4 (C) in the case of any such prisoner deter-  
5 mined to pose a risk for external operations  
6 outside of Afghanistan, the assessed location of  
7 the prisoner.

8 (15) The status of any military cooperation be-  
9 tween the Taliban and China, Russia, or Iran.

10 (16) Any other matters the Secretary deter-  
11 mines appropriate.

12 (b) FORM.—Each report required under this section  
13 may be submitted in either unclassified or classified form,  
14 as determined appropriate by the Secretary.

15 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
16 FINED.—In this section, the term “appropriate congres-  
17 sional committees” means—

18 (1) the Committee on Armed Services and the  
19 Permanent Select Committee on Intelligence of the  
20 House of Representatives; and

21 (2) the Committee on Armed Services and the  
22 Select Committee on Intelligence of the Senate.



1 **SEC. 1070. STUDY AND REPORT ON DEPARTMENT OF DE-**  
2 **FENSE EXCESS PERSONAL PROPERTY PRO-**  
3 **GRAM.**

4 (a) STUDY.—The Director of the Defense Logistics  
5 Agency shall conduct a study on the excess personal prop-  
6 erty program of the Department of Defense under section  
7 2576a of title 10, United States Code, and the administra-  
8 tion of such program by the Law Enforcement Support  
9 Office. Such study shall include—

10 (1) an analysis of the degree to which personal  
11 property transferred under such program has been  
12 distributed equitably between larger, well-resourced  
13 municipalities and units of government and smaller,  
14 less well-resourced municipalities and units of gov-  
15 ernment; and

16 (2) an identification of potential reforms to  
17 such program to ensure that such property is trans-  
18 ferred in a manner that provides adequate oppor-  
19 tunity for participation by smaller, less well-  
20 resourced municipalities and units of government.

21 (b) REPORT.—Not later than one year after the date  
22 of the enactment of this Act, the Director shall submit  
23 to the congressional defense committees a report on the  
24 results of a study required under subsection (a).

1 **SEC. 1071. OPTIMIZATION OF IRREGULAR WARFARE TECH-**  
2 **NICAL SUPPORT DIRECTORATE.**

3 (a) **PLAN REQUIRED.**—Not later than 90 days after  
4 the date of the enactment of this Act, the Assistant Sec-  
5 retary of Defense for Special Operations and Low Inten-  
6 sity Conflict shall submit to the congressional defense  
7 committees a plan for improving the support provided by  
8 the Irregular Warfare Technical Support Directorate to  
9 meet military requirements. Such plan shall include the  
10 following:

11 (1) Specific actions to—

12 (A) ensure adequate focus on rapid fielding  
13 of required capabilities;

14 (B) improve metrics and methods for  
15 tracking projects that have transitioned into  
16 programs of record; and

17 (C) minimize overlap with other research,  
18 development, and acquisition efforts.

19 (2) Such other matters as the Assistant Sec-  
20 retary of Defense for Special Operations and Low  
21 Intensity Conflict considers relevant.

22 (b) **DEPARTMENT OF DEFENSE INSTRUCTION RE-**  
23 **QUIRED.**—Not later than 270 days after the date of the  
24 enactment of this Act, the Assistant Secretary of Defense  
25 for Special Operations and Low Intensity Conflict, in co-  
26 ordination with the Under Secretary of Defense for Re-

1 search and Engineering, the Under Secretary of Defense  
2 for Acquisition and Sustainment, and the Secretaries of  
3 the military departments, shall publish an updated De-  
4 partment of Defense Instruction in order to—

5 (1) define the objectives, organization, mission,  
6 customer base, and role of the Irregular Warfare  
7 Technical Support Directorate;

8 (2) ensure coordination with external program  
9 managers assigned to the military departments and  
10 the United States Special Operations Command;

11 (3) facilitate adequate oversight by the Assist-  
12 ant Secretary of Defense for Special Operations and  
13 Low Intensity Conflict, the Under Secretary of De-  
14 fense for Research and Engineering, and the Under  
15 Secretary of Defense for Acquisition and  
16 Sustainment; and

17 (4) address such other matters as the Assistant  
18 Secretary of Defense for Special Operations and  
19 Low Intensity Conflict considers relevant.

20 **SEC. 1072. ASSESSMENT OF REQUIREMENTS FOR AND MAN-**  
21 **AGEMENT OF ARMY THREE-DIMENSIONAL**  
22 **GEOSPATIAL DATA.**

23 (a) **JOINT ASSESSMENTS AND DETERMINATIONS.—**  
24 The Vice Chairman of the Joint Chiefs of Staff, the Under  
25 Secretary of Defense for Intelligence and Security, and the

1 Secretary of the Army, in consultation with other appro-  
2 priate officials of the Department of Defense, shall jointly  
3 carry out each of the following:

4 (1) An assessment of the requirements of the  
5 joint force with respect to three-dimensional  
6 geospatial data in order to achieve Combined Joint  
7 All-Domain Command and Control, including the  
8 use of such data for each of the following:

9 (A) Training.

10 (B) Planning.

11 (C) Modeling and simulation.

12 (D) Mission rehearsal.

13 (E) Operations.

14 (F) Intelligence, including geolocation sup-  
15 port to intelligence collection systems.

16 (G) Dynamic and precision targeting.

17 (H) After action reviews.

18 (2) A determination of whether three-dimen-  
19 sional geospatial data derived from Government  
20 sources, commercial sources, or both (referred to as  
21 “derivative three-dimensional geospatial data”)  
22 meets the accuracy, resolution, community sensor  
23 model compliance, and currency required for preci-  
24 sion targeting.

1           (3) A determination of the optimum manage-  
2           ment, joint funding structure, and resources re-  
3           quired for the collection, tasking, acquisition, pro-  
4           duction, storage, and consumption of three-dimen-  
5           sional geospatial data, including a consideration of—

6                   (A) designating the Army as the Executive  
7                   Agent for warfighter collection, production, and  
8                   consumption of three-dimensional geospatial  
9                   content at the point-of-need;

10                   (B) designating the National Geospatial  
11                   Intelligence Agency, in its role as the Geospatial  
12                   Intelligence Functional Manager, as the Execu-  
13                   tive Agent for quality assessment, testing, eval-  
14                   uation, validation, and enterprise storage and  
15                   retrieval of derivative three-dimensional  
16                   geospatial data;

17                   (C) existing governance structures across  
18                   the Department of Defense and the National  
19                   Geospatial Intelligence Agency for the procure-  
20                   ment and production of three-dimensional  
21                   geospatial data and the development of tools  
22                   and plans, from either commercial or Govern-  
23                   ment sources; and

24                   (D) identifying potential commercial and  
25                   Government capabilities that could be estab-

1           lished as a three-dimensional geospatial intel-  
2           ligence program of record.

3           (b) ARMY MANAGEMENT CONSIDERATIONS.—If the  
4 Vice Chairman, the Under Secretary, and the Secretary  
5 of the Army determine that the Army should serve as the  
6 Executive Agent for Department of Defense three-dimen-  
7 sional geospatial data, the Secretary shall determine the  
8 respective roles within the Army.

9           (c) ADDITIONAL ARMY DETERMINATIONS.—The Sec-  
10 retary of the Army shall determine whether operational  
11 use of the Integrated Visual Augmentation System and  
12 Army intelligence and mission command systems require  
13 three-dimensional geospatial data for assigned operational  
14 missions, including targeting.

15          (d) BRIEFING REQUIRED.—Not later than 180 days  
16 after the date of the enactment of this Act, the Vice Chair-  
17 man, the Under Secretary, and the Secretary of the Army  
18 shall complete the assessments and determinations re-  
19 quired by this section and provide to the congressional de-  
20 fense committees a briefing on such assessments and de-  
21 terminations.

1 **SEC. 1073. REQUIRED REVIEW OF DEPARTMENT OF DE-**  
2 **FENSE UNMANNED AIRCRAFT SYSTEMS CAT-**  
3 **EGORIZATION.**

4 (a) IN GENERAL.—The Under Secretary of Defense  
5 for Acquisition and Sustainment shall initiate a process—

6 (1) to review the system used by the Depart-  
7 ment of Defense for categorizing unmanned aircraft  
8 systems, as described in Joint Publication 3–30 ti-  
9 tled “Joint Air Operations”; and

10 (2) to determine whether modifications should  
11 be made in the Department of Defense grouping of  
12 unmanned aerial systems into five broad categories,  
13 as in effect on the date of the enactment of this Act.

14 (b) REQUIRED ELEMENTS FOR REVISION.—If the  
15 Under Secretary determines under subsection (a) that the  
16 characteristics associated with any of the five categories  
17 of unmanned aircraft systems should be revised, the  
18 Under Secretary shall consider the effect a revision would  
19 have on—

20 (1) the future capability and employment needs  
21 to support current and emerging warfighting con-  
22 cepts;

23 (2) advanced systems and technologies available  
24 in the current commercial marketplace;

25 (3) the rapid fielding of unmanned aircraft sys-  
26 tems technology; and

1           (4) the integration of unmanned aircraft sys-  
2           tems into the National Airspace System.

3           (c) CONSULTATION REQUIREMENTS.—In carrying  
4           out the review required under subsection (a), the Under  
5           Secretary shall consult with—

6           (1) the Secretary of each of the military depart-  
7           ments;

8           (2) the Chairman of the Joint Chiefs of Staff;

9           (3) the Secretary of State; and

10          (4) the Administrator of the Federal Aviation  
11          Administration.

12          (d) REPORT REQUIRED.—Not later than October 1,  
13          2022, the Under Secretary shall submit to the congres-  
14          sional defense committees, the Committee on Transpor-  
15          tation and Infrastructure and the Committee on Foreign  
16          Affairs of the House of Representatives, and the Com-  
17          mittee on Commerce, Science, and Transportation and the  
18          Committee on Foreign Relations of the Senate a report  
19          that includes a description of—

20          (1) the results of the review initiated under  
21          subsection (a);

22          (2) any revisions planned to the system used by  
23          the Department of Defense for categorizing un-  
24          manned aircraft systems as a result of such review;



1           (3) the costs and benefits of any planned revi-  
2           sions; and

3           (4) a proposed implementation plan and  
4           timelines for such revisions.

5 **SEC. 1074. ANNUAL REPORT AND BRIEFING ON GLOBAL**  
6 **FORCE MANAGEMENT ALLOCATION PLAN.**

7           (a) **IN GENERAL.**—Not later than October 31, 2022,  
8 and annually thereafter through 2024, the Secretary of  
9 Defense shall provide to the Committees on Armed Serv-  
10 ices of the Senate and House of Representatives a classi-  
11 fied report and a classified briefing on the Global Force  
12 Management Allocation Plan and its implementation.

13           (b) **REPORT.**—Each report required by subsection (a)  
14 shall include a summary describing the Global Force Man-  
15 agement Allocation Plan being implemented as of October  
16 1 of the year in which the report is provided.

17           (c) **BRIEFING.**—Each briefing required by subsection  
18 (a) shall include the following:

19           (1) A summary of the major modifications to  
20 global force allocation made during the preceding  
21 fiscal year that deviated from the Global Force Man-  
22 agement Allocation Plan for that fiscal year as a re-  
23 sult of a shift in strategic priorities, requests for  
24 forces, or other contingencies, and an explanation  
25 for such modifications.

1           (2) A description of the major differences be-  
2           tween the Global Force Management Allocation Plan  
3           for the current fiscal year and the Global Force  
4           Management Allocation Plan for the preceding fiscal  
5           year.

6           (3) A description of any difference between the  
7           actual global allocation of forces, as of October 1 of  
8           the year in which the briefing is provided, and the  
9           forces stipulated in the Global Force Management  
10          Allocation Plan being implemented on that date.

11 **SEC. 1075. REPORT ON WORLD WAR I AND KOREAN WAR**  
12 **ERA SUPERFUND FACILITIES.**

13          (a) IN GENERAL.—Not later than 180 days after the  
14          date of the enactment of this Act, the Secretary of Defense  
15          shall submit to Congress a report on active Superfund fa-  
16          cilities where a hazardous substance originated from De-  
17          partment of Defense activities occurring between the be-  
18          ginning of World War I and the end of the Korean War.  
19          Such report shall include a description of such Superfund  
20          facilities as well as any actions, planned actions, commu-  
21          nication with communities, and cooperation with relevant  
22          agencies, including the Environmental Protection Agency,  
23          carried out or planned to be carried out by the Depart-  
24          ment of Defense.

1 (b) SUPERFUND FACILITY.—In this section, the term  
2 “Superfund facility” means a facility included on the Na-  
3 tional Priorities List pursuant to section 105 of the Com-  
4 prehensive Environmental Response, Compensation, and  
5 Liability Act of 1980 (42 U.S.C. 9605).

6 **SEC. 1076. REPORT ON IMPLEMENTATION OF IRREGULAR**  
7 **WARFARE STRATEGY.**

8 (a) REPORT.—Not later than 180 days after the date  
9 of the enactment of this Act, and annually thereafter  
10 through fiscal year 2027, the Secretary of Defense shall  
11 submit to the congressional defense committees a report  
12 on the activities and programs of the Department of De-  
13 fense to implement the irregular warfare strategy con-  
14 sistent with the 2019 Irregular Warfare Annex to the Na-  
15 tional Defense Strategy, as amended by any subsequent  
16 national defense strategy.

17 (b) ELEMENTS OF REPORT.—Each report required  
18 by subsection (a) shall include the following elements for  
19 the year covered by the report:

20 (1) A description and assessment of efforts to  
21 institutionalize the approach of the Department of  
22 Defense to irregular warfare and maintain a baseline  
23 of capabilities and expertise in irregular warfare in  
24 both conventional and special operations forces, in-  
25 cluding efforts to—

1 (A) institutionalize irregular warfare in  
2 force development and design;

3 (B) transform the approach of the Depart-  
4 ment of Defense to prioritize investments in,  
5 and development of, human capital for irregular  
6 warfare;

7 (C) ensure an approach to irregular war-  
8 fare that is agile, efficient, and effective by in-  
9 vesting and developing capabilities in a cost-in-  
10 formed and resource-sustainable manner; and

11 (D) integrate irregular warfare approaches  
12 into operational plans and warfighting concepts  
13 for competition, crisis, and conflict.

14 (2) A description and assessment of efforts to  
15 operationalize the approach of the Department of  
16 Defense to irregular warfare to meet the full range  
17 of challenges posed by adversaries and competitors,  
18 including efforts to—

19 (A) execute proactive, enduring campaigns  
20 using irregular warfare capabilities to control  
21 the tempo of competition, shape the environ-  
22 ment, and increase the cost of hostilities  
23 against the United States and its allies;

24 (B) adopt a resource-sustainable approach  
25 to countering violent extremist organizations

1 and consolidating gains against the enduring  
2 threat from these organizations;

3 (C) improve the ability of the Department  
4 of Defense to understand and operate within  
5 the networked, contested, and multi-domain en-  
6 vironment in which adversaries and competitors  
7 operate;

8 (D) foster and sustain unified action in ir-  
9 regular warfare including through collaboration  
10 and support of interagency partners in the for-  
11 mulation of assessments, plans, and the conduct  
12 of operations; and

13 (E) expand networks of allies and part-  
14 ners, including for the purpose of increasing the  
15 ability and willingness of allies and partners to  
16 defend their sovereignty, contribute to coalition  
17 operations, and advance common security initia-  
18 tives.

19 (3) A description of—

20 (A) the status of the plan required to be  
21 produced by the Assistant Secretary of Defense  
22 for Special Operations and Low Intensity Con-  
23 flict and the Chairman of the Joint Chiefs of  
24 Staff, in coordination with the combatant com-  
25 mands and the Secretaries of the military de-

1           partments, to implement the objectives de-  
2           scribed in the 2019 Irregular Warfare Annex to  
3           the National Defense Strategy; and

4                   (B) the efforts by the relevant components  
5           of the Department of Defense to expeditiously  
6           implement such plan, including the allocation of  
7           resources to implement the plan.

8           (4) An assessment by the Secretary of Defense  
9           of the resources, plans, and authorities required to  
10          establish and sustain irregular warfare as a fully-in-  
11          tegrated core competency for the Joint Forces.

12          (c) FORM.—The report required by subsection (a)  
13          shall be submitted in unclassified form, but may include  
14          a classified annex.

15   **SEC. 1077. STUDY ON PROVIDING END-TO-END ELECTRONIC**  
16                   **VOTING SERVICES FOR ABSENT UNIFORMED**  
17                   **SERVICES VOTERS IN LOCATIONS WITH LIM-**  
18                   **ITED OR IMMATURE POSTAL SERVICE.**

19          (a) STUDY.—In consultation with the Chief Informa-  
20          tion Officer of the Department of Defense, the Presi-  
21          dential designee under the Uniformed and Overseas Citi-  
22          zens Absentee Voting Act (52 U.S.C. 20301 et seq.) shall  
23          conduct a study on providing end-to-end electronic voting  
24          services (including services for registering to vote, request-  
25          ing an electronic ballot, completing the ballot, and return-

1 ing the ballot) in participating States for absent uni-  
2 formed services voters under such Act who are deployed  
3 or mobilized to locations with limited or immature postal  
4 service (as determined by the Presidential designee).

5 (b) SPECIFICATIONS.—In conducting the study under  
6 subsection (a), the Presidential designee shall include—

7 (1) methods that would ensure voters have the  
8 opportunity to verify that their ballots are received  
9 and tabulated correctly by the appropriate State and  
10 local election officials;

11 (2) methods that would generate a verifiable  
12 and auditable vote trail for the purposes of any re-  
13 count or audit conducted with respect to an election;

14 (3) a plan of action and milestones on steps  
15 that would need to be achieved prior to imple-  
16 menting end-to-end electronic voting services for ab-  
17 sentee uniformed services voters;

18 (4) an assessment of whether commercially  
19 available technologies may be used to carry out any  
20 of the elements of the plan; and

21 (5) an assessment of the resources needed to  
22 implement the plan of action and milestones referred  
23 to in paragraph (3).

24 (c) CONSULTATION WITH STATE AND LOCAL ELEC-  
25 TION OFFICIALS.—The Presidential designee shall con-

1 duct the study under subsection (a) in consultation with  
2 appropriate State and local election officials.

3 (d) USE OF CONTRACTORS.—To the extent the Presi-  
4 dential designee determines to be appropriate, the Presi-  
5 dential designee may include in the study conducted under  
6 subsection (a) an analysis of the potential use of contrac-  
7 tors to provide voting services and how such contractors  
8 could be used to carry out the elements of the plan re-  
9 ferred to in subsection (b)(3).

10 (e) BRIEFING; REPORT.—

11 (1) BRIEFING.—Not later than 180 days after  
12 the date of the enactment of this Act, the Presi-  
13 dential designee shall provide to the Committees on  
14 Armed Services of the Senate and House of Rep-  
15 resentatives a briefing on the interim results of the  
16 study conducted under subsection (a).

17 (2) REPORT.—Not later than one year after the  
18 date of the enactment of this Act, the Presidential  
19 designee shall submit to the Committees on Armed  
20 Services of the Senate and House of Representatives  
21 a report on the results of the study conducted under  
22 subsection (a).





1           (2) The table of sections at the beginning of  
2           chapter 2 is amended by striking the item relating  
3           to section 118 and inserting the following new item:

“118. Materiel readiness metrics and objectives for major weapon systems.”.

4           (3) The second section 118a, as added by sec-  
5           tion 341 of the William M. (Mac) Thornberry Na-  
6           tional Defense Authorization Act for Fiscal Year  
7           2021 (Public Law 116–283), is redesignated as sec-  
8           tion 118b, and the table of sections at the beginning  
9           of chapter 2 of such title is conformed accordingly.

10          (4) Section 138(b)(2)(A)(i) is amended by  
11          striking the semicolon.

12          (5) Section 196(d) is amended by striking “,”  
13          and inserting “;”.

14          (6) Section 231a(e)(2) is amended by striking  
15          “include the following,” and inserting “include”.

16          (7) Section 240b(b)(1)(B)(xiii) is amended by  
17          striking “An” and inserting “A”.

18          (8) Section 240g(a)(3) is amended by striking  
19          “; and” and inserting “;”.

20          (9) Section 393(b)(2)(D) is amended by insert-  
21          ing a period at the end.

22          (10) Section 483(f)(3) is amended by inserting  
23          “this” before “title”.

24          (11) Section 651(a) is amended by inserting a  
25          comma after “3806(d)(1)”.

1           (12) The table of sections at the beginning of  
2 chapter 39 is amended by adding a period at the end  
3 of the item relating to section 691.

4           (13) Section 823(a)(2) (article 23(a)(2) of the  
5 Uniform Code of Military Justice) is amended by in-  
6 serting a comma after “Army”.

7           (14) Section 856(b) (article 56(b) of the Uni-  
8 form Code of Military Justice) is amended by strik-  
9 ing “subsection (d) of section 853a” and inserting  
10 “subsection (e) of section 853a”.

11           (15) Section 1044e(g) is amended by striking  
12 “number of Special Victims’ Counsel” and inserting  
13 “number of Special Victims’ Counsels”.

14           (16) The table of sections at the beginning of  
15 chapter 54 is amended by striking the item relating  
16 to section 1065 and inserting the following new  
17 item:

“1065. Use of commissary stores and MWR facilities: certain veterans, care-  
givers for veterans, and Foreign Service officers.”.

18           (17) Section 1463(a)(4) is amended by striking  
19 “that that” and inserting “that”.

20           (18) Section 1465(b)(2) is amended by striking  
21 “the the” and inserting “the”.

22           (19) Section 1466(a) is amended, in the matter  
23 preceding paragraph (1), by striking “Coast guard”  
24 and inserting “Coast Guard”.

1           (20) Section 1554a(g)(2) is amended by strik-  
2           ing “..” and inserting “.”.

3           (21) Section 1599h is amended—

4                 (A) in subsection (a), by redesignating the  
5                 second paragraph (7) and paragraph (8) as  
6                 paragraphs (8) and (9), respectively; and

7                 (B) in subsection (b)(1), by redesignating  
8                 the second subparagraph (G) and subparagraph  
9                 (H) as subparagraphs (H) and (I), respectively.

10           (22) Section 1705(a) is amended by striking “a  
11           fund” and inserting “an account”.

12           (23) Section 1722a(a) is amended by striking  
13           “,” and inserting “,”.

14           (24) Section 1788a(e) is amended—

15                 (A) in paragraph (3), by striking “section  
16                 167(i)” and inserting “section 167(j)”;

17                 (B) in paragraph (4), by striking “covered  
18                 personnel” and inserting “covered individuals”;  
19                 and

20                 (C) in paragraph (5), in the matter pre-  
21                 ceding subparagraph (A), by striking “‘covered  
22                 personnel’” and inserting “‘covered individ-  
23                 uals’”.

24           (25) The table of chapters at the beginning of  
25           part III of subtitle A is amended, in the item relat-

1       ing to chapter 113, by striking the period after  
2       “2200g”.

3           (26) Section 2107(a) is amended by striking  
4       “or Space Force”.

5           (27) Section 2279b(b) is amended by redesignig-  
6       nating the second paragraph (11) as paragraph  
7       (12).

8           (28) Section 2321(f) is amended by striking  
9       “the item” both places it appears and inserting “the  
10      commercial product”.

11          (29) The second section 2350m (relating to exe-  
12      cution of projects under the North Atlantic Treaty  
13      Organization Security Investment Program), as  
14      added by section 2503 of the William M. (Mac)  
15      Thornberry National Defense Authorization Act for  
16      Fiscal Year 2021 (Public Law 116–283), is redesignig-  
17      nated as section 2350q and the table of sections at  
18      the beginning of subchapter II of chapter 138 is  
19      conformed accordingly.

20          (30) Section 2534(a) is amended—

21           (A) in paragraph (3), by striking “sub-  
22      section (j)” and inserting “subsection (k)”; and

23           (B) in paragraph (5), by striking “prin-  
24      ciple” and inserting “principal”.

1           (31) Section 2891a(e)(1) is amended by strik-  
2           ing “the any” and inserting “the”.

3           (32) The table of sections at the beginning of  
4           chapter 871 is amended—

5                   (A) by striking the item relating to section  
6           8749 and inserting the following new item:

          “8749. Civil service mariners of Military Sealift Command: release of drug and  
          alcohol test results to Coast Guard.”; and

7                   (B) by striking the item relating to section  
8           8749a and inserting the following new item:

          “8749a. Civil service mariners of Military Sealift Command: alcohol testing.”.

9           (33) The second section 9084, as added by sec-  
10          tion 1601 of the William M. (Mac) Thornberry Na-  
11          tional Defense Authorization Act for Fiscal Year  
12          2021 (Public Law 116–283), is transferred to ap-  
13          pear after section 9085 and redesignated as section  
14          9086, and the table of sections at the beginning of  
15          chapter 908 of such title is conformed accordingly.

16          (34) The second section 9132 (relating to Reg-  
17          ular Air Force and Regular Space Force: reenlist-  
18          ment after service as an officer) is redesignated as  
19          section 9138 (and the table of sections at the begin-  
20          ning of chapter 913 is conformed accordingly).

21          (35) The section heading for section 9401 is  
22          amended to read as follows (and the table of sections

1 at the beginning of chapter 951 is conformed ac-  
2 cordingly):

3 **“§ 9401. Members of Air Force and Space Force: de-  
4 tail as students, observers, and investiga-  
5 tors at educational institutions, indus-  
6 trial plants, and hospitals”.**

7 (36) The section heading for section 9402 is  
8 amended to read as follows (and the table of sections  
9 at the beginning of chapter 951 is conformed ac-  
10 cordingly):

11 **“§ 9402. Enlisted members of Air Force or Space  
12 Force: schools”.**

13 (37) Section 9840 is amended in the second  
14 sentence by striking “He” and inserting “The offi-  
15 cer”.

16 (b) NDAA FOR FISCAL YEAR 2021.—Effective as of  
17 January 1, 2021, and as if included therein as enacted,  
18 section 1 of the William M. (Mac) Thornberry National  
19 Defense Authorization Act for Fiscal Year 2021 (Public  
20 Law 116–283) is amended—

21 (1) by inserting “(a) IN GENERAL.—” before  
22 “This Act”; and

23 (2) by adding at the end the following:

24 “(b) REFERENCES.—Any reference in this or any  
25 other Act to the ‘National Defense Authorization Act for

1 Fiscal Year 2021’ shall be deemed to be a reference to  
2 the ‘William M. (Mac) Thornberry National Defense Au-  
3 thorization Act for Fiscal Year 2021’.”.

4 (c) NDAA FOR FISCAL YEAR 2020.—Effective as of  
5 December 20, 2019, and as if included therein as enacted,  
6 section 1739(a) of the National Defense Authorization Act  
7 for Fiscal Year 2020 (Public Law 116–92) is amended  
8 by striking “VI” and inserting “VII”.

9 (d) COORDINATION WITH OTHER AMENDMENTS  
10 MADE BY THIS ACT.—For purposes of applying amend-  
11 ments made by provisions of this Act other than this sec-  
12 tion, the amendments made by this section shall be treated  
13 as having been enacted immediately before any such  
14 amendments by other provisions of this Act.

15 **SEC. 1082. MODIFICATION TO REGIONAL CENTERS FOR SE-**  
16 **CURITY STUDIES.**

17 (a) IN GENERAL.—Section 342(b)(2) of title 10,  
18 United States Code, is amended by adding at the end the  
19 following new subparagraph:

20 “(F) The Ted Stevens Center for Arctic Secu-  
21 rity Studies, established in 2021 and located in An-  
22 chorage, Alaska.”.

23 (b) ACCEPTANCE OF GIFTS AND DONATIONS.—Sec-  
24 tion 2611(a)(2) of title 10, United States Code, is amend-  
25 ed by adding at the end the following new subparagraph:



1           “(F) The Ted Stevens Center for Arctic Secu-  
2           rity Studies.”.

3 **SEC. 1083. IMPROVEMENT OF TRANSPARENCY AND CON-**  
4                                   **GRESSIONAL OVERSIGHT OF CIVIL RESERVE**  
5                                   **AIR FLEET.**

6           (a) DEFINITIONS.—

7                   (1) SECRETARY.—Paragraph (10) of section  
8                   9511 of title 10, United States Code, is amended to  
9                   read as follows:

10                           “(10) The term ‘Secretary’ means the Secretary  
11                           of Defense.”.

12                   (2) CONFORMING AMENDMENTS.—Chapter 961  
13                   of title 10, United States Code, as amended by para-  
14                   graph (1), is further amended—

15                           (A) in section 9511a by striking “Sec-  
16                           retary of Defense” each place it appears and in-  
17                           serting “Secretary”;

18                           (B) in section 9512(e), by striking “Sec-  
19                           retary of Defense” and inserting “Secretary”;  
20                           and

21                           (C) in section 9515, by striking “Secretary  
22                           of Defense” each place it appears and inserting  
23                           “Secretary”.

1 (b) ANNUAL REPORT ON CIVIL RESERVE AIR  
2 FLEET.—Section 9516 of title 10, United States Code, is  
3 amended—

4 (1) in subsection (d), by striking “When the  
5 Secretary” and inserting “Subject to subsection (e),  
6 when the Secretary”;

7 (2) by redesignating subsection (e) as sub-  
8 section (f); and

9 (3) by inserting after subsection (d) the fol-  
10 lowing new subsection:

11 “(e) ANNUAL REPORT.—Not later than 60 days after  
12 the end of each fiscal year, the Secretary shall submit to  
13 the Committees on Armed Services of the Senate and the  
14 House of Representatives a report that—

15 “(1) identifies each contract for airlift services  
16 awarded in the preceding fiscal year to a provider  
17 that does not meet the requirements set forth in  
18 subparagraphs (A) and (B) of subsection (a)(1); and

19 “(2) for each such contract—

20 “(A) specifies the dollar value of the  
21 award; and

22 “(B) provides a detailed explanation of the  
23 reasons for the award.”.

24 (c) TECHNICAL AMENDMENTS.—

1 (1) IN GENERAL.—Chapter 961 of title 10,  
2 United States Code, as amended by subsections (a)  
3 and (b), is further amended—

4 (A) by redesignating sections 9511a and  
5 9512 as sections 9512 and 9513, respectively;

6 (B) in section 9511, by striking “section  
7 9512” each place it appears and inserting “sec-  
8 tion 9513”; and

9 (C) in section 9514, by redesignating sub-  
10 section (g) as subsection (f).

11 (2) CLERICAL AMENDMENT.—The table of sec-  
12 tions at the beginning of such chapter is amended  
13 by striking the items relating to sections 9511a and  
14 9512 and inserting the following new items:

“9512. Civil Reserve Air Fleet contracts: payment rate.

“9513. Contracts for the inclusion or incorporation of defense features.”.

15 (d) CHARTER AIR TRANSPORTATION OF MEMBERS  
16 OF THE ARMED FORCES OR CARGO.—

17 (1) IN GENERAL.—Section 2640 of title 10,  
18 United States Code, is amended—

19 (A) in the section heading, by inserting  
20 “**or cargo**” after “**armed forces**”;

21 (B) in subsection (a)(1), by inserting “or  
22 cargo” after “members of the armed forces”;

23 (C) in subsection (b), by inserting “or  
24 cargo” after “members of the armed forces”;

1 (D) in subsection (d)(1), by inserting “or  
2 cargo” after “members of the armed forces”;

3 (E) in subsection (e)—

4 (i) by inserting “or cargo” after  
5 “members of the armed forces”; and

6 (ii) by inserting “or cargo” before the  
7 period at the end;

8 (F) in subsection (f), by inserting “or  
9 cargo” after “members of the armed forces”;  
10 and

11 (G) in subsection (j)(1), by inserting  
12 “‘cargo’,” after “‘air transportation’,”.

13 (2) CLERICAL AMENDMENT.—The table of sec-  
14 tions at the beginning of chapter 157 of title 10,  
15 United States Code, is amended by striking the item  
16 relating to section 2640 and inserting the following  
17 new item:

“2640. Charter air transportation of members of the armed forces or cargo.”.

18 **SEC. 1084. OBSERVANCE OF NATIONAL ATOMIC VETERANS**  
19 **DAY.**

20 (a) IN GENERAL.—Chapter 1 of title 36, United  
21 States Code, is amended by adding at the end the fol-  
22 lowing new section:

23 **“§ 146. National Atomic Veterans Day**

24 “The President shall issue each year a proclamation  
25 calling on the people of the United States to—

1           “(1) observe Atomic Veterans Day with appro-  
2           priate ceremonies and activities; and

3           “(2) remember and honor the atomic veterans  
4           of the United States whose brave service and sac-  
5           rifice played an important role in the defense of the  
6           Nation.”.

7           (b) CLERICAL AMENDMENT.—The table of sections  
8           at the beginning of such chapter is amended by adding  
9           at the end the following new item:

          “146. National Atomic Veterans Day.”.

10   **SEC. 1085. UPDATE OF JOINT PUBLICATION 3-68: NON-**  
11                           **COMBATANT EVACUATION OPERATIONS.**

12           Not later than July 1, 2022, the Chairman of the  
13   Joint Chiefs of Staff shall update Joint Publication 3-68:  
14   Noncombatant Evacuation Operations.

15   **SEC. 1086. NATIONAL MUSEUM OF THE SURFACE NAVY.**

16           (a) DESIGNATION.—The Battleship IOWA Museum,  
17   located in Los Angeles, California, and managed by the  
18   Pacific Battleship Center, shall be designated as the “Na-  
19   tional Museum of the Surface Navy”.

20           (b) PURPOSES.—The purposes of the National Mu-  
21   seum of the Surface Navy shall be to—

22                   (1) provide and support—

23                           (A) a museum dedicated to the United  
24           States Surface Navy community; and

1 (B) a platform for education, community,  
2 and veterans programs;

3 (2) preserve, maintain, and interpret artifacts,  
4 documents, images, stories, and history collected by  
5 the museum; and

6 (3) ensure that the people of the United States  
7 understand the importance of the Surface Navy in  
8 the continued freedom, safety, and security of the  
9 United States.

10 **SEC. 1087. AUTHORIZATION FOR MEMORIAL FOR MEMBERS**  
11 **OF THE ARMED FORCES KILLED IN ATTACK**  
12 **ON HAMID KARZAI INTERNATIONAL AIR-**  
13 **PORT.**

14 The Secretary of Defense may establish a commemo-  
15 rative work on Federal land owned by the Department of  
16 Defense in the District of Columbia and its environs to  
17 commemorate the 13 members of the Armed Forces who  
18 died in the bombing attack on Hamid Karzai International  
19 Airport, Kabul, Afghanistan, on August 26, 2021.

20 **SEC. 1088. TREATMENT OF OPERATIONAL DATA FROM AF-**  
21 **GHANISTAN.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that—

1           (1) an immense amount of operational data and  
2 intelligence has been developed over the past two  
3 decades of war in Afghanistan; and

4           (2) this information is valuable and must be ap-  
5 propriately retained.

6       (b) OPERATIONAL DATA.—The Secretary of Defense  
7 shall—

8           (1) archive and standardize operational data  
9 from Afghanistan across the myriad of defense infor-  
10 mation systems; and

11          (2) ensure the Afghanistan operational data is  
12 structured, searchable, and usable across the joint  
13 force.

14       (c) BRIEFING.—Not later than March 4, 2022, the  
15 Under Secretary of Defense for Intelligence and Security  
16 shall provide to the Committee on Armed Services of the  
17 House of Representatives a briefing on how the Depart-  
18 ment of Defense has removed, retained, and assured long-  
19 term access to operational data from Afghanistan across  
20 each military department and command. Such briefing  
21 shall address the manner in which the Department of De-  
22 fense—

23           (1) is standardizing and archiving intelligence  
24 and operational data from Afghanistan across the  
25 myriad of defense information systems; and

1           (2) ensuring access to such data across the  
2 joint force.

3 **SEC. 1089. RESPONSIBILITIES FOR NATIONAL MOBILIZA-**  
4 **TION; PERSONNEL REQUIREMENTS.**

5           (a) EXECUTIVE AGENT FOR NATIONAL MOBILIZA-  
6 TION.—The Secretary of Defense shall designate a senior  
7 civilian official within the Office of the Secretary of De-  
8 fense as the Executive Agent for National Mobilization.  
9 The Executive Agent for National Mobilization shall be  
10 responsible for—

11           (1) developing, managing, and coordinating pol-  
12 icy and plans that address the full spectrum of mili-  
13 tary mobilization readiness, including full mobiliza-  
14 tion of personnel from volunteers to other persons  
15 inducted into the Armed Forces under the Military  
16 Selective Service Act (50 U.S.C. 3801 et seq.);

17           (2) providing Congress and the Selective Serv-  
18 ice System with updated requirements and timelines  
19 for obtaining inductees in the event of a national  
20 emergency requiring mass mobilization and induc-  
21 tion of personnel under the Military Selective Service  
22 Act for training and service in the Armed Forces;  
23 and

24           (3) providing Congress with a plan, developed  
25 in coordination with the Selective Service System, to



1 induct large numbers of volunteers who may respond  
2 to a national call for volunteers during an emer-  
3 gency.

4 (b) REPORT REQUIRED.—Not later than one year  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense shall submit to Congress a plan for obtaining  
7 inductees as part of a mobilization timeline for the Selec-  
8 tive Service System. The plan shall include a description  
9 of resources, locations, and capabilities of the Armed  
10 Forces required to train, equip, and integrate personnel  
11 inducted into the Armed Forces under the Military Selec-  
12 tive Service Act into the total force, addressing scenarios  
13 that would include 300,000, 600,000, and 1,000,000 new  
14 volunteer and other personnel inducted into the Armed  
15 Forces under the Military Selective Service Act. The plan  
16 may be provided in classified form.

17 **SEC. 1090. INDEPENDENT ASSESSMENT WITH RESPECT TO**  
18 **ARCTIC REGION.**

19 (a) INDEPENDENT ASSESSMENT.—

20 (1) IN GENERAL.—Not later than 90 days after  
21 the date of the enactment of this Act, the Com-  
22 mander of the United States Northern Command, in  
23 consultation and coordination with the Commander  
24 of the United States Indo-Pacific Command, the  
25 Commander of the United States European Com-

1 mand, the military services, and the defense agen-  
2 cies, shall complete an independent assessment with  
3 respect to the activities and resources required, for  
4 fiscal years 2023 through 2027, to achieve the fol-  
5 lowing objectives:

6 (A) The implementation of the National  
7 Defense Strategy and military service-specific  
8 strategies with respect to the Arctic region.

9 (B) The maintenance or restoration of the  
10 comparative military advantage of the United  
11 States in response to great power competitors  
12 in the Arctic region.

13 (C) The reduction of the risk of executing  
14 operation and contingency plans of the Depart-  
15 ment of Defense.

16 (D) To maximize execution of Department  
17 operation and contingency plans, in the event  
18 deterrence fails.

19 (2) ELEMENTS.—The assessment required by  
20 paragraph (1) shall include the following:

21 (A) An analysis of, and recommended  
22 changes to achieve, the required force structure  
23 and posture of assigned and allocated forces  
24 within the Arctic region for fiscal year 2027

1 necessary to achieve the objectives described in  
2 paragraph (1), which shall be informed by—

3 (i) a review of United States military  
4 requirements based on operation and con-  
5 tingency plans, capabilities of potential ad-  
6 versaries, assessed gaps or shortfalls of the  
7 Armed Forces within the Arctic region,  
8 and scenarios that consider—

9 (I) potential contingencies that  
10 commence in the Arctic region and  
11 contingencies that commence in other  
12 regions but affect the Arctic region;

13 (II) use of near-, mid-, and far-  
14 time horizons to encompass the range  
15 of circumstances required to test new  
16 concepts and doctrine;

17 (III) supporting analyses that  
18 focus on the number of regionally pos-  
19 tured military units and the quality of  
20 capability of such units;

21 (ii) a review of current United States  
22 military force posture and deployment  
23 plans within the Arctic region, especially of  
24 Arctic-based forces that provide support to,  
25 or receive support from, the United States

1 Northern Command, the United States  
2 Indo-Pacific Command, or the United  
3 States European Command;

4 (iii) an analysis of potential future re-  
5 alignments of United States forces in the  
6 region, including options for strengthening  
7 United States presence, access, readiness,  
8 training, exercises, logistics, and pre-posi-  
9 tioning; and

10 (iv) any other matter the Commander  
11 of the United States Northern Command  
12 considers appropriate.

13 (B) A discussion of any factor that may in-  
14 fluence the United States posture, supported by  
15 annual wargames and other forms of research  
16 and analysis.

17 (C) An assessment of capabilities require-  
18 ments to achieve such objectives.

19 (D) An assessment of logistics require-  
20 ments, including personnel, equipment, supplies,  
21 storage, and maintenance needs to achieve such  
22 objectives.

23 (E) An assessment and identification of re-  
24 quired infrastructure and military construction  
25 investments to achieve such objectives.

1 (3) REPORT.—

2 (A) IN GENERAL.—Upon completion of the  
3 assessment required by paragraph (1), the  
4 Commander of the United States Northern  
5 Command shall submit to the Secretary of De-  
6 fense a report on the assessment.

7 (B) SUBMITTAL TO CONGRESS.—Not later  
8 than 30 days after the date on which the Sec-  
9 retary receives the report under subparagraph  
10 (A), the Secretary shall provide to the congres-  
11 sional defense committees—

12 (i) a copy of the report, in its entirety;

13 and

14 (ii) any additional analysis or infor-  
15 mation, as the Secretary considers appro-  
16 priate.

17 (C) FORM.—The report required by sub-  
18 paragraph (A), and any additional analysis or  
19 information provided under subparagraph  
20 (B)(i)(II), may be submitted in classified form,  
21 but shall include an unclassified summary.

22 (b) ARCTIC SECURITY INITIATIVE.—

23 (1) PLAN.—

24 (A) IN GENERAL.—Not later than 30 days  
25 after the date on which the Secretary receives

1 the report under subsection (a)(3)(A), the Sec-  
2 retary shall provide to the congressional defense  
3 committees a briefing on the plan to carry out  
4 a program of activities to enhance security in  
5 the Arctic region.

6 (B) OBJECTIVES.—The plan required by  
7 subparagraph (A) shall be—

8 (i) consistent with the objectives de-  
9 scribed in paragraph (1) of subsection (a);  
10 and

11 (ii) informed by the assessment re-  
12 quired by that paragraph.

13 (C) ACTIVITIES.—The plan shall include,  
14 as necessary, the following prioritized activities  
15 to improve the design and posture of the joint  
16 force in the Arctic region:

17 (i) Modernize and strengthen the  
18 presence of the Armed Forces, including  
19 those with advanced capabilities.

20 (ii) Improve logistics and maintenance  
21 capabilities and the pre-positioning of  
22 equipment, munitions, fuel, and materiel.

23 (iii) Conduct exercises, wargames,  
24 education, training, experimentation, and  
25 innovation for the joint force.

1 (iv) Improve infrastructure to enhance  
2 the responsiveness and resiliency of the  
3 Armed Forces.

4 (2) ESTABLISHMENT.—

5 (A) IN GENERAL.—Not earlier than 30  
6 days after the submittal of the plan required by  
7 paragraph (1), the Secretary may establish a  
8 program of activities to enhance security in the  
9 Arctic region, to be known as the “Arctic Secu-  
10 rity Initiative” (in this paragraph referred to as  
11 the “Initiative”).

12 (B) FIVE-YEAR PLAN FOR THE INITIA-  
13 TIVE.—

14 (i) IN GENERAL.—If the Initiative is  
15 established, the Secretary, in consultation  
16 with the Commander of the United States  
17 Northern Command, shall submit to the  
18 congressional defense committees a future  
19 years plan for the activities and resources  
20 of the Initiative that includes the following:

21 (I) A description of the activities  
22 and resources for the first fiscal year  
23 beginning after the date on which the  
24 Initiative is established, and the plan  
25 for not fewer than the four subse-

1           quent fiscal years, organized by the  
2           activities described in paragraph  
3           (1)(C).

4                   (II) A summary of progress made  
5           toward achieving the objectives de-  
6           scribed in subsection (a)(1).

7                   (III) A summary of the activity,  
8           resource, capability, infrastructure,  
9           and logistics requirements necessary  
10          to achieve progress in reducing risk to  
11          the ability of the joint force to achieve  
12          objectives in the Arctic region, includ-  
13          ing, as appropriate, investments in—

14                   (aa) active and passive de-  
15          fenses against—

16                           (AA) manned aircraft,  
17                           surface vessels, and sub-  
18                           marines;

19                           (BB) unmanned naval  
20                           systems;

21                           (CC) unmanned aerial  
22                           systems; and

23                           (DD) theater cruise,  
24                           ballistic, and hypersonic mis-  
25                           siles;



- 1 (bb) advanced long-range  
2 precision strike systems;
- 3 (cc) command, control, com-  
4 munications, computers, intel-  
5 ligence, surveillance, and recon-  
6 naissance systems;
- 7 (dd) training and test range  
8 capacity, capability, and coordi-  
9 nation;
- 10 (ee) dispersed resilient and  
11 adaptive basing to support dis-  
12 tributed operations, including ex-  
13 peditionary airfields and ports,  
14 space launch facilities, and com-  
15 mand posts;
- 16 (ff) advanced critical muni-  
17 tions;
- 18 (gg) pre-positioned forward  
19 stocks of fuel, munitions, equip-  
20 ment, and materiel;
- 21 (hh) distributed logistics and  
22 maintenance capabilities;
- 23 (ii) strategic mobility assets,  
24 including icebreakers;

1 (jj) improved interoper-  
2 ability, logistics, transnational  
3 supply lines and infrastructure,  
4 and information sharing with al-  
5 lies and partners, including sci-  
6 entific missions; and

7 (kk) information operations  
8 capabilities.

9 (IV) A detailed timeline for  
10 achieving the requirements identified  
11 under subclause (III).

12 (V) A detailed explanation of any  
13 significant modification to such re-  
14 quirements, as compared to—

15 (aa) the assessment required  
16 by subsection (a)(1) for the first  
17 fiscal year; and

18 (bb) the plans previously  
19 submitted for each subsequent  
20 fiscal year.

21 (VI) Any other matter the Sec-  
22 retary considers necessary.

23 (ii) FORM.—A plan under clause (i)  
24 shall be submitted in unclassified form, but  
25 may include a classified annex.

1 **SEC. 1091. NATIONAL SECURITY COMMISSION ON EMERG-**  
2 **ING BIOTECHNOLOGY.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—There is hereby established,  
5 as of the date specified in paragraph (2), an inde-  
6 pendent commission in the legislative branch to be  
7 known as the “National Security Commission on  
8 Emerging Biotechnology” (in this section referred to  
9 as the “Commission”).

10 (2) DATE OF ESTABLISHMENT.—The date of  
11 establishment referred to in paragraph (1) is 30  
12 days after the date of the enactment of this Act.

13 (b) MEMBERSHIP.—

14 (1) NUMBER AND APPOINTMENT.—The Com-  
15 mission shall be composed of 12 members appointed  
16 as follows:

17 (A) Two members appointed by the Chair  
18 of the Committee on Armed Services of the  
19 Senate, one of whom is a Member of the Senate  
20 and one of whom is not.

21 (B) Two members appointed by the rank-  
22 ing minority member of the Committee on  
23 Armed Services of the Senate, one of whom is  
24 a Member of the Senate and one of whom is  
25 not.

1           (C) Two members appointed by the Chair  
2 of the Committee on Armed Services of the  
3 House of Representatives, one of whom is a  
4 Member of the House of Representatives and  
5 one of whom is not.

6           (D) Two members appointed by the rank-  
7 ing minority member of the Committee on  
8 Armed Services of the House of Representa-  
9 tives, one of whom is a Member of the House  
10 of Representatives and one of whom is not.

11           (E) One member appointed by the Speaker  
12 of the House of Representatives.

13           (F) One member appointed by the Minor-  
14 ity Leader of the House of Representatives.

15           (G) One member appointed by the Major-  
16 ity Leader of the Senate.

17           (H) One member appointed by the Minor-  
18 ity Leader of the Senate.

19           (2) DEADLINE FOR APPOINTMENT.—Members  
20 shall be appointed to the Commission under para-  
21 graph (1) not later than 45 days after the Commis-  
22 sion establishment date specified under subsection  
23 (a)(2).

24           (3) EFFECT OF LACK OF APPOINTMENT BY AP-  
25 POINTMENT DATE.—If one or more appointments

1 under paragraph (1) is not made by the appoint-  
2 ment date specified in paragraph (2), the authority  
3 to make such appointment or appointments shall ex-  
4 pire, and the number of members of the Commission  
5 shall be reduced by the number equal to the number  
6 of appointments so not made.

7 (4) QUALIFICATIONS.—The members of the  
8 Commission who are not members of Congress and  
9 who are appointed under subsection (b)(1) shall be  
10 individuals from private civilian life who are recog-  
11 nized experts and have relevant professional experi-  
12 ence in matters relating to—

13 (A) emerging biotechnology and associated  
14 technologies;

15 (B) use of emerging biotechnology and as-  
16 sociated technologies by national policy makers  
17 and military leaders; or

18 (C) the implementation, funding, or over-  
19 sight of the national security policies of the  
20 United States.

21 (c) CHAIR AND VICE CHAIR.—

22 (1) CHAIR.—The Chair of the Committee on  
23 Armed Services of the Senate and the Chair of the  
24 Committee on Armed Services of the House of Rep-  
25 resentatives shall jointly designate one member of

1 the Commission to serve as Chair of the Commis-  
2 sion.

3 (2) VICE CHAIR.—The ranking minority mem-  
4 ber of the Committee on Armed Services of the Sen-  
5 ate and the ranking minority member of the Com-  
6 mittee on Armed Services of the House of Rep-  
7 resentatives shall jointly designate one member of  
8 the Commission to serve as Vice Chair of the Com-  
9 mission.

10 (d) PERIOD OF APPOINTMENT AND VACANCIES.—  
11 Members shall be appointed for the life of the Commission.  
12 A vacancy in the Commission shall not affect its powers  
13 and shall be filled in the same manner as the original ap-  
14 pointment was made.

15 (e) PURPOSE.—The purpose of the Commission is to  
16 examine and make recommendations with respect to  
17 emerging biotechnology as it pertains to current and fu-  
18 ture missions and activities of the Department of Defense.

19 (f) SCOPE AND DUTIES.—

20 (1) IN GENERAL.—The Commission shall carry  
21 out a review of advances in emerging biotechnology  
22 and associated technologies. In carrying out such re-  
23 view, the Commission shall consider the methods,  
24 means, and investments necessary to advance and  
25 secure the development of biotechnology, biomanu-

1 facturing, and associated technologies by the United  
2 States to comprehensively address the national secu-  
3 rity and defense needs of the United States.

4 (2) SCOPE OF THE REVIEW.—In conducting the  
5 review described in this subsection, the Commission  
6 shall consider the following:

7 (A) The global competitiveness of the  
8 United States in biotechnology, biomanufac-  
9 turing, and associated technologies, including  
10 matters related to national security, defense,  
11 public-private partnerships, and investments.

12 (B) Means, methods, and investments for  
13 the United States to maintain and protect a  
14 technological advantage in biotechnology, bio-  
15 manufacturing, and associated technologies re-  
16 lated to national security and defense.

17 (C) Developments and trends in inter-  
18 national cooperation and competitiveness, in-  
19 cluding foreign investments in biotechnology,  
20 biomanufacturing, and associated technologies  
21 that are scientifically and materially related to  
22 national security and defense.

23 (D) Means by which to foster greater em-  
24 phasis and investments in basic and advanced  
25 research to stimulate government, industry,

1 academic and combined initiatives in bio-  
2 technology, biomanufacturing, and associated  
3 technologies, to the extent that such efforts  
4 have application scientifically and materially re-  
5 lated to national security and defense.

6 (E) Means by which to foster greater em-  
7 phasis and investments in advanced develop-  
8 ment and test and evaluation of biotechnology-  
9 enabled capabilities to stimulate the growth of  
10 the United States bioeconomy and commercial  
11 industry, while also supporting and improving  
12 acquisition and adoption of biotechnologies for  
13 national security purposes.

14 (F) Workforce and education incentives  
15 and programs to attract, recruit, and retain  
16 leading talent in fields relevant to the develop-  
17 ment and sustainment of biotechnology and bio-  
18 manufacturing, including science, technology,  
19 engineering, data science and bioinformatics,  
20 and biology and related disciplines.

21 (G) Risks and threats associated with ad-  
22 vances in military employment of biotechnology  
23 and biomanufacturing.

24 (H) Associated ethical, legal, social, and  
25 environmental considerations related to bio-



1 technology, biomanufacturing, and associated  
2 technologies as it will be used for future appli-  
3 cations related to national security and defense.

4 (I) Means to establish international stand-  
5 ards for the tools of biotechnology, biomanufac-  
6 turing, related cybersecurity, and digital bio-  
7 security.

8 (J) Means to establish data sharing capa-  
9 bilities within and amongst government, indus-  
10 try, and academia to foster collaboration and  
11 accelerate innovation, while maintaining privacy  
12 and security for data as required for national  
13 security and personal protection purposes.

14 (K) Consideration of the transformative  
15 potential and rapidly-changing developments of  
16 biotechnology and biomanufacturing innovation  
17 and appropriate mechanisms for managing such  
18 technology related to national security and de-  
19 fense.

20 (L) Any other matters the Commission  
21 deems relevant to national security.

22 (g) COMMISSION REPORT AND RECOMMENDA-  
23 TIONS.—

24 (1) FINAL REPORT.—Not later than 2 years  
25 after the Commission establishment date specified in

1 subsection (a)(2), the Commission shall submit to  
2 the congressional defense committees and the Presi-  
3 dent a final report on the findings of the Commis-  
4 sion and such recommendations that the Commis-  
5 sion may have for action by Congress and the Fed-  
6 eral Government.

7 (2) INTERIM REPORT.—Not later than 1 year  
8 after the Commission establishment date specified in  
9 subsection (a)(2), the Commission shall submit to  
10 the congressional defense committees and the Presi-  
11 dent an interim report on the status of the Commis-  
12 sion’s review and assessment, including a discussion  
13 of any interim recommendations.

14 (3) FORM.—The report submitted to Congress  
15 under paragraph (1) shall be submitted in unclassi-  
16 fied form, but may include a classified annex.

17 (h) GOVERNMENT COOPERATION.—

18 (1) COOPERATION.—In carrying out its duties,  
19 the Commission shall receive the full and timely co-  
20 operation of the Secretary of Defense and other  
21 Federal departments and agencies in providing the  
22 Commission with analysis, briefings, and other infor-  
23 mation necessary for the fulfillment of its respon-  
24 sibilities.

1           (2) LIAISON.—The Secretary of Defense shall  
2           designate at least one officer or employee of the De-  
3           partment of Defense to serve as a liaison officer be-  
4           tween the Department and the Commission.

5           (3) DETAILEES AUTHORIZED.—The Secretary  
6           of Defense and the heads of other departments and  
7           agencies of the Federal Government may provide,  
8           and the Commission may accept and employ, per-  
9           sonnel detailed from the Department of Defense and  
10          such other departments and agencies, without reim-  
11          bursement.

12          (4) FACILITATION.—

13                (A) INDEPENDENT, NONGOVERNMENT IN-  
14                STITUTE.—Not later than 45 days after the  
15                Commission establishment date specified in sub-  
16                section (a)(2), the Secretary of Defense may  
17                make available to the Commission the services  
18                of an independent, nongovernmental institute  
19                described in section 501(c)(3) of the Internal  
20                Revenue Code of 1986, and exempt from tax  
21                under section 501(a) of such Code, that has  
22                recognized credentials and expertise in national  
23                security and military affairs in order to facili-  
24                tate the Commission's discharge of its duties  
25                under this section.

1                   (B) FEDERALLY FUNDED RESEARCH AND  
2                   DEVELOPMENT CENTER.—On request of the  
3                   Commission, the Secretary of Defense shall  
4                   make available the services of a federally fund-  
5                   ed research and development center that is cov-  
6                   ered by a sponsoring agreement of the Depart-  
7                   ment of Defense in order to enhance the Com-  
8                   mission’s efforts to discharge its duties under  
9                   this section.

10                  (5) EXPEDITION OF SECURITY CLEARANCES.—  
11                  The Office of Senate Security and the Office of  
12                  House Security shall ensure the expedited processing  
13                  of appropriate security clearances under processes  
14                  developed for the clearance of legislative branch em-  
15                  ployees for any personnel appointed to the Commis-  
16                  sion by their respective offices of the Senate and  
17                  House of Representatives and any personnel ap-  
18                  pointed by the Executive Director appointed under  
19                  subsection (i).

20                  (6) SERVICES.—

21                  (A) DOD SERVICES.—The Secretary of  
22                  Defense may provide to the Commission, on a  
23                  nonreimbursable basis, such administrative  
24                  services, funds, staff, facilities, and other sup-  
25                  port services as are necessary for the perform-

1           ance of the Commission's duties under this sec-  
2           tion.

3                   (B) OTHER AGENCIES.—In addition to any  
4           support provided under paragraph (1), the  
5           heads of other Federal departments and agen-  
6           cies may provide to the Commission such serv-  
7           ices, funds, facilities, staff, and other support  
8           as the heads of such departments and agencies  
9           determine advisable and as may be authorized  
10          by law.

11          (i) STAFF.—

12                   (1) STATUS AS FEDERAL EMPLOYEES.—Not-  
13          withstanding the requirements of section 2105 of  
14          title 5, United States Code, including the required  
15          supervision under subsection (a)(3) of such section,  
16          any member of the Commission who is not a Mem-  
17          ber of Congress shall be considered to be a Federal  
18          employee.

19                   (2) EXECUTIVE DIRECTOR.—The Commission  
20          shall appoint and fix the rate of basic pay for an Ex-  
21          ecutive Director in accordance with section 3161(d)  
22          of title 5, United States Code.

23                   (3) PAY.—The Executive Director, with the ap-  
24          proval of the Commission, may appoint and fix the  
25          rate of basic pay for additional personnel as staff of

1 the Commission in accordance with section 3161(d)  
2 of title 5, United States Code.

3 (j) PERSONAL SERVICES.—

4 (1) AUTHORITY TO PROCURE.—The Commis-  
5 sion may—

6 (A) procure the services of experts or con-  
7 sultants (or of organizations of experts or con-  
8 sultants) in accordance with the provisions of  
9 section 3109 of title 5, United States Code; and

10 (B) pay in connection with such services  
11 travel expenses of individuals, including trans-  
12 portation and per diem in lieu of subsistence,  
13 while such individuals are traveling from their  
14 homes or places of business to duty stations.

15 (2) MAXIMUM DAILY PAY RATES.—The daily  
16 rate paid an expert or consultant procured pursuant  
17 to paragraph (1) may not exceed the daily rate paid  
18 a person occupying a position at level IV of the Ex-  
19 ecutive Schedule under section 5315 of title 5,  
20 United States Code.

21 (k) AUTHORITY TO ACCEPT GIFTS.—The Commis-  
22 sion may accept, use, and dispose of gifts or donations  
23 of services, goods, and property from nonfederal entities  
24 for the purposes of aiding and facilitating the work of the  
25 Commission. The authority in this subsection does not ex-

1 tend to gifts of money. Gifts accepted under this authority  
2 shall be documented, and conflicts of interest or the ap-  
3 pearance of conflicts of interest shall be avoided. Subject  
4 to the authority in this section, members of the Commis-  
5 sion shall otherwise comply with rules set forth by the Se-  
6 lect Committee on Ethics of the Senate and the Committee  
7 on Ethics of the House of Representatives governing em-  
8 ployees of the Senate and House of Representatives.

9 (l) LEGISLATIVE ADVISORY COMMITTEE.—The Com-  
10 mission shall operate as a legislative advisory committee.

11 (m) CONTRACTING AUTHORITY.—The Commission  
12 may acquire administrative supplies and equipment for  
13 Commission use to the extent funds are available.

14 (n) USE OF GOVERNMENT INFORMATION.—The  
15 Commission may secure directly from any department or  
16 agency of the Federal Government such information as the  
17 Commission considers necessary to carry out its duties.  
18 Upon such request of the chair of the Commission, the  
19 head of such department or agency shall furnish such in-  
20 formation to the Commission.

21 (o) POSTAL SERVICES.—The Commission may use  
22 the United States mail in the same manner and under the  
23 same conditions as Federal departments and agencies.

24 (p) SPACE FOR USE OF COMMISSION.—Not later  
25 than 30 days after the establishment date of the Commis-

1 sion, the Administrator of General Services, in consulta-  
2 tion with the Commission, shall identify and make avail-  
3 able suitable excess space within the Federal space inven-  
4 tory to house the operations of the Commission. If the Ad-  
5 ministrator is not able to make such suitable excess space  
6 available within such 30-day period, the Commission may  
7 lease space to the extent the funds are available.

8 (q) REMOVAL OF MEMBERS.—A member may be re-  
9 moved from the Commission for cause by the individual  
10 serving in the position responsible for the original appoint-  
11 ment of such member under subsection (b)(1), provided  
12 that notice has first been provided to such member of the  
13 cause for removal and voted and agreed upon by three  
14 quarters of the members serving. A vacancy created by  
15 the removal of a member under this subsection shall not  
16 affect the powers of the Commission, and shall be filled  
17 in the same manner as the original appointment was  
18 made.

19 (r) TERMINATION.—The Commission shall terminate  
20 18 months after the date on which it submits the final  
21 report required by subsection (g).

22 **SEC. 1092. QUARTERLY SECURITY BRIEFINGS ON AFGHANI-**  
23 **STAN.**

24 (a) IN GENERAL.—Not later than January 15, 2022,  
25 and every 90 days thereafter through December 31, 2025,



1 the Under Secretary of Defense for Policy, in consultation  
2 with the Chairman of the Joint Chiefs of Staff and the  
3 Under Secretary of Defense for Intelligence and Security,  
4 shall provide to the congressional defense committees an  
5 unclassified and classified briefing on the security situa-  
6 tion in Afghanistan and ongoing Department of Defense  
7 efforts to counter terrorist groups in Afghanistan.

8 (b) ELEMENTS.—Each briefing required by sub-  
9 section (a) shall include an assessment of each of the fol-  
10 lowing:

11 (1) The security situation in Afghanistan.

12 (2) The disposition of the Taliban, al-Qaeda,  
13 the Islamic State of Khorasan, and associated  
14 forces, including the respective sizes and geographic  
15 areas of control of each such group.

16 (3) The international terrorism ambitions and  
17 capabilities of the Taliban, al-Qaeda, the Islamic  
18 State of Khorasan, and associated forces, and the  
19 extent to which each such group poses a threat to  
20 the United States and its allies.

21 (4) The capability and willingness of the  
22 Taliban to counter the Islamic State of Khorasan.

23 (5) The capability and willingness of the  
24 Taliban to counter al-Qaeda.

1           (6) The extent to which the Taliban have tar-  
2           geted, and continue to target, Afghan nationals who  
3           assisted the United States and coalition forces dur-  
4           ing the United States military operations in Afghan-  
5           istan between 2001 and 2021.

6           (7) Basing, overflight, or other cooperative ar-  
7           rangements between the United States and regional  
8           partners as part of the over-the-horizon counterter-  
9           rorism posture for Afghanistan.

10          (8) The capability and effectiveness of the over-  
11          the-horizon counterterrorism posture of the United  
12          States for Afghanistan.

13          (9) The disposition of United States forces in  
14          the area of operations of United States Central  
15          Command, including the force posture and associ-  
16          ated capabilities to conduct operations in Afghani-  
17          stan.

18          (10) The activities of regional actors as they re-  
19          late to promoting stability and countering threats  
20          from terrorist groups in Afghanistan, including—

21                 (A) military operations conducted by for-  
22                 eign countries in the region as such operations  
23                 relate to Afghanistan;

1 (B) the capabilities of the militaries of for-  
2 eign countries to execute operations in Afghani-  
3 stan; and

4 (C) the relationships between the militaries  
5 of foreign countries and the Taliban or foreign  
6 terrorist organizations inside Afghanistan.

7 (11) Any other matter the Under Secretary  
8 considers appropriate.

9 **SEC. 1093. TRANSITION OF FUNDING FOR NON-CONVEN-**  
10 **TIONAL ASSISTED RECOVERY CAPABILITIES.**

11 (a) PLAN REQUIRED.—

12 (1) IN GENERAL.—Not later than 270 days  
13 after the date of the enactment of this Act, the Sec-  
14 retary of Defense shall submit to the congressional  
15 defense committees a plan to transition the funding  
16 of non-conventional assisted recovery capabilities  
17 from the authority provided under section 943 of the  
18 Duncan Hunter National Defense Authorization Act  
19 for Fiscal Year 2009 (Public Law 110–417; 122  
20 Stat. 4578) to the authority provided under section  
21 127f of title 10, United States Code.

22 (2) ELEMENTS.—The plan required by para-  
23 graph (1) shall include the following:

24 (A) An identification of the non-conven-  
25 tional assisted recovery capabilities to be

1 transitioned to the authority provided by such  
2 section 127f.

3 (B) An identification of any legislative  
4 changes to such section 127f necessary to ac-  
5 commodate the transition of capabilities cur-  
6 rently funded under such section 943.

7 (C) A description of the manner in which  
8 the Secretary plans to ensure appropriate trans-  
9 parency of activities for non-conventional as-  
10 sisted recovery capabilities, and related funding,  
11 in the annual report required under subsection  
12 (e) of such section 127f.

13 (D) Any other matter the Secretary con-  
14 siders relevant.

15 (b) MODIFICATION OF AUTHORITY FOR EXPENDI-  
16 TURE OF FUNDS FOR CLANDESTINE ACTIVITIES THAT  
17 SUPPORT OPERATIONAL PREPARATION OF THE ENVIRON-  
18 MENT.—Section 127f of title 10, United States Code, is  
19 amended by adding at the end the following new sub-  
20 section:

21 “(f) NON-CONVENTIONAL ASSISTED RECOVERY CA-  
22 PABILITIES.—Funding used to establish, develop, and  
23 maintain non-conventional assisted recovery capabilities  
24 under this section may only be obligated and expended

1 with the concurrence of the relevant Chief of Mission or  
2 Chiefs of Mission.”.

3 **SEC. 1094. AFGHANISTAN WAR COMMISSION ACT OF 2021.**

4 (a) **SHORT TITLE.**—This section may be cited as the  
5 “Afghanistan War Commission Act of 2021”.

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

7 (1) The term “applicable period” means the pe-  
8 riod beginning June 1, 2001, and ending August 30,  
9 2021.

10 (2) The term “appropriate congressional com-  
11 mittees” means—

12 (A) the Committee on Armed Services of  
13 the Senate;

14 (B) the Committee on Foreign Relations of  
15 the Senate;

16 (C) the Select Committee on Intelligence of  
17 the Senate;

18 (D) the Committee on Appropriations of  
19 the Senate;

20 (E) the Committee on Armed Services of  
21 the House of Representatives;

22 (F) the Committee on Foreign Affairs of  
23 the House of Representatives;

1 (G) the Permanent Select Committee on  
2 Intelligence of the House of Representatives;  
3 and

4 (H) the Committee on Appropriations of  
5 the House of Representatives.

6 (3) The term “intelligence community” has the  
7 meaning given that term in section 3(4) of the Na-  
8 tional Security Act of 1947 (50 U.S.C. 3003(4)).

9 (c) ESTABLISHMENT OF COMMISSION.—

10 (1) ESTABLISHMENT.—There is established in  
11 the legislative branch an independent commission to  
12 be known as the Afghanistan War Commission (in  
13 this section referred to as the “Commission”).

14 (2) MEMBERSHIP.—

15 (A) COMPOSITION.—The Commission shall  
16 be composed of 16 members of whom—

17 (i) 1 shall be appointed by the Chair-  
18 man of the Committee on Armed Services  
19 of the Senate;

20 (ii) 1 shall be appointed by the rank-  
21 ing member of the Committee on Armed  
22 Services of the Senate;

23 (iii) 1 shall be appointed by the Chair-  
24 man of the Committee on Armed Services  
25 of the House of Representatives;

1 (iv) 1 shall be appointed by the rank-  
2 ing member of the Committee on Armed  
3 Services of the House of Representatives;

4 (v) 1 shall be appointed by the Chair-  
5 man of the Committee on Foreign Rela-  
6 tions of the Senate;

7 (vi) 1 shall be appointed by the rank-  
8 ing member of the Committee on Foreign  
9 Relations of the Senate;

10 (vii) 1 shall be appointed by the  
11 Chairman of the Committee on Foreign  
12 Affairs of the House of Representatives;

13 (viii) 1 shall be appointed by the  
14 ranking member of the Committee on For-  
15 eign Affairs of the House of Representa-  
16 tives;

17 (ix) 1 shall be appointed by the Chair-  
18 man of the Select Committee on Intel-  
19 ligence of the Senate;

20 (x) 1 shall be appointed by the Vice  
21 Chairman of the Select Committee on In-  
22 telligence of the Senate.

23 (xi) 1 shall be appointed by the Chair-  
24 man of the Permanent Select Committee

1 on Intelligence of the House of Represent-  
2 atives;

3 (xii) 1 shall be appointed by the rank-  
4 ing member of the Permanent Select Com-  
5 mittee on Intelligence of the House of Rep-  
6 resentatives;

7 (xiii) 1 shall be appointed by the Ma-  
8 jority leader of the Senate;

9 (xiv) 1 shall be appointed by the Mi-  
10 nority leader of the Senate;

11 (xv) 1 shall be appointed by the  
12 Speaker of the House of Representatives;

13 and

14 (xvi) 1 shall be appointed by the Mi-  
15 nority Leader of the House of Representa-  
16 tives.

17 (B) QUALIFICATIONS.—It is the sense of  
18 Congress that each member of the Commission  
19 appointed under subparagraph (A) should—

20 (i) have significant professional expe-  
21 rience in national security, such as a posi-  
22 tion in—

23 (I) the Department of Defense;

24 (II) the Department of State;

25 (III) the intelligence community;



1 (IV) the United States Agency  
2 for International Development; or

3 (V) an academic or scholarly in-  
4 stitution; and

5 (ii) be eligible to receive the appro-  
6 priate security clearance to effectively exe-  
7 cute their duties.

8 (C) PROHIBITIONS.—A member of the  
9 Commission appointed under subparagraph (A)  
10 may not—

11 (i) be a current member of Congress;

12 (ii) be a former member of Congress  
13 who served in Congress after January 3,  
14 2001;

15 (iii) be a current or former registrant  
16 under the Foreign Agents Registration Act  
17 of 1938 (22 U.S.C. 611 et seq.);

18 (iv) have previously investigated Af-  
19 ghanistan policy or the war in Afghanistan  
20 through employment in the office of a rel-  
21 evant inspector general;

22 (v) have been the sole owner or had a  
23 majority stake in a company that held any  
24 United States or coalition defense contract  
25 providing goods or services to activities by

1 the United States Government or coalition  
2 in Afghanistan during the applicable pe-  
3 riod; or

4 (vi) have served, with direct involve-  
5 ment in actions by the United States Gov-  
6 ernment in Afghanistan during the time  
7 the relevant official served, as—

8 (I) a cabinet secretary or na-  
9 tional security adviser to the Presi-  
10 dent; or

11 (II) a four-star flag officer,  
12 Under Secretary, or more senior offi-  
13 cial in the Department of Defense or  
14 the Department of State.

15 (D) DATE.—

16 (i) IN GENERAL.—The appointments  
17 of the members of the Commission shall be  
18 made not later than 60 days after the date  
19 of enactment of this Act.

20 (ii) FAILURE TO MAKE APPOINT-  
21 MENT.—If an appointment under subpara-  
22 graph (A) is not made by the appointment  
23 date specified in clause (i)—

24 (I) the authority to make such  
25 appointment shall expire; and

1 (II) the number of members of  
2 the Commission shall be reduced by  
3 the number equal to the number of  
4 appointments not made.

5 (3) PERIOD OF APPOINTMENT; VACANCIES.—

6 (A) IN GENERAL.—A member of the Com-  
7 mission shall be appointed for the life of the  
8 Commission.

9 (B) VACANCIES.—A vacancy in the Com-  
10 mission—

11 (i) shall not affect the powers of the  
12 Commission; and

13 (ii) shall be filled in the same manner  
14 as the original appointment.

15 (4) MEETINGS.—

16 (A) INITIAL MEETING.—Not later than 30  
17 days after the date on which all members of the  
18 Commission have been appointed, the Commis-  
19 sion shall hold the first meeting of the Commis-  
20 sion.

21 (B) FREQUENCY.—The Commission shall  
22 meet at the call of the Co-Chairpersons.

23 (C) QUORUM.—A majority of the members  
24 of the Commission shall constitute a quorum,

1 but a lesser number of members may hold hear-  
2 ings.

3 (5) CO-CHAIRPERSONS.—Co-Chairpersons of  
4 the Commission shall be selected by the Leadership  
5 of the Senate and the House of Representatives as  
6 follows:

7 (A) 1 Co-Chairperson selected by the Ma-  
8 jority Leader of the Senate and the Speaker of  
9 the House of Representatives from the members  
10 of the Commission appointed by chairpersons of  
11 the appropriate congressional committees, the  
12 Majority Leader of the Senate, and the Speaker  
13 of the House of Representatives; and

14 (B) 1 Co-Chairperson selected by the Mi-  
15 nority Leader of the Senate and the Minority  
16 Leader of the House of Representatives from  
17 the members of the Commission appointed by  
18 the ranking members of the appropriate con-  
19 gressional committees, the Minority Leader of  
20 the Senate, and the Minority Leader of the  
21 House of Representatives.

22 (d) PURPOSE OF COMMISSION.— The purpose of the  
23 Commission is—

24 (1) to examine the key strategic, diplomatic,  
25 and operational decisions that pertain to the war in

1 Afghanistan during the relevant period, including  
2 decisions, assessments, and events that preceded the  
3 war in Afghanistan; and

4 (2) to develop a series of lessons learned and  
5 recommendations for the way forward that will in-  
6 form future decisions by Congress and policymakers  
7 throughout the United States Government.

8 (e) DUTIES OF COMMISSION.—

9 (1) STUDY.—

10 (A) IN GENERAL.—The Commission shall  
11 conduct a thorough study of all matters relating  
12 to combat operations, reconstruction and secu-  
13 rity force assistance activities, intelligence ac-  
14 tivities, and diplomatic activities of the United  
15 States pertaining to the Afghanistan during the  
16 period beginning June 1, 2001, and ending Au-  
17 gust 30, 2021.

18 (B) MATTERS STUDIED.—The matters  
19 studied by the Commission shall include—

20 (i) for the time period specified under  
21 subparagraph (A)—

22 (I) the policy objectives of the  
23 United States Government, includ-  
24 ing—

25 (aa) military objectives;

1 (bb) diplomatic objectives;  
2 and  
3 (cc) development objectives;  
4 (II) significant decisions made by  
5 the United States, including the devel-  
6 opment of options presented to policy-  
7 makers;  
8 (III) the efficacy of efforts by the  
9 United States Government in meeting  
10 the objectives described in clause (i),  
11 including an analysis of—  
12 (aa) military efforts;  
13 (bb) diplomatic efforts;  
14 (cc) development efforts;  
15 and  
16 (dd) intelligence efforts; and  
17 (IV) the efficacy of counterter-  
18 rorism efforts against al Qaeda, the  
19 Islamic State Khorasan Province, and  
20 other foreign terrorist organizations in  
21 degrading the will and capabilities of  
22 such organizations—  
23 (aa) to mount external at-  
24 tacks against the United States  
25 or its allies and partners; or

1 (bb) to threaten stability in  
2 Afghanistan, neighboring coun-  
3 tries, and the region;

4 (ii) the efficacy of metrics, measures  
5 of effectiveness, and milestones used to as-  
6 sess progress of diplomatic, military, and  
7 intelligence efforts;

8 (iii) the efficacy of interagency plan-  
9 ning and execution process by the United  
10 States Government;

11 (iv) factors that led to the collapse of  
12 the Afghan National Defense Security  
13 Forces in 2021, including—

14 (I) training and mentoring from  
15 the institutional to the tactical levels  
16 within the Afghan National Defense  
17 Security Forces;

18 (II) assessment methodologies,  
19 including any transition from different  
20 methodologies and the consistency of  
21 implementation and reporting;

22 (III) the determination of how to  
23 establish and develop the Afghan Na-  
24 tional Defense Security Forces, in-  
25 cluding the Afghan Air Force, and

1 what determined the security coopera-  
2 tion model used to build such force;

3 (IV) reliance on technology and  
4 logistics support;

5 (V) corruption; and

6 (VI) reliance on warfighting  
7 enablers provided by the United  
8 States;

9 (v) the challenges of corruption across  
10 the entire spectrum of the Afghan Govern-  
11 ment and efficacy of counter-corruption ef-  
12 forts to include linkages to diplomatic lines  
13 of effort, linkages to foreign and security  
14 assistance, and assessment methodologies;

15 (vi) the efficacy of counter-narcotic ef-  
16 forts to include alternative livelihoods,  
17 eradication, interdiction, and education ef-  
18 forts;

19 (vii) the role of countries neighboring  
20 Afghanistan in contributing to the stability  
21 or instability of Afghanistan;

22 (viii) varying diplomatic approaches  
23 between Presidential administrations;

24 (ix) the extent to which the intel-  
25 ligence community did or did not fail to



1 provide sufficient warning about the prob-  
2 able outcomes of a withdrawal of coalition  
3 military personnel from Afghanistan, in-  
4 cluding as it relates to—

5 (I) the capability and sustain-  
6 ability of the Afghanistan National  
7 Defense Security Forces;

8 (II) the sustainability of the Af-  
9 ghan central government, absent coa-  
10 lition support;

11 (III) the extent of Taliban con-  
12 trol over Afghanistan over time with  
13 respect to geographic territory, popu-  
14 lation centers, governance, and influ-  
15 ence; and

16 (IV) the likelihood of the Taliban  
17 regaining control of Afghanistan at  
18 various levels of United States and co-  
19 alition support, including the with-  
20 drawal of most or all United States or  
21 coalition support;

22 (x) the extent to which intelligence  
23 products related to the state of the conflict  
24 in Afghanistan and the effectiveness of the  
25 Afghanistan National Defense Security

1 Forces complied with intelligence commu-  
2 nity-wide analytic tradecraft standards and  
3 fully reflected the divergence of analytic  
4 views across the intelligence community;

5 (xi) an evaluation of whether any ele-  
6 ment of the United States Government in-  
7 appropriately restricted access to data  
8 from elements of the intelligence commu-  
9 nity, Congress, or the Special Inspector  
10 General for Afghanistan Reconstruction  
11 (SIGAR) or any other oversight body such  
12 as other inspectors general or the Govern-  
13 ment Accountability Office, including  
14 through the use of overclassification; and

15 (xii) the extent to which public rep-  
16 resentations of the situation in Afghani-  
17 stan before Congress by United States  
18 Government officials differed from the  
19 most recent formal assessment of the intel-  
20 ligence community at the time those rep-  
21 resentations were made.

22 (2) REPORT REQUIRED.—

23 (A) IN GENERAL.—

24 (i) ANNUAL REPORT.—

1 (I) IN GENERAL.—Not later than  
2 1 year after the date of the initial  
3 meeting of the Commission, and an-  
4 nually thereafter, the Commission  
5 shall submit to the appropriate con-  
6 gressional committees a report de-  
7 scribing the progress of the activities  
8 of the Commission as of the date of  
9 such report, including any findings,  
10 recommendations, or lessons learned  
11 endorsed by the Commission.

12 (II) ADDENDA.—Any member of  
13 the Commission may submit an ad-  
14 dendum to a report required under  
15 subclause (I) setting forth the sepa-  
16 rate views of such member with re-  
17 spect to any matter considered by the  
18 Commission.

19 (III) BRIEFING.—On the date of  
20 the submission of each report, the  
21 Commission shall brief Congress.

22 (ii) FINAL REPORT.—

23 (I) SUBMISSION.—Not later than  
24 3 years after the date of the initial  
25 meeting of the Commission, the Com-

1 mission shall submit to Congress a re-  
2 port that contains a detailed state-  
3 ment of the findings, recommenda-  
4 tions, and lessons learned endorsed by  
5 the Commission.

6 (II) ADDENDA.—Any member of  
7 the Commission may submit an ad-  
8 dendum to the report required under  
9 subclause (I) setting forth the sepa-  
10 rate views of such member with re-  
11 spect to any matter considered by the  
12 Commission.

13 (III) EXTENSION.—The Commis-  
14 sion may submit the report required  
15 under subclause (I) at a date that is  
16 not more than 1 year later than the  
17 date specified in such clause if agreed  
18 to by the chairperson and ranking  
19 member of each of the appropriate  
20 congressional committees.

21 (B) FORM.—The report required by para-  
22 graph (1)(B) shall be submitted and publicly  
23 released on a Government website in unclassi-  
24 fied form but may contain a classified annex.

1 (C) SUBSEQUENT REPORTS ON DECLAS-  
2 SIFICATION.—

3 (i) IN GENERAL.—Not later than 4  
4 years after the date that the report re-  
5 quired by subparagraph (A)(ii) is sub-  
6 mitted, each relevant agency of jurisdiction  
7 shall submit to the committee of jurisdic-  
8 tion a report on the efforts of such agency  
9 to declassify such annex.

10 (ii) CONTENTS.—Each report required  
11 by clause (i) shall include—

12 (I) a list of the items in the clas-  
13 sified annex that the agency is work-  
14 ing to declassify at the time of the re-  
15 port and an estimate of the timeline  
16 for declassification of such items;

17 (II) a broad description of items  
18 in the annex that the agency is declin-  
19 ing to declassify at the time of the re-  
20 port; and

21 (III) any justification for with-  
22 holding declassification of certain  
23 items in the annex and an estimate of  
24 the timeline for declassification of  
25 such items.

1 (f) POWERS OF COMMISSION.—

2 (1) HEARINGS.—The Commission may hold  
3 such hearings, take such testimony, and receive such  
4 evidence as the Commission considers necessary to  
5 carry out its purpose and functions under this sec-  
6 tion.

7 (2) ASSISTANCE FROM FEDERAL AGENCIES.—

8 (A) INFORMATION.—

9 (i) IN GENERAL.—The Commission  
10 may secure directly from a Federal depart-  
11 ment or agency such information as the  
12 Commission considers necessary to carry  
13 out this section.

14 (ii) FURNISHING INFORMATION.—  
15 Upon receipt of a written request by the  
16 Co-Chairpersons of the Commission, the  
17 head of the department or agency shall ex-  
18 peditiously furnish the information to the  
19 Commission.

20 (B) SPACE FOR COMMISSION.—

21 (i) IN GENERAL.—Not later than 30  
22 days after the date of the enactment of  
23 this Act, the Architect of the Capitol, in  
24 consultation with the Commission, shall  
25 identify suitable space to house the oper-

1           ations of the Commission, which shall in-  
2           clude—

3                   (I) a dedicated sensitive compart-  
4                   mented information facility or access  
5                   to a sensitive compartmented informa-  
6                   tion facility; and

7                   (II) the ability to store classified  
8                   documents.

9                   (ii) **AUTHORITY TO LEASE.**—If the  
10                  Architect of the Capitol is not able to iden-  
11                  tify space in accordance with clause (i)  
12                  within the 30-day period specified in clause  
13                  (i), the Commission may lease space to the  
14                  extent that funds are available for such  
15                  purpose.

16                  (C) **COMPLIANCE BY INTELLIGENCE COM-**  
17                  **MUNITY.**—Elements of the intelligence commu-  
18                  nity shall respond to requests submitted pursu-  
19                  ant to paragraph (2) in a manner consistent  
20                  with the protection of intelligence sources and  
21                  methods.

22                  (3) **POSTAL SERVICES.**—The Commission may  
23                  use the United States mails in the same manner and  
24                  under the same conditions as other departments and  
25                  agencies of the Federal Government.

1           (4) GIFTS.—The Commission may accept, use,  
2           and dispose of gifts or donations of services, goods,  
3           and property from non-Federal entities for the pur-  
4           poses of aiding and facilitating the work of the Com-  
5           mission. The authority in this subsection does not  
6           extend to gifts of money. Gifts accepted under this  
7           authority shall be documented, and conflicts of inter-  
8           est or the appearance of conflicts of interest shall be  
9           avoided. Subject to the authority in this section,  
10          commissioners shall otherwise comply with rules set  
11          forth by the Select Committee on Ethics of the Sen-  
12          ate.

13          (5) ETHICS.—

14                (A) IN GENERAL.—The members and em-  
15                ployees of the Commission shall be subject to  
16                the ethical rules and guidelines of the Senate.

17                (B) REPORTING.—For purposes of title I  
18                of the Ethics in Government Act of 1978 (5  
19                U.S.C. App.), each member and employee of the  
20                Commission—

21                       (i) shall be deemed to be an officer or  
22                       employee of the Congress (as defined in  
23                       section 109(13) of such title); and

24                       (ii) shall file any report required to be  
25                       filed by such member or such employee (in-



1 cluding by virtue of the application of sub-  
2 section (g)(1)) under title I of the Ethics  
3 in Government Act of 1978 (5 U.S.C.  
4 App.) with the Secretary of the Senate.

5 (g) COMMISSION PERSONNEL MATTERS.—

6 (1) COMPENSATION OF MEMBERS.—A member  
7 of the Commission who is not an officer or employee  
8 of the Federal Government shall be compensated at  
9 a rate equal to the daily equivalent of the annual  
10 rate of basic pay prescribed for level IV of the Exec-  
11 utive Schedule under section 5315 of title 5, United  
12 States Code, for each day (including travel time)  
13 during which the member is engaged in the perform-  
14 ance of the duties of the Commission.

15 (2) TRAVEL EXPENSES.—A member of the  
16 Commission shall be allowed travel expenses, includ-  
17 ing per diem in lieu of subsistence, at rates author-  
18 ized for employees of agencies under subchapter I of  
19 chapter 57 of title 5, United States Code, while  
20 away from their homes or regular places of business  
21 in the performance of services for the Commission.

22 (3) STAFF.—

23 (A) STATUS AS FEDERAL EMPLOYEES.—  
24 Notwithstanding the requirements of section  
25 2105 of title 5, United States Code, including

1 the required supervision under subsection (a)(3)  
2 of such section, the members of the commission  
3 shall be deemed to be Federal employees.

4 (B) EXECUTIVE DIRECTOR.—The Co-  
5 Chairpersons of the Commission shall appoint  
6 and fix the rate of basic pay for an Executive  
7 Director in accordance with section 3161(d) of  
8 title 5, United States Code.

9 (C) PAY.—The Executive Director, with  
10 the approval of the Co-Chairpersons of the  
11 Commission, may appoint and fix the rate of  
12 basic pay for additional personnel as staff of  
13 the Commission in accordance with section  
14 3161(d) of title 5, United States Code.

15 (D) SECURITY CLEARANCES.—All staff  
16 must have or be eligible to receive the appro-  
17 priate security clearance to conduct their du-  
18 ties.

19 (4) DETAIL OF GOVERNMENT EMPLOYEES.—A  
20 Federal Government employee, with the appropriate  
21 security clearance to conduct their duties, may be  
22 detailed to the Commission without reimbursement,  
23 and such detail shall be without interruption or loss  
24 of civil service status or privilege.

1           (5) **PROCUREMENT OF TEMPORARY AND INTER-**  
2 **MITTENT SERVICES.**—The Co-Chairpersons of the  
3 Commission may procure temporary and intermit-  
4 tent services under section 3109(b) of title 5, United  
5 States Code, at rates for individuals that do not ex-  
6 ceed the daily equivalent of the annual rate of basic  
7 pay prescribed for level V of the Executive Schedule  
8 under section 5316 of that title.

9           (6) **PAY.**—The pay of each employee of the  
10 Commission and any member of the Commission  
11 who receives pay in accordance with paragraph (1)  
12 shall be disbursed by the Secretary of the Senate.

13       (h) **TERMINATION OF COMMISSION.**—The Commis-  
14 sion shall terminate 90 days after the date on which the  
15 Commission submits the report required under subsection  
16 (e)(2)(A)(ii).

17 **SEC. 1095. COMMISSION ON THE NATIONAL DEFENSE**  
18 **STRATEGY.**

19       (a) **ESTABLISHMENT.**—

20           (1) **IN GENERAL.**—There is hereby established,  
21 as of the date specified in paragraph (2), an inde-  
22 pendent commission in the legislative branch to be  
23 known as the Commission on the National Defense  
24 Strategy for the United States (in this subtitle re-  
25 ferred to as the “Commission”).

1           (2) DATE OF ESTABLISHMENT.—The date of  
2           establishment referred to in paragraph (1) is the  
3           date that is not later than 30 days after the date on  
4           which the Secretary of Defense provides a national  
5           defense strategy as required by section 113(g) of  
6           title 10, United States Code.

7           (b) MEMBERSHIP.—

8           (1) NUMBER AND APPOINTMENT.—The Com-  
9           mission shall be composed of 8 members from pri-  
10          vate civilian life who are recognized experts in mat-  
11          ters relating to the national security of the United  
12          States. The members shall be appointed as follows:

13                   (A) The Majority Leader of the Senate  
14                   shall appoint 1 member.

15                   (B) The Minority Leader of the Senate  
16                   shall appoint 1 member.

17                   (C) The Speaker of the House of Rep-  
18                   resentatives shall appoint 1 member.

19                   (D) The Minority Leader of the House of  
20                   Representatives shall appoint 1 member.

21                   (E) The Chair of the Committee on Armed  
22                   Services of the Senate shall appoint 1 member.

23                   (F) The Ranking Member of the Com-  
24                   mittee on Armed Services of the Senate shall  
25                   appoint 1 member.

1 (G) The Chair of the Committee on Armed  
2 Services of the House of Representatives shall  
3 appoint 1 member.

4 (H) The Ranking Member of the Com-  
5 mittee on Armed Services of the House of Rep-  
6 resentatives shall appoint 1 member.

7 (2) DEADLINE FOR APPOINTMENT.—Members  
8 shall be appointed to the Commission under para-  
9 graph (1) not later than 45 days after the Commis-  
10 sion establishment date specified under subsection  
11 (a)(2).

12 (3) EFFECT OF LACK OF APPOINTMENT BY AP-  
13 POINTMENT DATE.—If one or more appointments  
14 under paragraph (1) is not made by the appoint-  
15 ment date specified in paragraph (2), the authority  
16 to make such appointment or appointments shall ex-  
17 pire, and the number of members of the Commission  
18 shall be reduced by the number equal to the number  
19 of appointments so not made.

20 (c) CHAIR AND VICE CHAIR.—

21 (1) CHAIR.—The Chair of the Committee on  
22 Armed Services of the Senate and the Chair of the  
23 Committee on Armed Services of the House of Rep-  
24 resentatives, with the concurrence of the Majority  
25 Leader of the Senate and the Speaker of the House

1 of Representatives, shall jointly designate 1 member  
2 of the Commission to serve as Chair of the Commis-  
3 sion.

4 (2) VICE CHAIR.—The Ranking Member of the  
5 Committee on Armed Services of the Senate and the  
6 Ranking Member of the Committee on Armed Serv-  
7 ices of the House of Representatives, with the con-  
8 currence of the Minority Leader of the Senate and  
9 the Minority Leader of the House of Representa-  
10 tives, shall jointly designate 1 member of the Com-  
11 mission to serve as Vice Chair of the Commission.

12 (d) PERIOD OF APPOINTMENT AND VACANCIES.—  
13 Members shall be appointed for the life of the Commission.  
14 A vacancy in the Commission shall not affect its powers,  
15 and shall be filled in the same manner as the original ap-  
16 pointment was made.

17 (e) PURPOSE.—The purpose of the Commission is to  
18 examine and make recommendations with respect to the  
19 national defense strategy for the United States.

20 (f) SCOPE AND DUTIES.—In order to provide the full-  
21 est understanding of the matters required under sub-  
22 section (e), the Commission shall perform the following  
23 duties:

24 (1) NATIONAL DEFENSE STRATEGY REVIEW.—  
25 The Commission shall review the most recent na-

1 tional defense strategy of the United States includ-  
2 ing the assumptions, strategic objectives, priority  
3 missions, major investments in defense capabilities,  
4 force posture and structure, operational concepts,  
5 and strategic and military risks associated with the  
6 strategy.

7 (2) ASSESSMENT.—The Commission shall con-  
8 duct a comprehensive assessment of the strategic en-  
9 vironment to include the threats to the national se-  
10 curity of the United States, including both tradi-  
11 tional and non-traditional threats, the size and  
12 shape of the force, the readiness of the force, the  
13 posture, structure, and capabilities of the force, allo-  
14 cation of resources, and the strategic and military  
15 risks in order to provide recommendations on the  
16 national defense strategy for the United States.

17 (g) COMMISSION REPORT AND RECOMMENDA-  
18 TIONS.—

19 (1) REPORT.—Not later than one year after the  
20 Commission establishment date specified under sub-  
21 section (a)(2), the Commission shall transmit to the  
22 President and Congress a report containing the re-  
23 view and assessment conducted under subsection (f),  
24 together with any recommendations of the Commis-  
25 sion. The report shall include the following elements:

1 (A) An appraisal of the strategic environ-  
2 ment, including an examination of the tradi-  
3 tional and non-traditional threats to the United  
4 States, and the potential for conflicts arising  
5 from such threats and security challenges.

6 (B) An evaluation of the strategic objec-  
7 tives of the Department of Defense for near-  
8 peer competition in support of the national se-  
9 curity interests of the United States.

10 (C) A review of the military missions for  
11 which the Department of Defense should pre-  
12 pare, including missions that support the inter-  
13 agency and a whole-of-government strategy.

14 (D) Identification of any gaps or  
15 redundancies in the roles and missions assigned  
16 to the Armed Forces necessary to carry out  
17 military missions identified in subparagraph  
18 (C), as well as the roles and capabilities pro-  
19 vided by other Federal agencies and by allies  
20 and international partners.

21 (E) An assessment of how the national de-  
22 fense strategy leverages other elements of na-  
23 tional power across the interagency to counter  
24 near-peer competitors.



1 (F) An evaluation of the resources nec-  
2 essary to support the strategy, including budget  
3 recommendations.

4 (G) An examination of the Department's  
5 efforts to develop new and innovative oper-  
6 ational concepts to enable the United States to  
7 more effectively counter near-peer competitors.

8 (H) An analysis of the force planning con-  
9 struct, including—

10 (i) the size and shape of the force;

11 (ii) the posture, structure, and capa-  
12 bilities of the force;

13 (iii) the readiness of the force;

14 (iv) infrastructure and organizational  
15 adjustments to the force;

16 (v) modifications to personnel require-  
17 ments, including professional military edu-  
18 cation; and

19 (vi) other elements of the defense pro-  
20 gram necessary to support the strategy.

21 (I) An assessment of the risks associated  
22 with the strategy, including the relationships  
23 and tradeoffs between missions, risks, and re-  
24 sources.

1           (J) Any other elements the Commission  
2 considers appropriate.

3           (2) INTERIM BRIEFINGS.—

4           (A) Not later than 180 days after the  
5 Commission establishment date specified in sub-  
6 section (a)(2), the Commission shall provide to  
7 the Committees on Armed Services of the Sen-  
8 ate and the House of Representatives a briefing  
9 on the status of its review and assessment to  
10 include a discussion of any interim rec-  
11 ommendations.

12           (B) At the request of the Chair and Rank-  
13 ing Member of the Committee on Armed Serv-  
14 ices of the Senate, or the Chair and Ranking  
15 Member of the Committee on Armed Services of  
16 the House of Representatives, the Commission  
17 shall provide the requesting Committee with in-  
18 terim briefings in addition to the briefing re-  
19 quired by subparagraph (2)(A).

20           (3) FORM.—The report submitted to Congress  
21 under paragraph (1) of this subsection shall be sub-  
22 mitted in unclassified form, but may include a classi-  
23 fied annex.

24           (h) GOVERNMENT COOPERATION.—

1           (1) COOPERATION.—In carrying out its duties,  
2           the Commission shall receive the full and timely co-  
3           operation of the Secretary of Defense in providing  
4           the Commission with analysis, briefings, and other  
5           information necessary for the fulfillment of its re-  
6           sponsibilities.

7           (2) LIAISON.—The Secretary shall designate at  
8           least 1 officer or employee of the Department of De-  
9           fense to serve as a liaison officer between the De-  
10          partment and the Commission.

11          (3) DETAILEES AUTHORIZED.—The Secretary  
12          may provide, and the commission may accept and  
13          employ, personnel detailed from the Department of  
14          Defense, without reimbursement.

15          (4) FACILITATION.—

16                 (A) INDEPENDENT, NON-GOVERNMENT IN-  
17                 STITUTE.—Not later than 45 days after the  
18                 Commission establishment date specified in sub-  
19                 paragraph (a)(2), the Secretary of Defense  
20                 shall make available to the Commission the  
21                 services of an independent, non-governmental  
22                 institute described in section 501(c)(3) of the  
23                 Internal Revenue Code of 1986, and exempt  
24                 from tax under section 501(a) of such Code,  
25                 that has recognized credentials and expertise in

1 national security and military affairs in order to  
2 facilitate the Commission's discharge of its du-  
3 ties under this section.

4 (B) FEDERALLY FUNDED RESEARCH AND  
5 DEVELOPMENT CENTER.—On request of the  
6 Commission, the Secretary of Defense shall  
7 make available the services of a federally fund-  
8 ed research and development center that is cov-  
9 ered by a sponsoring agreement of the Depart-  
10 ment of Defense in order to enhance the Com-  
11 mission's efforts to discharge its duties under  
12 this section.

13 (5) EXPEDITION OF SECURITY CLEARANCES.—  
14 The Office of Senate Security and the Office of  
15 House Security shall ensure the expedited processing  
16 of appropriate security clearances for personnel ap-  
17 pointed to the commission by their respective Senate  
18 and House offices under processes developed for the  
19 clearance of legislative branch employees.

20 (i) STAFF.—

21 (1) STATUS AS FEDERAL EMPLOYEES.—Not-  
22 withstanding the requirements of section 2105 of  
23 title 5, United States Code, including the required  
24 supervision under subsection (a)(3) of such section,

1 the members of the commission shall be deemed to  
2 be Federal employees.

3 (2) EXECUTIVE DIRECTOR.—The Commission  
4 shall appoint and fix the rate of basic pay for an Ex-  
5 ecutive Director in accordance with section 3161(d)  
6 of title 5, United States Code.

7 (3) PAY.—The Executive Director, with the ap-  
8 proval of the Commission, may appoint and fix the  
9 rate of basic pay for additional personnel as staff of  
10 the Commission in accordance with section 3161(d)  
11 of title 5, United States Code.

12 (j) PERSONAL SERVICES.—

13 (1) AUTHORITY TO PROCURE.—The Commis-  
14 sion may—

15 (A) procure the services of experts or con-  
16 sultants (or of organizations of experts or con-  
17 sultants) in accordance with the provisions of  
18 section 3109 of title 5, United States Code; and

19 (B) pay in connection with such services  
20 travel expenses of individuals, including trans-  
21 portation and per diem in lieu of subsistence,  
22 while such individuals are traveling from their  
23 homes or places of business to duty stations.

24 (2) MAXIMUM DAILY PAY RATES.—The daily  
25 rate paid an expert or consultant procured pursuant

1 to paragraph (1) may not exceed the daily rate paid  
2 a person occupying a position at level IV of the Ex-  
3 ecutive Schedule under section 5315 of title 5,  
4 United States Code.

5 (k) **AUTHORITY TO ACCEPT GIFTS.**—The Commis-  
6 sion may accept, use, and dispose of gifts or donations  
7 of services, goods, and property from non-Federal entities  
8 for the purposes of aiding and facilitating the work of the  
9 Commission. The authority in this subsection does not ex-  
10 tend to gifts of money. Gifts accepted under this authority  
11 shall be documented, and conflicts of interest or the ap-  
12 pearance of conflicts of interest shall be avoided. Subject  
13 to the authority in this section, commissioners shall other-  
14 wise comply with rules set forth by the Select Committee  
15 on Ethics of the United States Senate and the Committee  
16 on Ethics of the House of Representatives governing Sen-  
17 ate and House employees.

18 (l) **FUNDING.**—Of the amounts authorized to be ap-  
19 propriated by this Act for fiscal year 2022 for the Depart-  
20 ment of Defense, up to \$5,000,000 shall be made available  
21 to the Commission to carry out its duties under this sub-  
22 title. Funds made available to the Commission under the  
23 preceding sentence shall remain available until expended.

24 (m) **LEGISLATIVE ADVISORY COMMITTEE.**—The  
25 Commission shall operate as a legislative advisory com-

1 mittee and shall not be subject to the provisions of the  
2 Federal Advisory Committee Act (Public Law 92–463; 5  
3 U.S.C. App) or section 552b, United States Code (com-  
4 monly known as the Government in the Sunshine Act).

5 (n) CONTRACTING AUTHORITY.—The Commission  
6 may acquire administrative supplies and equipment for  
7 Commission use to the extent funds are available.

8 (o) USE OF GOVERNMENT INFORMATION.—The  
9 Commission may secure directly from any department or  
10 agency of the Federal Government such information as the  
11 Commission considers necessary to carry out its duties.  
12 Upon such request of the chair of the Commission, the  
13 head of such department or agency shall furnish such in-  
14 formation to the Commission.

15 (p) POSTAL SERVICES.—The Commission may use  
16 the United States mail in the same manner and under the  
17 same conditions as departments and agencies of the  
18 United States.

19 (q) SPACE FOR USE OF COMMISSION.—Not later  
20 than 30 days after the establishment date of the Commis-  
21 sion, the Administrator of General Services, in consulta-  
22 tion with the Commission, shall identify and make avail-  
23 able suitable excess space within the Federal space inven-  
24 tory to house the operations of the Commission. If the Ad-  
25 ministrator is not able to make such suitable excess space

1 available within such 30-day period, the Commission may  
2 lease space to the extent the funds are available.

3 (r) REMOVAL OF MEMBERS.—A member may be re-  
4 moved from the commission for cause by the individual  
5 serving in the position responsible for the original appoint-  
6 ment of such member under subsection (b)(1), provided  
7 that notice has first been provided to such member of the  
8 cause for removal, voted and agreed upon by three quar-  
9 ters of the members serving. A vacancy created by the re-  
10 moval of a member under this section shall not affect the  
11 powers of the commission, and shall be filled in the same  
12 manner as the original appointment was made.

13 (s) TERMINATION.—The Commission shall terminate  
14 90 days after the date on which it submits the report re-  
15 quired by subsection (g).

16 **TITLE XI—CIVILIAN PERSONNEL**  
17 **MATTERS**

Sec. 1101. Amendment to diversity and inclusion reporting.

Sec. 1102. Civilian personnel management.

Sec. 1103. Modification of temporary authority to appoint retired members of  
the armed forces to positions in the Department of Defense.

Sec. 1104. Authority to employ civilian faculty members at the Defense Insti-  
tute of International Legal Studies.

Sec. 1105. Consideration of employee performance in reductions in force for ci-  
vilian positions in the Department of Defense.

Sec. 1106. Repeal of 2-year probationary period.

Sec. 1107. Modification of DARPA personnel management authority to attract  
science and engineering experts.

Sec. 1108. Expansion of rate of overtime pay authority for Department of the  
Navy employees performing work overseas on naval vessels.

Sec. 1109. Repeal of crediting amounts received against pay of Federal em-  
ployee or DC employee serving as a member of the National  
Guard of the District of Columbia.

Sec. 1110. Treatment of hours worked under a qualified trade-of-time arrange-  
ment.



- Sec. 1111. Parental bereavement leave.
- Sec. 1112. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
- Sec. 1113. Extension of authority for temporary personnel flexibilities for Domestic Defense Industrial Base Facilities and Major Range and Test Facilities Base civilian personnel.
- Sec. 1114. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.
- Sec. 1115. Assessment of Accelerated Promotion Program suspension.
- Sec. 1116. Increase in allowance based on duty at remote worksites.
- Sec. 1117. Enhancement of recusal for conflicts of personal interest requirements for Department of Defense officers and employees.
- Sec. 1118. Occupational series for digital career fields.

1 **SEC. 1101. AMENDMENT TO DIVERSITY AND INCLUSION RE-**  
2 **PORTING.**

3 Section 113 of title 10, United States Code, as  
4 amended by section 551 of the William M. (Mac) Thorn-  
5 berry National Defense Authorization Act for Fiscal Year  
6 2021 (Public Law 116–283), is amended—

7 (1) in subsection (c)(2), by inserting “of mem-  
8 bers and civilian employees” after “inclusion”;

9 (2) in subsection (l)—

10 (A) in paragraph (1)—

11 (i) in subparagraph (A), by striking “;  
12 and” and inserting a semicolon;

13 (ii) by redesignating subparagraph  
14 (B) as subparagraph (C); and

15 (iii) by inserting after subparagraph  
16 (A) the following new subparagraph (B):

17 “(B) efforts to reflect, across the civilian work-  
18 force of the Department and of each armed force,

1 the diversity of the population of the United States;  
2 and”;

3 (B) in paragraph (2)(B), by inserting “and  
4 civilian employees of the Department” after  
5 “members of the armed forces”; and

6 (3) in subsection (m)—

7 (A) by redesignating paragraph (7) as  
8 paragraph (8); and

9 (B) by inserting after paragraph (6) the  
10 following new paragraph (7):

11 “(7) The number of civilian employees of the  
12 Department, disaggregated by military department,  
13 gender, race, and ethnicity—

14 “(A) in each grade of the General Sched-  
15 ule;

16 “(B) in each grade of the Senior Executive  
17 Service;

18 “(C) paid at levels above grade GS-15 of  
19 the General Schedule but who are not members  
20 of the Senior Executive Service;

21 “(D) paid under the Federal Wage Sys-  
22 tem, and

23 “(E) paid under alternative pay systems.”.

1 **SEC. 1102. CIVILIAN PERSONNEL MANAGEMENT.**

2 Section 129(a) of title 10, United States Code, is  
3 amended—

4 (1) in the first sentence, by striking “primarily”  
5 and inserting “solely”; and

6 (2) in the second sentence, by striking “solely”.

7 **SEC. 1103. MODIFICATION OF TEMPORARY AUTHORITY TO**  
8 **APPOINT RETIRED MEMBERS OF THE ARMED**  
9 **FORCES TO POSITIONS IN THE DEPARTMENT**  
10 **OF DEFENSE.**

11 Section 1108(b)(1)(A) of the William M. (Mac)  
12 Thornberry National Defense Authorization Act for Fiscal  
13 Year 2021 (Public Law 116-283) is amended to read as  
14 follows:

15 “(A)(i) at any defense industrial base facil-  
16 ity (as that term is defined in section  
17 2208(u)(3) of title 10, United States Code) that  
18 is part of the core logistics capabilities (as de-  
19 scribed in section 2464(a) of such title); or

20 “(ii) at any Major Range and Test Facility  
21 Base (as that term is defined in section 196(i)  
22 of such title); and”.

1 **SEC. 1104. AUTHORITY TO EMPLOY CIVILIAN FACULTY**  
2 **MEMBERS AT THE DEFENSE INSTITUTE OF**  
3 **INTERNATIONAL LEGAL STUDIES.**

4 Section 1595(e) of title 10, United States Code, is  
5 amended by adding at the end the following new para-  
6 graph:

7 “(8) The Defense Institute of International  
8 Legal Studies.”.

9 **SEC. 1105. CONSIDERATION OF EMPLOYEE PERFORMANCE**  
10 **IN REDUCTIONS IN FORCE FOR CIVILIAN PO-**  
11 **SITIONS IN THE DEPARTMENT OF DEFENSE.**

12 Section 1597(e) title 10, United States Code, is  
13 amended—

14 (1) by striking the subsection heading and in-  
15 serting “CONSIDERATION OF EMPLOYEE PERFORM-  
16 ANCE IN REDUCTIONS”; and

17 (2) by striking “be made primarily on the basis  
18 of” and inserting “, among other factors as deter-  
19 mined by the Secretary, account for employee”.

20 **SEC. 1106. REPEAL OF 2-YEAR PROBATIONARY PERIOD.**

21 (a) REPEAL.—

22 (1) IN GENERAL.—Effective December 31,  
23 2022, section 1599e of title 10, United States Code,  
24 is repealed.

25 (2) APPLICATION.—The modification of proba-  
26 tionary periods for covered employees (as that term

1 is defined in such section 1599e as in effect on the  
2 date immediately preceding the date of enactment of  
3 this Act) by operation of the amendment made by  
4 paragraph (1) shall only apply to an individual ap-  
5 pointed as such an employee on or after the effective  
6 date specified in paragraph (1).

7 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

8 (1) TITLE 10.—The table of sections for chap-  
9 ter 81 of title 10, United States Code, is amended  
10 by striking the item relating to section 1599e.

11 (2) TITLE 5.—Title 5, United States Code, is  
12 amended—

13 (A) in section 3321(c), by striking “, or  
14 any individual covered by section 1599e of title  
15 10”;

16 (B) in section 3393(d), by striking the sec-  
17 ond sentence;

18 (C) in section 7501(1), by striking “, ex-  
19 cept as provided in section 1599e of title 10,”;

20 (D) in section 7511(a)(1)(A)(ii), by strik-  
21 ing “except as provided in section 1599e of title  
22 10,”; and

23 (E) in section 7541(1)(A), by striking “or  
24 section 1599e of title 10”.

1 **SEC. 1107. MODIFICATION OF DARPA PERSONNEL MANAGE-**  
2 **MENT AUTHORITY TO ATTRACT SCIENCE AND**  
3 **ENGINEERING EXPERTS.**

4 Section 1599h(b) of title 10, United States Code, is  
5 amended—

6 (1) in paragraph (2)—

7 (A) by striking subparagraph (A) and in-  
8 serting the following:

9 “(A) in the case of employees appointed  
10 pursuant to paragraph (1)(B)—

11 “(i) to any of 5 positions designated  
12 by the Director of the Defense Advanced  
13 Research Projects Agency for purposes of  
14 this clause, at rates not in excess of a rate  
15 equal to 150 percent of the maximum rate  
16 of basic pay authorized for positions at  
17 Level I of the Executive Schedule under  
18 section 5312 of title 5; and

19 “(ii) to any other position designated  
20 by the Director for purposes of this clause,  
21 at rates not in excess of the maximum  
22 amount of total annual compensation pay-  
23 able at the salary set in accordance with  
24 section 104 of title 3;” and

25 (B) in subparagraph (B), by striking  
26 “and” at the end;

1 (2) in paragraph (3), by striking the period and  
2 inserting “; and”; and

3 (3) by adding at the end the following:

4 “(4) during any fiscal year, pay up to 15 indi-  
5 viduals newly appointed pursuant to paragraph  
6 (1)(B) the travel, transportation, and relocation ex-  
7 penses and services described under sections 5724,  
8 5724a, and 5724c of title 5.”.

9 **SEC. 1108. EXPANSION OF RATE OF OVERTIME PAY AU-**  
10 **THORITY FOR DEPARTMENT OF THE NAVY**  
11 **EMPLOYEES PERFORMING WORK OVERSEAS**  
12 **ON NAVAL VESSELS.**

13 Section 5542(a)(6)(A) of title 5, United States Code,  
14 is amended—

15 (1) by inserting “outside the United States”  
16 after “temporary duty”;

17 (2) by striking “the nuclear aircraft carrier that  
18 is forward deployed in Japan” and inserting “naval  
19 vessels”;

20 (3) by inserting “of 1938” after “Fair Labor  
21 Standards Act”; and

22 (4) by striking “the overtime” and all that fol-  
23 lows through the period at the end and inserting  
24 “the employee shall be coded and paid overtime as  
25 if the employee’s exemption status under that Act is

1 the same as it is at the employee's permanent duty  
2 station.”.

3 **SEC. 1109. REPEAL OF CREDITING AMOUNTS RECEIVED**  
4 **AGAINST PAY OF FEDERAL EMPLOYEE OR DC**  
5 **EMPLOYEE SERVING AS A MEMBER OF THE**  
6 **NATIONAL GUARD OF THE DISTRICT OF CO-**  
7 **LUMBIA.**

8 (a) IN GENERAL.—Section 5519 of title 5, United  
9 States Code, is amended by striking “or (c)”.

10 (b) APPLICATION.—The amendment made by sub-  
11 section (a) shall apply to any amounts credited, by oper-  
12 ation of such section 5519, against the pay of an employee  
13 or individual described under section 6323(c) of such title  
14 on or after the date of enactment of this Act.

15 **SEC. 1110. TREATMENT OF HOURS WORKED UNDER A**  
16 **QUALIFIED TRADE-OF-TIME ARRANGEMENT.**

17 Section 5542 of title 5, United States Code, is  
18 amended by adding at the end the following:

19 “(h)(1)(A) Notwithstanding any other provision of  
20 this section or section 5545b, any hours worked by a fire-  
21 fighter under a qualified trade-of-time arrangement shall  
22 be disregarded for purposes of any determination relating  
23 to eligibility for, or the amount of, any overtime pay under  
24 this section, including overtime pay under the Fair Labor  
25 Standards Act in accordance with subsection (c).



1       “(B) The Director of the Office of Personnel Manage-  
2 ment—

3           “(i) shall identify the situations in which a fire-  
4 fighter shall be deemed to have worked hours actu-  
5 ally worked by a substituting firefighter under a  
6 qualified trade-of-time arrangement; and

7           “(ii) may adopt necessary policies governing the  
8 treatment of both a substituting and substituted  
9 firefighter under a qualified trade-of-time arrange-  
10 ment, without regard to how those firefighters would  
11 otherwise be treated under other provisions of law or  
12 regulation.

13       “(2) In this subsection—

14           “(A) the term ‘firefighter’ means an em-  
15 ployee—

16           “(i) the work schedule of whom includes  
17 24-hour duty shifts; and

18           “(ii) who—

19           “(I) is a firefighter, as defined in sec-  
20 tion 8331(21) or 8401(14);

21           “(II) in the case of an employee who  
22 holds a supervisory or administrative posi-  
23 tion and is subject to subchapter III of  
24 chapter 83, but who does not qualify to be  
25 considered a firefighter within the meaning

1 of section 8331(21), would so qualify if  
2 such employee had transferred directly to  
3 such position after serving as a firefighter  
4 within the meaning of such section;

5 “(III) in the case of an employee who  
6 holds a supervisory or administrative posi-  
7 tion and is subject to chapter 84, but who  
8 does not qualify to be considered a fire-  
9 fighter within the meaning of section  
10 8401(14), would so qualify if such em-  
11 ployee had transferred directly to such po-  
12 sition after performing duties described in  
13 section 8401(14)(A) and (B) for at least 3  
14 years; and

15 “(IV) in the case of an employee who  
16 is not subject to subchapter III of chapter  
17 83 or chapter 84, holds a position that the  
18 Office of Personnel Management deter-  
19 mines would satisfy subclause (I), (II), or  
20 (III) if the employee were subject to sub-  
21 chapter III of chapter 83 or chapter 84;  
22 and

23 “(B) the term ‘qualified trade-of-time arrange-  
24 ment’ means an arrangement under which 2 fire-  
25 fighters who are subject to the supervision of the

1 same fire chief agree, solely at their option and with  
2 the approval of the employing agency, to substitute  
3 for one another during scheduled work hours in the  
4 performance of work in the same capacity.”.

5 **SEC. 1111. PARENTAL BEREAVEMENT LEAVE.**

6 (a) IN GENERAL.—Subchapter II of chapter 63 of  
7 title 5, United States Code, is amended by adding at the  
8 end the following:

9 **“§ 6329d. Parental bereavement leave**

10 “(a) DEFINITIONS.—In this section—

11 “(1) the terms ‘employee’ and ‘son or daughter’  
12 have the meanings given those terms in section  
13 6381; and

14 “(2) the term ‘paid leave’ means, with respect  
15 to an employee, leave without loss of or reduction  
16 in—

17 “(A) pay;

18 “(B) leave to which the employee is other-  
19 wise entitled under law; or

20 “(C) credit for time or service.

21 “(b) BEREAVEMENT LEAVE.—

22 “(1) IN GENERAL.—Subject to paragraphs (2)  
23 and (3), an employee shall be entitled to a total of  
24 2 administrative workweeks of paid leave during any

1 12-month period because of the death of a son or  
2 daughter of the employee.

3 “(2) LIMITATION.—Leave under paragraph (1)  
4 may not be taken by an employee intermittently or  
5 on a reduced leave schedule unless the employee and  
6 the employing agency of the employee agree other-  
7 wise.

8 “(3) NOTICE.—In any case in which the neces-  
9 sity for leave under this subsection is foreseeable,  
10 the employee shall provide the employing agency  
11 with such notice as is reasonable and practicable.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
13 The table of sections for subchapter II of chapter 63 of  
14 title 5, United States Code, is amended by adding at the  
15 end the following:

“6329d. Parental bereavement leave.”.

16 **SEC. 1112. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**  
17 **ANNUAL LIMITATION ON PREMIUM PAY AND**  
18 **AGGREGATE LIMITATION ON PAY FOR FED-**  
19 **ERAL CIVILIAN EMPLOYEES WORKING OVER-**  
20 **SEAS.**

21 Subsection (a) of section 1101 of the Duncan Hunter  
22 National Defense Authorization Act for Fiscal Year 2009  
23 (Public Law 110–417; 122 Stat. 4615), as most recently  
24 amended by section 1105 of the William M. (Mac) Thorn-  
25 berry National Defense Authorization Act for Fiscal Year

1 2021 (Public Law 116–283), is further amended by strik-  
2 ing “through 2021” and inserting “through 2022”.

3 **SEC. 1113. EXTENSION OF AUTHORITY FOR TEMPORARY**  
4 **PERSONNEL FLEXIBILITIES FOR DOMESTIC**  
5 **DEFENSE INDUSTRIAL BASE FACILITIES AND**  
6 **MAJOR RANGE AND TEST FACILITIES BASE**  
7 **CIVILIAN PERSONNEL.**

8 Section 1132 of the National Defense Authorization  
9 Act for Fiscal Year 2017 (10 U.S.C. 1580 note prec.) is  
10 amended—

11 (1) in subsection (a), by striking “through  
12 2021” and inserting “through 2026”;

13 (2) by redesignating subsection (f) as sub-  
14 section (h); and

15 (3) by inserting after subsection (e) the fol-  
16 lowing:

17 “(f) DATA COLLECTION REQUIREMENT.—The Sec-  
18 retary of Defense shall develop and implement a plan to  
19 collect and analyze data on the pilot program for the pur-  
20 poses of—

21 “(1) developing and sharing best practices; and

22 “(2) providing information to the leadership of  
23 the Department and Congress on the implementa-  
24 tion of the pilot program and related policy issues.

1 “(g) BRIEFING.—Not later than 90 days after the  
2 end of each of fiscal years 2022 through 2026, the Sec-  
3 retary of Defense shall provide a briefing to the Com-  
4 mittee on Armed Services of the House of Representatives,  
5 the Committee on Armed Services of the Senate, the Com-  
6 mittee on Oversight and Government Reform of the House  
7 of Representatives, and the Committee on Homeland Se-  
8 curity and Governmental Affairs of the Senate including—

9 “(1) a description of the effect of this section  
10 on the management of civilian personnel at domestic  
11 defense industrial base facilities and Major Range  
12 and Test Facilities Base during the most recently  
13 ended fiscal year; and

14 “(2) the number of employees—

15 “(A) hired under such section during such  
16 fiscal year; and

17 “(B) expected to be hired under such sec-  
18 tion during the fiscal year in which the briefing  
19 is provided.”.

20 **SEC. 1114. 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 1106 of  
6 the William M. (Mac) Thornberry National Defense Au-  
7 thorization Act for Fiscal Year 2021 (Public Law 116–  
8 283), is further amended by striking “2022” and inserting  
9 “2023”.

10 **SEC. 1115. ASSESSMENT OF ACCELERATED PROMOTION**  
11 **PROGRAM SUSPENSION.**

12 (a) IN GENERAL.—Not later than 90 days after the  
13 date of the enactment of this Act, the Inspector General  
14 of the Department of Defense shall conduct an assessment  
15 of the impacts resulting from the Navy’s suspension in  
16 2016 of the Accelerated Promotion Program (in this sec-  
17 tion referred to as the “APP”). The Inspector General  
18 may consult with the Secretary of the Navy in carrying  
19 out such assessment, but the Navy may not play any other  
20 role in such assessment.

21 (b) ELEMENTS.—The assessment required under  
22 subsection (a) shall include the following elements:

23 (1) An identification of the employees who were  
24 hired at the four public shipyards between January  
25 23, 2016, and December 22, 2016, covering the pe-

1       riod in which APP was suspended, and who would  
2       have otherwise been eligible for APP had the pro-  
3       gram been in effect at the time they were hired.

4           (2) An assessment for each employee identified  
5       in paragraph (1) to determine the difference between  
6       wages earned from the date of hire to the date on  
7       which the wage data would be collected and the  
8       wages which would have been earned during this  
9       same period should that employee have participated  
10      in APP from the date of hire and been promoted ac-  
11      cording to the average promotion timeframe for par-  
12      ticipants hired in the five-year period prior to the  
13      suspension.

14          (3) An assessment for each employee identified  
15      in paragraph (1) to determine at what grade and  
16      step each effected employee would be at on October  
17      1, 2020, had that employee been promoted according  
18      to the average promotion timeframe for participants  
19      hired in the five-year period prior to the suspension.

20          (4) An evaluation of existing authorities avail-  
21      able to the Secretary to determine whether the Sec-  
22      retary can take measures using those authorities to  
23      provide the pay difference and corresponding inter-  
24      est, at a rate of the federal short-term interest rate  
25      plus 3 percent, to each effected employee identified



1 in paragraph (2) and directly promote the employee  
2 to the grade and step identified in paragraph (3).

3 (c) REPORT.—The Inspector General of the Depart-  
4 ment of Defense shall submit, to the congressional defense  
5 committees, the Committee on Oversight and Reform of  
6 the House of Representatives, and the Committee on  
7 Homeland Security and Governmental Affairs of the Sen-  
8 ate, a report on the results of the evaluation by not later  
9 than 270 days after the date of enactment of this Act,  
10 and shall provide interim briefings upon request.

11 **SEC. 1116. INCREASE IN ALLOWANCE BASED ON DUTY AT**  
12 **REMOTE WORKSITES.**

13 (a) ASSESSMENT AND RATE.—Not later than March  
14 31, 2022, the Director of the Office of Personnel Manage-  
15 ment shall complete an assessment of the remote site pay  
16 allowance under section 5942 of title 5, United States  
17 Code, and propose a new rate of such allowance, adjusted  
18 for inflation, and submit such assessment and rate to the  
19 President and to Congress.

20 (b) APPLICATION.—Beginning on the first day of the  
21 first pay period beginning after the date the Director sub-  
22 mits the assessment and rate under subsection (a), such  
23 rate shall, notwithstanding subsection (a) of such section  
24 5942, be the rate of such allowance.

1 **SEC. 1117. ENHANCEMENT OF RECUSAL FOR CONFLICTS OF**  
2 **PERSONAL INTEREST REQUIREMENTS FOR**  
3 **DEPARTMENT OF DEFENSE OFFICERS AND**  
4 **EMPLOYEES.**

5 (a) IN GENERAL.—Except as provided in subsection  
6 (b), in addition to the prohibition set forth in section 208  
7 of title 18, United States Code, an officer or employee of  
8 the Department of Defense may not knowingly participate  
9 personally and substantially in any particular matter in-  
10 volving specific parties where any of the following organi-  
11 zations is a party or represents a party to the matter:

12 (1) Any organization, including a trade organi-  
13 zation, for which the officer or employee has served  
14 as an employee, officer, director, trustee, or general  
15 partner in the past 2 years.

16 (2) Any organization with which the officer or  
17 employee is seeking employment.

18 (b) AUTHORIZATION.—An agency designee may au-  
19 thorize the officer or employee to participate in a matter  
20 described in paragraph (a) based on a determination,  
21 made in light of all relevant circumstances, that the inter-  
22 est of the Government in the officer or employee's partici-  
23 pation outweighs the concern that a reasonable person  
24 may question the integrity of the agency's programs and  
25 operations.

1           (c) CONSTRUCTION.—Nothing in this section shall be  
2 construed to terminate, alter, or make inapplicable any  
3 other prohibition or limitation in law or regulation on the  
4 participation of officers or employees of the Department  
5 of Defense in particular matters having an effect on their  
6 or related financial or other personal interests.

7 **SEC. 1118. OCCUPATIONAL SERIES FOR DIGITAL CAREER**  
8 **FIELDS.**

9           Not later than 270 days after the date of the enact-  
10 ment of this Act, the Director of the Office of Personnel  
11 Management shall, pursuant to chapter 51 of title 5,  
12 United States Code, establish or update one or more occu-  
13 pational series covering Federal Government positions in  
14 the fields of software development, software engineering,  
15 data science, and data management.

16 **TITLE XII—MATTERS RELATING**  
17 **TO FOREIGN NATIONS**

Subtitle A—Assistance and Training

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

Subtitle B—Matters Relating to Afghanistan and Pakistan

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

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

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

#### Subtitle D—Matters Relating to Russia

- Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.
- Sec. 1232. Extension of Ukraine Security Assistance Initiative.
- Sec. 1233. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.
- Sec. 1234. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
- Sec. 1235. Report on Russian influence operations and campaigns targeting military alliances and partnerships of which the United States is a member.

#### Subtitle E—Matters Relating to the Indo-Pacific Region

- Sec. 1241. Extension and modification of Indo-Pacific Maritime Security Initiative.
- Sec. 1242. Extension and modification of Pacific Deterrence Initiative.
- Sec. 1243. Modification of annual report on military and security developments involving the People's Republic of China.
- Sec. 1244. Extension of authority to transfer funds for Bien Hoa dioxin clean-up.
- Sec. 1245. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.

- Sec. 1246. Sense of Congress on Taiwan defense relations.  
Sec. 1247. Statement of policy on Taiwan.  
Sec. 1248. Annual report on Taiwan asymmetric capabilities and intelligence support.  
Sec. 1249. Feasibility briefing on cooperation between the National Guard and Taiwan.  
Sec. 1250. Feasibility report on establishing military-to-military crisis communications capabilities.  
Sec. 1251. Comparative analyses and reports on efforts by the United States and the People's Republic of China to advance critical modernization technology with respect to military applications.  
Sec. 1252. Sense of congress on defense alliances and partnerships in the Indo-Pacific region.

1                   **Subtitle A—Assistance and**  
2                   **Training**

3   **SEC. 1201. ADMINISTRATIVE SUPPORT AND PAYMENT OF**  
4                   **CERTAIN EXPENSES FOR COVERED FOREIGN**  
5                   **DEFENSE PERSONNEL.**

6           (a) IN GENERAL.—Subchapter IV of chapter 16 of  
7 title 10, United States Code, is amended by adding at the  
8 end the following new section:

9   **“§ 334. Administrative support and payment of cer-**  
10                   **tain expenses for covered foreign defense**  
11                   **personnel**

12           “(a) IN GENERAL.—The Secretary of Defense may—  
13                   “(1) provide administrative services and sup-  
14                   port to the United Nations Command for the per-  
15                   formance of duties by covered foreign defense per-  
16                   sonnel during the period in which the covered for-  
17                   eign defense personnel are assigned to the United  
18                   Nations Command or the Neutral Nations Super-

1 visory Commission in accordance with the Korean  
2 War Armistice Agreement of 1953; and

3 “(2) pay the expenses specified in subsection  
4 (b) for covered foreign defense personnel who are—

5 “(A) from a developing country; and

6 “(B) assigned to the headquarters of the  
7 United Nations Command.

8 “(b) TYPES OF EXPENSES.—The types of expenses  
9 that may be paid under the authority of subsection (a)(2)  
10 are the following:

11 “(1) Travel and subsistence expenses directly  
12 related to the duties of covered foreign defense per-  
13 sonnel described in subsection (a)(2) in connection  
14 with the assignment of such covered foreign defense  
15 personnel.

16 “(2) Personal expenses directly related to car-  
17 rying out such duties.

18 “(3) Expenses for medical care at a military  
19 medical facility.

20 “(4) Expenses for medical care at a civilian  
21 medical facility, if—

22 “(A) adequate medical care is not available  
23 to such covered foreign defense personnel at a  
24 local military medical treatment facility;

1           “(B) the Secretary determines that pay-  
2           ment of such medical expenses is necessary and  
3           in the best interests of the United States; and

4           “(C) medical care is not otherwise avail-  
5           able to such covered foreign defense personnel  
6           pursuant to a treaty or any other international  
7           agreement.

8           “(5) Mission-related travel expenses, if—

9           “(A) such travel is in direct support of the  
10          national interests of the United States; and

11          “(B) the Commander of the United Na-  
12          tions Command directs round-trip travel from  
13          the headquarters of the United Nations Com-  
14          mand to one or more locations.

15          “(c) REIMBURSEMENT.—The Secretary may provide  
16          the administrative services and support and pay the ex-  
17          penses authorized by subsection (a) with or without reim-  
18          bursement.

19          “(d) DEFINITIONS.—In this section:

20          “(1) The term ‘administrative services and sup-  
21          port’ means base or installation support services, fa-  
22          cilities use, base operations support, office space, of-  
23          fice supplies, utilities, copying services, computer  
24          support, communication services, fire and police pro-  
25          tection, postal services, bank services, transportation

1 services, housing and temporary billeting (including  
2 ancillary services), specialized clothing required to  
3 perform assigned duties, temporary loan of special  
4 equipment, storage services, training services, and  
5 repair and maintenance services.

6 “(2) The term ‘covered foreign defense per-  
7 sonnel’ means members of the military of a foreign  
8 country who are assigned to—

9 “(A) the United Nations Command; or

10 “(B) the Neutral Nations Supervisory  
11 Commission.

12 “(3) The term ‘developing country’ has the  
13 meaning given the term in section 301(4) of this  
14 title.

15 “(4) The term ‘Neutral Nations Supervisory  
16 Commission’ means the delegations from Sweden  
17 and Switzerland (or successor delegations) appointed  
18 in accordance with the Korean War Armistice Agree-  
19 ment of 1953 or its subsequent agreements.

20 “(5) The term ‘United Nations Command’  
21 means the headquarters of the United Nations Com-  
22 mand, the United Nations Command Military Armi-  
23 stice Commission, the United Nations Command-  
24 Rear, and the United Nations Command Honor  
25 Guard.”.



1 (b) CONFORMING AMENDMENT.—The table of sec-  
2 tions at the beginning of subchapter IV of chapter 16 of  
3 title 10, United States Code, is amended by adding at the  
4 end the following new item:

“334. Administrative support and payment of certain expenses for covered for-  
ign defense personnel.”.

5 **SEC. 1202. AUTHORITY FOR CERTAIN REIMBURSABLE**  
6 **INTERCHANGE OF SUPPLIES AND SERVICES.**

7 Section 2571 of title 10, United States Code, is  
8 amended—

9 (1) by amending subsection (b) to read as fol-  
10 lows:

11 “(b)(1) If its head approves, a department or organi-  
12 zation within the Department of Defense may, upon re-  
13 quest, perform work and services for, or furnish supplies  
14 to, any other of those departments or organizations, with  
15 or without reimbursement or transfer of funds.

16 “(2) Use of the authority under this section for reim-  
17 bursable support is limited to support for the purpose of  
18 providing assistance to a foreign partner pursuant to sec-  
19 tion 333 and section 345 of this title.”; and

20 (2) by adding at the end the following new sub-  
21 section:

22 “(e)(1) An order placed by a department or organiza-  
23 tion on a reimbursable basis pursuant to subsection (b)

1 shall be considered to be an obligation in the same manner  
2 as an order placed under section 6307 of title 41.

3 “(2) Amounts received as reimbursement shall be  
4 credited in accordance with section 2205 of this title to  
5 the appropriation of the supporting department or organi-  
6 zation used in incurring the obligation in the year or years  
7 that support is provided.”.

8 **SEC. 1203. EXTENSION OF SUPPORT OF SPECIAL OPER-**  
9 **ATIONS FOR IRREGULAR WARFARE.**

10 Section 1202(a) of the National Defense Authoriza-  
11 tion Act for Fiscal Year 2018 (Public Law 115–91; 131  
12 Stat. 1639) is amended by striking “2023” and inserting  
13 “2025”.

14 **SEC. 1204. MODIFICATION AND EXTENSION OF BIENNIAL**  
15 **COMPTROLLER GENERAL OF THE UNITED**  
16 **STATES AUDITS OF PROGRAMS TO BUILD**  
17 **THE CAPACITY OF FOREIGN SECURITY**  
18 **FORCES.**

19 Section 1205(f) of the Carl Levin and Howard P.  
20 “Buck” McKeon National Defense Authorization Act for  
21 Fiscal Year 2015 (Public Law 113–291) is amended—

22 (1) in paragraph (1)—

23 (A) by striking “and 2020” and inserting  
24 “, 2020, and 2022”; and

1 (B) by striking “section 2282 of title 10,  
2 United States Code (as so added)” and insert-  
3 ing “subsections (a)(1) and (e)(7)(B) of section  
4 333 of title 10, United States Code”; and  
5 (2) in paragraph (2)—

6 (A) by redesignating subparagraph (E) as  
7 subparagraph (H); and

8 (B) by inserting after subparagraph (D)  
9 the following:

10 “(E) An evaluation of coordination by the  
11 Department of Defense with foreign countries  
12 under the program or programs, as applicable.

13 “(F) A description and evaluation of the  
14 methodology used by the Department of De-  
15 fense to evaluate the effectiveness of training  
16 under the program or programs.

17 “(G) An analysis of the methodology used  
18 by the Department of Defense to evaluate the  
19 effectiveness of the program or programs to de-  
20 velop the institutional capacity of the foreign  
21 countries.”.

1 **SEC. 1205. TEMPORARY AUTHORITY TO PAY FOR TRAVEL**  
2 **AND SUBSISTENCE EXPENSES OF FOREIGN**  
3 **NATIONAL SECURITY FORCES PARTICI-**  
4 **PATING IN THE TRAINING PROGRAM OF THE**  
5 **UNITED STATES-COLOMBIA ACTION PLAN**  
6 **FOR REGIONAL SECURITY.**

7 (a) **AUTHORITY.**—For fiscal year 2022, the Secretary  
8 of Defense is authorized to pay for the travel, subsistence,  
9 and similar personnel expenses of the national security  
10 forces of a friendly foreign country to participate in the  
11 training program of the United States-Colombia Action  
12 Plan for Regional Security conducted at a facility in Co-  
13 lombia.

14 (b) **NOTIFICATION.**—Not later than 15 days before  
15 the exercise of the authority under subsection (a), the Sec-  
16 retary shall provide to the congressional defense commit-  
17 tees a written notification that includes the following:

18 (1) An identification of the foreign country, and  
19 the specific unit of the national security forces of  
20 such country, the capacity of which will be built by  
21 participating in such training program.

22 (2) The amount of support to be provided  
23 under that subsection.

24 (3) An identification of the United States  
25 equipment purchased or acquired by such foreign

1 country, for the use of which training is being pro-  
2 vided under such training program.

3 (4) A description of the specific capabilities to  
4 be built through such training program with such  
5 support.

6 (5) A detailed description of the manner in  
7 which building the capabilities of such country  
8 through such training program advances the na-  
9 tional security interests of the United States.

10 (6) A detailed assessment of the effectiveness of  
11 such training program in meeting Department of  
12 Defense requirements for building the capacity of  
13 such country.

14 (c) SOURCE OF FUNDS.—Of the amounts authorized  
15 to be appropriated for fiscal year 2022 for the Department  
16 of Defense for operation and maintenance, Defense-wide,  
17 the Secretary may obligate or expend not more than  
18 \$2,000,000 to pay for expenses described in subsection (a)  
19 for such fiscal year.

20 (d) LIMITATION.—The provision of support under  
21 subsection (a) shall be subject to section 362 of title 10,  
22 United States Code.

1 **SEC. 1206. SECURITY COOPERATION STRATEGY FOR CER-**  
2 **TAIN COMBATANT COMMANDS.**

3 (a) IN GENERAL.—The Secretary of Defense, in co-  
4 ordination with the Secretary of State, shall develop and  
5 implement a security cooperation strategy for each covered  
6 combatant command, which shall apply to the security co-  
7 operation programs and activities of the Department of  
8 Defense (as defined in section 301 of title 10, United  
9 States Code).

10 (b) ELEMENTS.—The strategy for each covered com-  
11 batant command required by subsection (a) shall include  
12 the following:

13 (1) A discussion of how the strategy will—

14 (A) support and advance United States na-  
15 tional security interests in strategic competition  
16 with near-peer rivals;

17 (B) prioritize and build key capabilities of  
18 allied and partner security forces so as to en-  
19 hance bilateral and multilateral interoperability  
20 and responsiveness;

21 (C) prioritize and build the capabilities of  
22 foreign partner security forces to secure their  
23 own territory, including through operations  
24 against violent extremist groups;

25 (D) promote and build institutional capa-  
26 bilities for observance of, and respect for—

- 1 (i) the law of armed conflict;  
2 (ii) human rights and fundamental  
3 freedoms;  
4 (iii) the rule of law; and  
5 (iv) civilian control of the military;  
6 and

7 (E) support the programs and activities of  
8 law enforcement and civilian agencies, as appro-  
9 priate, to counter the threat of and reduce risks  
10 from illicit drug trafficking and other forms of  
11 transnational organized crime.

12 (2) A statement of the security cooperation  
13 strategic objectives for—

14 (A) the covered combatant command; and

15 (B) the covered combatant command in  
16 conjunction with other covered combatant com-  
17 mands.

18 (3) A description of the primary security co-  
19 operation lines of effort for achieving such strategic  
20 objectives, including prioritization of foreign part-  
21 ners within the covered combatant command.

22 (4) A description of the Department of Defense  
23 authorities to be used for each such line of effort  
24 and the manner in which such authorities will con-  
25 tribute to achieving such strategic objectives.

1           (5) A description of the institutional capacity-  
2 building programs and activities within the covered  
3 combatant command and an assessment of the man-  
4 ner in which such programs and activities contribute  
5 to achieving such strategic objectives.

6           (6) A description of Department of Defense  
7 educational programs and institutions, and inter-  
8 national institutions, relevant to the combatant com-  
9 mand and an assessment of the manner in which  
10 such programs and institutions contribute to achiev-  
11 ing such strategic objectives.

12           (7) A discussion of the manner in which the de-  
13 velopment, planning, and implementation of pro-  
14 grams or activities under Department of Defense se-  
15 curity cooperation authorities are coordinated and  
16 deconflicted with security assistance and other as-  
17 sistance authorities of the Department of State and  
18 other civilian agencies.

19 (c) REPORTS.—

20           (1) INITIAL REPORT.—Not later than 180 days  
21 after the date of the enactment of this Act, the Sec-  
22 retary of Defense shall submit to the appropriate  
23 committees of Congress a report on the security co-  
24 operation strategy for each covered combatant com-  
25 mand developed under subsection (a).



1           (2) SUBSEQUENT REPORTS.—Beginning in fis-  
2           cal year 2023, and annually thereafter through fiscal  
3           year 2027, concurrently with the submittal of the re-  
4           port required by section 386(a) of title 10, United  
5           States Code, the Secretary of Defense shall submit  
6           to the appropriate committees of Congress a report  
7           on the implementation of the security cooperation  
8           strategy for each covered combatant command devel-  
9           oped under subsection (a).

10          (d) DEFINITIONS.—In this section:

11           (1) APPROPRIATE COMMITTEES OF CON-  
12           GRESS.—The term “appropriate committees of Con-  
13           gress” means—

14                   (A) the Committee on Armed Services, the  
15                   Committee on Foreign Relations, and the Com-  
16                   mittee on Appropriations of the Senate; and

17                   (B) the Committee on Armed Services, the  
18                   Committee on Foreign Affairs, and the Com-  
19                   mittee on Appropriations of the House of Rep-  
20                   resentatives.

21           (2) COVERED COMBATANT COMMAND.—The  
22           term “covered combatant command” means—

23                   (A) the United States European Com-  
24                   mand;

1 (B) the United States Indo-Pacific Com-  
2 mand;

3 (C) the United States Central Command;

4 (D) the United States Africa Command;

5 (E) the United States Southern Command;

6 and

7 (F) the United States Northern Command.

8 **SEC. 1207. REPORT ON SECURITY COOPERATION PRO-**  
9 **GRAMS.**

10 (a) IN GENERAL.—Not later than 1 year after the  
11 date of the enactment of this Act, the Comptroller General  
12 of the United States shall submit to the congressional de-  
13 fense committees a report that—

14 (1) reviews the existing requirements for con-  
15 ducting human rights training of foreign national se-  
16 curity forces pursuant to security cooperation au-  
17 thorities under chapter 16 of title 10, United States  
18 Code;

19 (2) reviews current Department of Defense  
20 practices and procedures for collecting data under  
21 such authorities for purposes of assessing, moni-  
22 toring, and evaluating the effectiveness of such  
23 human rights training programs and assessing com-  
24 pliance with section 362 of title 10, United States  
25 Code; and

1           (3) evaluates the effectiveness of human rights  
2           training described in paragraph (1) to contribute to  
3           United States national security objectives.

4           (b) MATTERS TO BE INCLUDED.—The report re-  
5           quired by subsection (a) may include recommendations for  
6           measures to improve the effectiveness of human rights  
7           training or to promote observation of and respect for  
8           human rights and fundamental freedoms, the rule of law,  
9           and civilian control of the military.

10          (c) FORM.—The report required by subsection (a)  
11          shall be submitted in unclassified form, but may include  
12          a classified annex.

13                   **Subtitle B—Matters Relating to**  
14                   **Afghanistan and Pakistan**

15   **SEC. 1211. SENSE OF CONGRESS ON THE SERVICE OF**  
16                   **UNITED STATES ARMED FORCES**  
17                   **SERVICEMEMBERS IN AFGHANISTAN.**

18           It is the sense of Congress that—

19           (1) the servicemembers of the United States  
20           Armed Forces who served in Afghanistan represent  
21           the very best of the United States;

22           (2) the service of those who returned home  
23           from war with wounds seen and unseen and those  
24           who died in defense of the Nation are not forgotten;

1 (3) the United States honors these brave mem-  
2 bers of the Armed Forces and their families; and

3 (4) the United States shall never forget the  
4 services they rendered and the sacrifices they and  
5 their families made in the defense of a grateful Na-  
6 tion.

7 **SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY**  
8 **FOR REIMBURSEMENT OF CERTAIN COALI-**  
9 **TION NATIONS FOR SUPPORT PROVIDED TO**  
10 **UNITED STATES MILITARY OPERATIONS.**

11 Section 1233 of the National Defense Authorization  
12 Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.  
13 393) is amended—

14 (1) in subsection (a), by striking “for the period  
15 beginning on October 1, 2020, and ending on De-  
16 cember 31, 2021” and inserting “for the period be-  
17 ginning on October 1, 2021, and ending on Decem-  
18 ber 31, 2022”; and

19 (2) in subsection (d)—

20 (A) by striking “during the period begin-  
21 ning on October 1, 2020, and ending on De-  
22 cember 31, 2021” and inserting “during the pe-  
23 riod beginning on October 1, 2021, and ending  
24 on December 31, 2022”; and

1 (B) by striking “\$180,000,000” and in-  
2 serting “\$60,000,000”.

3 **SEC. 1213. PROHIBITION ON TRANSFER OF DEPARTMENT**  
4 **OF DEFENSE FUNDS OR RESOURCES TO THE**  
5 **TALIBAN.**

6 (a) PROHIBITION.—None of the funds authorized to  
7 be appropriated by this Act or otherwise made available  
8 to the Department of Defense may be made available—

9 (1) to provide any funds or resources to the  
10 Taliban; or

11 (2) to conduct any military cooperation or shar-  
12 ing of military intelligence with the Taliban, unless  
13 the Secretary of Defense determines that such co-  
14 operation or sharing advances the national security  
15 interests of the United States.

16 (b) NOTIFICATION.—

17 (1) SUBMISSION REQUIRED.—If the Secretary  
18 makes an affirmative determination described in  
19 subsection (1)(a), the Secretary shall submit to the  
20 Committees on Armed Services of the Senate and  
21 the House of Representatives a written description  
22 of the military cooperation or military intelligence  
23 that was shared with the Taliban pursuant to such  
24 determination, not later than 5 days after the date  
25 of such cooperation or sharing. The Secretary shall

1 include with such description any other matter the  
2 Secretary determines relevant.

3 (2) FORM.—The information described in para-  
4 graph (1) shall be submitted in an unclassified for-  
5 mat and may include a classified annex.

6 **SEC. 1214. PROHIBITION ON TRANSPORTING CURRENCY TO**  
7 **THE TALIBAN OR THE ISLAMIC EMIRATE OF**  
8 **AFGHANISTAN.**

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 for the operation of any  
12 aircraft of the Department of Defense to transport cur-  
13 rency or other items of value to the Taliban, the Islamic  
14 Emirate of Afghanistan, or any subsidiary, agent, or in-  
15 strumentality of either the Taliban or the Islamic Emirate  
16 of Afghanistan.

17 **SEC. 1215. PROHIBITION ON REMOVAL OF PUBLICLY AVAIL-**  
18 **ABLE ACCOUNTINGS OF MILITARY ASSIST-**  
19 **ANCE PROVIDED TO THE AFGHAN SECURITY**  
20 **FORCES.**

21 None of the funds authorized to be appropriated by  
22 this Act or otherwise made available for the Department  
23 of Defense for fiscal year 2022 may be used to remove  
24 from the website of the Department of Defense or any  
25 other agency publicly available accountings of military as-

1 sistance provided to the Afghan security forces that was  
2 publicly available online as of July 1, 2021.

3 **SEC. 1216. JOINT REPORT ON USING THE SYNCHRONIZED**  
4 **PREDEPLOYMENT AND OPERATIONAL**  
5 **TRACKER (SPOT) DATABASE TO VERIFY AF-**  
6 **GHAN SIV APPLICANT INFORMATION.**

7 (a) IN GENERAL.—Not later than 120 days after the  
8 date of the enactment of this Act, the Secretary of Defense  
9 and the Secretary of State shall submit to appropriate  
10 congressional committees a joint report on the use of the  
11 Department of Defense Synchronized Predeployment and  
12 Operational Tracker database (in this section referred to  
13 as the “SPOT database”) to verify the existence, for the  
14 purpose of determining eligibility for special immigrant  
15 visa (SIV) program, of—

- 16 (1) Department of Defense contracts;
- 17 (2) employment of Afghans who worked for the  
18 United States Government; and
- 19 (3) biographic data.

20 (b) ELEMENTS OF JOINT REPORT.—The joint report  
21 required under subsection (a) shall—

- 22 (1) evaluate the improvements in the SIV proc-  
23 ess following the use of the SPOT database to verify  
24 SIV applications, including the extent to which use  
25 of SPOT expedited SIV processing, reduced the risk

1 of fraudulent documents, and the extent to which  
2 the SPOT database could be used for future SIV  
3 programs;

4 (2) identify obstacles that persisted in docu-  
5 menting the identity and employment of locally em-  
6 ployed staff and contractors after the use of the  
7 SPOT database in the SIV process; and

8 (3) recommend the changes to the SPOT data-  
9 base that would be necessary to make it a central-  
10 ized interagency database of personnel and employ-  
11 ment data that can be used to adjudicate SIV eligi-  
12 bility for those employed under United States Gov-  
13 ernment contracts, grants, or cooperative agree-  
14 ments.

15 (c) CONSULTATION.—For the purposes of preparing  
16 the joint report required under this section, the Secretary  
17 of Defense and the Secretary of State shall consult with  
18 the Administrator of the United States Agency for Inter-  
19 national Development and the Secretary of Homeland Se-  
20 curity.

21 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
22 DEFINED.—In this section, the term “appropriate con-  
23 gressional committees” means the Committee on Armed  
24 Services and the Committee on Foreign Relations of the  
25 Senate and the Committee on Armed Services and the



1 Committee on Foreign Affairs of the House of Representa-  
2 tives.

3 **SEC. 1217. REPORT AND BRIEFING ON UNITED STATES**  
4 **EQUIPMENT, PROPERTY, AND CLASSIFIED**  
5 **MATERIAL THAT WAS DESTROYED OR ABAN-**  
6 **DONED IN THE WITHDRAWAL FROM AFGHAN-**  
7 **ISTAN.**

8 (a) IN GENERAL.—Not later than 90 days after the  
9 date of the enactment of this Act, the Secretary of De-  
10 fense, in consultation with the Secretaries of the military  
11 departments and the Commander of United States Central  
12 Command, shall submit to the congressional defense com-  
13 mittees a report regarding the covered United States  
14 equipment, property, and classified material and money in  
15 cash that was destroyed or abandoned in Afghanistan or  
16 removed from Afghanistan during the covered period.  
17 Such report shall include each of the following:

18 (1) A determination of the value of the covered  
19 United States equipment, property, and classified  
20 material that was destroyed or abandoned,  
21 disaggregated by military department and itemized  
22 to the most specific feasible level.

23 (2) An itemized list of destroyed or abandoned  
24 aircraft in Afghanistan and the location and condi-  
25 tion of aircraft flown out of Afghanistan formerly

1        possessed by the Afghan Air Force or the former  
2        government of Afghanistan.

3            (3) An itemized list of destroyed or abandoned  
4        weapons, weapon systems, components of weapons or  
5        weapon systems, ammunition, explosives, missiles,  
6        ordnance, bombs, mines, or projectiles,  
7        disaggregated by military department.

8            (4) For each item on a list referred to in para-  
9        graphs (2) and (3), an explanation of the legal au-  
10        thority relied upon to destroy or abandon that spe-  
11        cific item.

12           (5) An evaluation of the capabilities of the  
13        Taliban post-withdrawal as a result of their seizure  
14        of abandoned covered United States equipment,  
15        property, and classified material, including an eval-  
16        uation of the capabilities of the Taliban post-with-  
17        drawal to monetize through the transfer of aban-  
18        doned covered United States equipment, property,  
19        and classified material to adversaries of the United  
20        States.

21           (6) An assessment of aircraft flown out of Af-  
22        ghanistan formerly possessed by the Afghan Air  
23        Force or the former government of Afghanistan that  
24        could be returned to the Taliban or to the Islamic  
25        Emirate of Afghanistan by other countries.

1           (7) An assessment of the damage to the na-  
2           tional security interests of the United States as a re-  
3           sult of the destroyed or abandoned covered United  
4           States equipment, property, and classified material.

5           (8) An assessment of the feasibility of disabling,  
6           destroying, recovering, or recapturing abandoned  
7           covered United States equipment, property, and  
8           classified material in and outside of Afghanistan and  
9           any plans to do so.

10          (9) Available imagery or photography depicting  
11          the Taliban or other countries possessing abandoned  
12          covered United States equipment, property, and  
13          classified material.

14          (b) EXECUTIVE SUMMARY OF REPORT.—The report  
15          required under subsection (a) shall include an executive  
16          summary of the report, which shall be unclassified and  
17          made publicly available.

18          (c) BRIEFING.—Not later than 120 days after the  
19          date of the enactment of this Act, the Secretary of De-  
20          fense, the Secretaries of the military departments, and the  
21          Commander of United States Central Command shall pro-  
22          vide to the congressional defense committees a briefing on  
23          the report required by this section.

24          (d) DEFINITIONS.—In this section:

1           (1) COVERED UNITED STATES EQUIPMENT,  
2           PROPERTY, AND CLASSIFIED MATERIAL.—The term  
3           “covered United States equipment, property, and  
4           classified material” means any of the following items  
5           formerly owned by the Government of the United  
6           States or provided by the United States to the  
7           former government or military of Afghanistan dur-  
8           ing the covered period:

9                   (A) Real property, including any lands,  
10                   buildings, structures, utilities systems, improve-  
11                   ments, and appurtenances, thereto, including  
12                   equipment attached to and made part of build-  
13                   ings and structures, but not movable equip-  
14                   ment.

15                   (B) Personal property, including property  
16                   of any kind or any interest therein, except real  
17                   property.

18                   (C) Equipment, including all nonexpend-  
19                   able items needed to outfit or equip an indi-  
20                   vidual or organization.

21                   (D) Classified information, in any form, in-  
22                   cluding official information that has been deter-  
23                   mined to require, in the interests of national se-  
24                   curity, protection against unauthorized disclo-  
25                   sure and which has been so designated.

1           (2) COVERED PERIOD.—The term “covered pe-  
2           riod” means the period beginning on February 29,  
3           2020, and ending on the date of the enactment of  
4           this Act.

5           **Subtitle C—Matters Relating to**  
6           **Syria, Iraq, and Iran**

7           **SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY**  
8                           **TO PROVIDE ASSISTANCE TO VETTED SYRIAN**  
9                           **GROUPS AND INDIVIDUALS.**

10          (a) EXTENSION.—Subsection (a) of section 1209 of  
11 the Carl Levin and Howard P. “Buck” McKeon National  
12 Defense Authorization Act for Fiscal Year 2015 (Public  
13 Law 113–291; 127 Stat. 3451) is amended by striking  
14 “December 31, 2021” and inserting “December 31,  
15 2022”.

16          (b) NOTICE BEFORE PROVISION OF ASSISTANCE.—  
17 Subsection (b)(2) of such section is amended by striking  
18 subparagraph (A) and inserting the following:

19                           “(A) not later than 15 days before the ex-  
20                           penditure of each 25 percent of the total  
21                           amount authorized to be appropriated in any  
22                           fiscal year under this section; or”.

23          (c) WAIVER AUTHORITY.—Subsection (l) of such sec-  
24 tion is amended by adding at the end the following:

25                           “(3) WAIVER AUTHORITY.—

1           “(A) IN GENERAL.—The President may  
2 waive the limitation under paragraph (1)(A) on  
3 a per project basis for the purposes of providing  
4 support authorized under subsection (a)(4) if  
5 the President—

6           “(i) determines that the waiver is in  
7 the national security interest of the United  
8 States; and

9           “(ii) submits to the appropriate con-  
10 gressional committees a notification of the  
11 exercise of the waiver.

12           “(B) NOTICE AND WAIT.—

13           “(i) IN GENERAL.—A project with re-  
14 spect to which the exercise of a waiver  
15 under subparagraph (A) applies may only  
16 be carried out after the end of a 15-day  
17 period beginning at the date on which the  
18 appropriate congressional committees re-  
19 ceive the notification required by subpara-  
20 graph (A)(ii).

21           “(ii) MATTERS TO BE INCLUDED.—  
22 The notification required by subparagraph  
23 (A)(ii) shall include the following:

24           “(I) A detailed plan and cost es-  
25 timate for the project.

1                   “(II) A certification by the Presi-  
2                   dent that facilities and activities relat-  
3                   ing to the project comply with—  
4                   “(aa) the law of armed con-  
5                   flict;  
6                   “(bb) internationally recog-  
7                   nized human rights;  
8                   “(cc) the principle of non-  
9                   refoulement;  
10                  “(dd) the Convention  
11                  Against Torture and Other  
12                  Cruel, Inhuman or Degrading  
13                  Treatment or Punishment (done  
14                  at New York on December 10,  
15                  1984); and  
16                  “(ee) the United Nations  
17                  Convention Relating to the Sta-  
18                  tus of Refugees, done at Geneva  
19                  July 28, 1951 (as made applica-  
20                  ble by the Protocol Relating to  
21                  the Status of Refugees, done at  
22                  New York January 31, 1967 (19  
23                  UST6223)).

1                   “(III) An explanation of the na-  
2                   tional security interest addressed by  
3                   the project.

4                   “(iii) APPROPRIATE CONGRESSIONAL  
5                   COMMITTEES DEFINED.—In this subpara-  
6                   graph, the term ‘appropriate congressional  
7                   committees’ means—

8                   “(I) the congressional defense  
9                   committees; and

10                   “(II) the Committee on Com-  
11                   mittee on Foreign Relations of the  
12                   Senate and the Committee on Foreign  
13                   Affairs of the House of Representa-  
14                   tives.

15                   “(C) UPDATE TO PLAN AND COST ESTI-  
16                   MATE.—Upon obligation of any funds to carry  
17                   out a project with respect to which the exercise  
18                   of a waiver under subparagraph (A) applies, the  
19                   Secretary of Defense shall submit to the con-  
20                   gressional defense committees an update to the  
21                   plan and cost estimate for the project as re-  
22                   quired by subparagraph (B)(ii)(I).

23                   “(D) SUNSET.—The waiver authority  
24                   under this paragraph shall expire on December  
25                   31, 2022.”.



1 (d) TECHNICAL AMENDMENT.—The table of contents  
2 for the Carl Levin and Howard P. “Buck” McKeon Na-  
3 tional Defense Authorization Act for Fiscal Year 2015  
4 (Public Law 113–291; 127 Stat. 3293) is amended by  
5 striking the item relating to section 1209 and inserting  
6 the following:

“Sec. 1209. Authority to provide assistance to vetted Syrian groups and individuals.”.

7 **SEC. 1222. DEFENSE AND DIPLOMATIC STRATEGY FOR**  
8 **SYRIA.**

9 (a) REPORT REQUIRED.—Not later than 90 days  
10 after the date of the enactment of this Act, the President,  
11 acting through the Secretary of State and in coordination  
12 with the Secretary of Defense, shall submit to the appro-  
13 priate congressional committees a report that contains a  
14 description of the United States defense and diplomatic  
15 strategy for Syria.

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

18 (1) A United States diplomatic strategy for  
19 Syria, including a description of the desired diplo-  
20 matic objectives for advancing United States na-  
21 tional interests in Syria, desired end-goals, and a de-  
22 scription of the intended diplomatic and related for-  
23 eign policy means to achieve such objectives, includ-

1       ing engagement with key foreign actors operating in  
2       Syria such as Russia and Turkey.

3           (2) A United States defense strategy for Syria,  
4       including a description of the security objectives the  
5       United States aims to achieve, including the objec-  
6       tives and desired end-state for the United States  
7       military presence in northeast Syria, envisioned  
8       transition timeline for security responsibilities to the  
9       Syrian Democratic Forces (SDF), and status of re-  
10      maining ISIS elements, strategy to mitigate Turk-  
11      ish-SDF tensions, and a long-term approach to man-  
12      aging the threat of Iranian-aligned militias and  
13      forces operating in Syria to United States partners  
14      and interests.

15           (3) A description of United States strategy and  
16      objectives for United States military support to and  
17      coordination with the Jaysh Maghawir al-Thawra  
18      (“MaT”) including transition plan and operational  
19      needs in and around Al-Tanf.

20           (4) A plan for enduring security of ISIS detain-  
21      ees currently held in SDF secured facilities (includ-  
22      ing so-called “third country fighters” as well as  
23      Iraqi and Syrian national ISIS detainees) account-  
24      ing for security of personnel and facilities involved.

1           (5) A diplomatic strategy for securing the repa-  
2           triation of remaining ISIS “third country fighters”  
3           to countries of origin, including a comprehensive  
4           breakdown of each country of origin and number of  
5           detainees yet to be repatriated.

6           (6) A plan for the resettlement and disposition  
7           of ISIS connected women and children in remaining  
8           detention facilities, including roles and responsibil-  
9           ities of counter-ISIS coalition partners.

10          (7) A detailed assessment of the security and  
11          humanitarian situation at the internally displaced  
12          persons camp at Rukban, including an overview of  
13          international efforts to reduce the camp’s population  
14          and United States policy options to ameliorate the  
15          situation.

16          (8) A plan for diplomatic and humanitarian en-  
17          gagement with regional partners and multilateral in-  
18          stitutions to ensure successful and safe delivery of  
19          continued humanitarian assistance to non-regime  
20          held areas of Syria.

21          (9) An assessment of United States efforts to  
22          prevent normalization and rehabilitation of the  
23          Assad regime, to include addressing recent outreach  
24          to the Assad regime by United States partners.

1           (10) An assessment of United States diplomatic  
2 efforts to prevent Syria’s re-entry into the Arab  
3 League.

4           (11) An assessment of progress towards meet-  
5 ing the criteria specified in paragraphs (1) through  
6 (7) of section 7431(a) of the Caesar Syria Civilian  
7 Protection Act of 2019 (Public Law 116–92; 133  
8 Stat. 2297), required for suspension of sanctions  
9 against the Assad regime.

10          (12) An assessment of United States efforts to  
11 seek accountability for the Assad regime’s crimes  
12 against the Syrian people, to include unlawful deten-  
13 tion, forced disappearance, torture, starvation, and  
14 the use of chemical weapons.

15          (c) FORM.—The report required by subsection (a)  
16 shall be submitted in unclassified form, but may include  
17 a classified annex.

18          (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
19 DEFINED.—In this section, the term “appropriate con-  
20 gressional committees” means—

21           (1) the Committee on Armed Services, the  
22 Committee on Foreign Relations, and the Committee  
23 on Appropriations of the Senate; and

1           (2) the Committee on Armed Services, the  
2           Committee on Foreign Affairs, and the Committee  
3           on Appropriations of the House of Representatives.

4 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**  
5                           **TO PROVIDE ASSISTANCE TO COUNTER THE**  
6                           **ISLAMIC STATE OF IRAQ AND SYRIA.**

7           (a) **IN GENERAL.**—Subsection (a) of section 1236 of  
8 the Carl Levin and Howard P. “Buck” McKeon National  
9 Defense Authorization Act for Fiscal Year 2015 (Public  
10 Law 113–291; 128 Stat. 3558) is amended by striking  
11 “December 31, 2021” and inserting “December 31,  
12 2022”.

13           (b) **FUNDING.**—Subsection (g) of such section is  
14 amended—

15                   (1) by striking “fiscal year 2021” and inserting  
16                   “fiscal year 2022”; and

17                   (2) by striking “\$322,500,000” and inserting  
18                   “\$345,000,000”.

19           (c) **ASSESSMENT AND AUTHORITY TO ASSIST DI-**  
20 **RECTLY CERTAIN COVERED GROUPS.**—Subsection  
21 (l)(1)(B) of such section is amended—

22                   (1) by striking clause (ii);

23                   (2)(A) by redesignating clauses (iii) through  
24                   (vi) as clauses (ii) through (v), respectively; and

25                   (B) by redesignating clause (vii) as clause (xi);

1           (3) in clause (iv), as redesignated, by striking  
2           “, and once established, the Iraqi Sunni National  
3           Guard”; and

4           (4) by inserting after clause (v), as redesign-  
5           nated, the following:

6                   “(vi) Whether the Shia militias are  
7                   gaining new malign capabilities or improv-  
8                   ing such capabilities, and whether the Gov-  
9                   ernment of Iraq is acting to counter or  
10                  suppress those capabilities.

11                  “(vii) Whether the Government of  
12                  Iraq is acting to ensure the safety of  
13                  United States Government personnel and  
14                  citizens, as well as the safety of United  
15                  States facilities.

16                  “(viii) Whether the Government of  
17                  Iraq is ensuring the safe and voluntary re-  
18                  turn of ethno-religious minority popu-  
19                  lations to their home communities in the  
20                  Nineveh Plains region of Iraq.

21                  “(ix) Whether the Government of Iraq  
22                  has provided support and funding to insti-  
23                  tutionalize and make permanent local, rep-  
24                  resentative, and regionally-based security  
25                  forces.

1           “(x) An assessment of the impact of  
2           the Iraq and Syria Genocide Relief and Ac-  
3           countability Act of 2018 (Public Law 115–  
4           300) on return rates of vulnerable, indige-  
5           nous, ethno-religious groups, including As-  
6           syrians and Yazidis, in those areas of the  
7           Nineveh Plains region of Iraq in which as-  
8           sistance has been provided pursuant to  
9           subsection (a).”.

10       (d) WAIVER AUTHORITY.—Such section, as so  
11 amended, is further amended by adding at the end the  
12 following:

13       “(o) WAIVER AUTHORITY.—

14           “(1) IN GENERAL.—The President may waive  
15           the dollar amount limitation in subsection (a) with  
16           respect to a construction, repair, or renovation  
17           project for the purposes of providing the support de-  
18           scribed in paragraph (2) if the President—

19           “(A) determines that the waiver is in the  
20           national security interest of the United States;  
21           and

22           “(B) submits to the appropriate congres-  
23           sional committees a notification of the exercise  
24           of the waiver.

1           “(2) SUPPORT DESCRIBED.—The support de-  
2           scribed in this paragraph is support relating to tem-  
3           porary humane detention of Islamic State of Iraq  
4           and Syria foreign terrorist fighters in accordance  
5           with all laws and obligations relating to the provi-  
6           sion of such support, including, as applicable—

7                   “(A) the law of armed conflict;

8                   “(B) internationally recognized human  
9           rights;

10                   “(C) the principle of non-refoulement;

11                   “(D) the Convention Against Torture and  
12           Other Cruel, Inhuman or Degrading Treatment  
13           or Punishment (done at New York on Decem-  
14           ber 10, 1984); and

15                   “(E) the United Nations Convention Relat-  
16           ing to the Status of Refugees, done at Geneva  
17           July 28, 1951 (as made applicable by the Pro-  
18           tocol Relating to the Status of Refugees, done  
19           at New York January 31, 1967 (19  
20           UST6223)).

21           “(3) NOTICE AND WAIT.—

22                   “(A) IN GENERAL.—A project with respect  
23           to which the exercise of a waiver under para-  
24           graph (1) applies may only be carried out after  
25           the end of a 15-day period beginning at the



1 date on which the appropriate congressional  
2 committees receive the notification required by  
3 paragraph (1)(B).

4 “(B) MATTERS TO BE INCLUDED.—The  
5 notification required by paragraph (1)(B) shall  
6 include the following:

7 “(i) A detailed plan and cost estimate  
8 for the project.

9 “(ii) A certification by the President  
10 that facilities and activities relating to the  
11 project comply with the laws and obliga-  
12 tions described in paragraph (2).

13 “(iii) An explanation of the national  
14 security interest addressed by the project.

15 “(C) APPROPRIATE CONGRESSIONAL COM-  
16 MITTEES DEFINED.—In this paragraph, the  
17 term ‘appropriate congressional committees’  
18 means—

19 “(i) the congressional defense commit-  
20 tees; and

21 “(ii) the Committee on Foreign Rela-  
22 tions of the Senate and the Committee on  
23 Foreign Affairs of the House of Represent-  
24 atives.

1           “(4) UPDATE TO PLAN AND COST ESTIMATE.—

2           Upon obligation of any funds to carry out a project  
3           with respect to which the exercise of a waiver under  
4           paragraph (1) applies, the Secretary of Defense shall  
5           submit to the congressional defense committees an  
6           update to the plan and cost estimate for the project  
7           as required by paragraph (3)(B)(i).

8           “(5) SUNSET.—The waiver authority under this  
9           subsection shall expire on December 31, 2022.”.

10          (e) RESTRICTION ON COUNTER-ISIS TRAIN AND  
11          EQUIP FUND.—Amounts authorized to be appropriated by  
12          this Act or the amendments made by this Act or otherwise  
13          made available for any fiscal year to the Counter-Islamic  
14          State of Iraq and Syria Train and Equip Fund are author-  
15          ized to be made available only in support of partner forces  
16          eligible to receive assistance under section 1209(a) of the  
17          Carl Levin and Howard P. “Buck” McKeon National De-  
18          fense Authorization Act for Fiscal Year 2015 (Public Law  
19          113–291; 128 Stat. 3541) or subsection (a) of section  
20          1236 of such Act, as amended by subsection (a) of this  
21          section.

22          (f) REPORT.—

23                 (1) IN GENERAL.—Not later than 180 days  
24                 after the date of the enactment of this Act, the Sec-  
25                 retary of Defense, in consultation with the heads of

1 other relevant Federal departments and agencies,  
2 shall submit to appropriate congressional committees  
3 a report that contains the following:

4 (A) A comprehensive strategy and plan to  
5 train and build lasting and sustainable military  
6 capabilities of the Iraqi security forces, includ-  
7 ing the Kurdish Peshmerga, using existing au-  
8 thorities, which may include a memorandum of  
9 understanding with the Ministry of Peshmerga  
10 Affairs in coordination with the Government of  
11 Iraq.

12 (B) A plan to engage the Government of  
13 Iraq and the Kurdistan Regional Government  
14 in security sector reform and strengthen and  
15 sustainably build the capacity of Iraq's national  
16 defense and security institutions, including the  
17 Kurdish Peshmerga.

18 (C) A description of the current status, ca-  
19 pabilities, and operational capacity of remaining  
20 Islamic State of Iraq and Syria elements active  
21 in Iraq and Syria.

22 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
23 TEES DEFINED.—In this subsection, the term “ap-  
24 propriate congressional committees” means—

1 (A) the congressional defense committees;  
2 and

3 (B) the Committee on Foreign Affairs of  
4 the House of Representatives and the Com-  
5 mittee on Foreign Relations of the Senate.

6 **SEC. 1224. EXTENSION AND MODIFICATION OF AUTHORITY**  
7 **TO SUPPORT OPERATIONS AND ACTIVITIES**  
8 **OF THE OFFICE OF SECURITY COOPERATION**  
9 **IN IRAQ.**

10 (a) LIMITATION ON AMOUNT.—Subsection (c) of sec-  
11 tion 1215 of the National Defense Authorization Act for  
12 Fiscal Year 2012 (10 U.S.C. 113 note) is amended by  
13 striking “fiscal year 2021” and inserting “fiscal year  
14 2022”.

15 (b) SOURCE OF FUNDS.—Subsection (d) of such sec-  
16 tion is amended by striking “fiscal year 2021” and insert-  
17 ing “fiscal year 2022”.

18 (c) LIMITATION ON AVAILABILITY OF FUNDS.—Sub-  
19 section (h) of such section is amended to read as follows:

20 “(h) LIMITATION ON AVAILABILITY OF FUNDS.—Of  
21 the amount authorized to be appropriated by this Act for  
22 fiscal year 2022 to carry out this section, not more than  
23 \$10,000,000 may be obligated or expended for the Office  
24 of Security Cooperation in Iraq until the date on which  
25 the Secretary of Defense provides to the congressional de-

1 fense committees, the Committee on Foreign Relations of  
2 the Senate, and the Committee on Foreign Affairs of the  
3 House of Representatives a report that—

4 “(1) details further steps to reorganize the Of-  
5 fice in a manner similar to that of other security co-  
6 operation offices in the region and indicates whether  
7 such reorganization will be achieved by 2023;

8 “(2) describes progress made toward the con-  
9 tinuation of bilateral engagement with the Govern-  
10 ment of Iraq, with the objective of establishing a  
11 joint mechanism for security assistance planning;

12 “(3) includes a five-year security assistance  
13 roadmap for developing sustainable military capacity  
14 and capabilities and enabling defense institution  
15 building and reform; and

16 “(4) describes progress made toward, and a  
17 timeline for, the transition of the preponderance of  
18 funding for the activities of the Office from current  
19 sources to the Foreign Military Financing Adminis-  
20 trative Fund and the Foreign Military Sales Trust  
21 Fund Administrative Surcharge Account in future  
22 years.”.

1 **SEC. 1225. PROHIBITION ON TRANSFERS TO BADR ORGANI-**  
2 **ZATION.**

3 None of the amounts authorized to be appropriated  
4 by this Act or otherwise made available to the Department  
5 of Defense may be made available, directly or indirectly,  
6 to the Badr Organization.

7 **SEC. 1226. PROHIBITION ON TRANSFERS TO IRAN.**

8 None of the amounts authorized to be appropriated  
9 by this Act or otherwise made available to the Department  
10 of Defense may be made available to transfer or facilitate  
11 a transfer of pallets of currency, currency, or other items  
12 of value to the Government of Iran, any subsidiary of such  
13 Government, or any agent or instrumentality of Iran.

14 **SEC. 1227. REPORT ON THE MILITARY CAPABILITIES OF**  
15 **IRAN AND RELATED ACTIVITIES.**

16 (a) IN GENERAL.—Not later than 180 days after the  
17 date of the enactment of this Act, the Director of National  
18 Intelligence shall submit to the appropriate congressional  
19 committees a report that includes the following:

20 (1) A detailed description of each of the fol-  
21 lowing:

22 (A) Advancements in the military capabili-  
23 ties of Iran, including capabilities of the Islamic  
24 Revolutionary Guard Corps, the Quds Force,  
25 the Artesh, and the Basij.

1 (B) All known instances of the supply,  
2 sale, or transfer of arms or related materiel, in-  
3 cluding spare parts, to or from Iran.

4 (C) All known instances of missile launches  
5 by Iran, including for the purposes of testing  
6 and development or use in military operations.

7 (D) Changes to the military capabilities of  
8 Iran-backed groups, most notably Lebanese  
9 Hezbollah, Asa'ib ahl al-Haq, Harakat  
10 Hezbollah al-Nujaba, Kata'ib Sayyid al-  
11 Shuhada, Kata'ib al-Imam Ali, Kata'ib  
12 Hezbollah, the Badr Organization, the  
13 Fatemiyoun, the Zainabiyoun, and Ansar Allah  
14 (also known as the Houthis).

15 (2) An assessment of each of the following:

16 (A) Impacts that the imposition or revoca-  
17 tion of unilateral United States economic sanc-  
18 tions on Iran may have on the military capabili-  
19 ties of entities described in subparagraphs (A)  
20 and (D) of paragraph (1).

21 (B) Acts of violence and intimidation that  
22 Iranian-backed militias in Iraq have committed  
23 against Iraqi civilians.

24 (C) The threat that Iranian-backed militias  
25 in Iraq pose to United States personnel in Iraq

1 and in the Middle East, including United States  
2 Armed Forces and diplomats.

3 (D) The threat Iranian-backed militias in  
4 Iraq pose to United States partners in the re-  
5 gion.

6 (E) The role that Iranian-backed militias  
7 in Iraq, including the Badr Organization, play  
8 in Iraq's armed forces and security services, in-  
9 cluding Iraq's Popular Mobilization Forces.

10 (F) The United Nations arms embargo on  
11 Iran's ability to supply, sell, or transfer, directly  
12 or indirectly, arms or related materiel while the  
13 embargo was in effect.

14 (G) Iran's use of kidnapping operations  
15 against United States citizens and an analysis  
16 of opportunities to counter such actions or im-  
17 pose costs on Iran.

18 (b) TIME PERIOD.—Except as otherwise provided,  
19 the report required by subsection (a) shall cover develop-  
20 ments during the period beginning in June 2018 and end-  
21 ing on the day before the date on which the report is sub-  
22 mitted.

23 (c) FORM.—The report required by subsection (a)  
24 shall be submitted in unclassified form, but may include  
25 a classified annex.



1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
2 DEFINED.—In this section, the term “appropriate con-  
3 gressional committees” means—

4 (1) the congressional defense committees;

5 (2) the Committee on Foreign Relations and  
6 the Select Committee on Intelligence of the Senate;  
7 and

8 (3) the Committee on Foreign Affairs and the  
9 Permanent Select Committee on Intelligence of the  
10 House of Representatives.

11 **SEC. 1228. SENSE OF CONGRESS ON ENRICHMENT OF URA-**  
12 **NIUM BY IRAN.**

13 It is the sense of Congress that—

14 (1) the Government of Iran’s decision to enrich  
15 uranium up to 60 percent purity is a further esca-  
16 lation and shortens the breakout time to produce  
17 enough highly enriched uranium to develop a nuclear  
18 weapon; and

19 (2) the Government of Iran should immediately  
20 abandon any pursuit of a nuclear weapon.



1 subsection (f)(6)” and inserting “Of the funds  
2 available for fiscal year 2022 pursuant to sub-  
3 section (f)(7)”.

4 (2) In subsection (f), by adding at the end the  
5 following:

6 “(7) For fiscal year 2022, \$300,000,000.”.

7 (3) In subsection (h), by striking “December  
8 31, 2023” and inserting “December 31, 2024”.

9 **SEC. 1233. EXTENSION OF AUTHORITY FOR TRAINING FOR**  
10 **EASTERN EUROPEAN NATIONAL SECURITY**  
11 **FORCES IN THE COURSE OF MULTILATERAL**  
12 **EXERCISES.**

13 Subsection (h) of section 1251 of the National De-  
14 fense Authorization Act for Fiscal Year 2016 (10 U.S.C.  
15 333 note) is amended—

16 (1) in the first sentence, by striking “December  
17 31, 2023” and inserting “December 31, 2024”; and

18 (2) in the second sentence, by striking “the pe-  
19 riod beginning on October 1, 2015, and ending on  
20 December 31, 2023” and inserting “the period be-  
21 ginning on October 1, 2015, and ending on Decem-  
22 ber 31, 2024.”.

1 **SEC. 1234. PROHIBITION ON AVAILABILITY OF FUNDS RE-**  
2 **LATING TO SOVEREIGNTY OF THE RUSSIAN**  
3 **FEDERATION OVER CRIMEA.**

4 (a) PROHIBITION.—None of the funds authorized to  
5 be appropriated by this Act or otherwise made available  
6 for fiscal year 2022 for the Department of Defense may  
7 be obligated or expended to implement any activity that  
8 recognizes the sovereignty of the Russian Federation over  
9 Crimea.

10 (b) WAIVER.—The Secretary of Defense, with the  
11 concurrence of the Secretary of State, may waive the pro-  
12 hibition under subsection (a) if the Secretary of Defense—

13 (1) determines that a waiver is in the national  
14 security interest of the United States; and

15 (2) on the date on which the waiver is invoked,  
16 submits a notification of the waiver and a justifica-  
17 tion of the reason for seeking the waiver to—

18 (A) the Committee on Armed Services and  
19 the Committee on Foreign Relations of the Sen-  
20 ate; and

21 (B) the Committee on Armed Services and  
22 the Committee on Foreign Affairs of the House  
23 of Representatives.

1 **SEC. 1235. REPORT ON RUSSIAN INFLUENCE OPERATIONS**  
2 **AND CAMPAIGNS TARGETING MILITARY ALLI-**  
3 **ANCES AND PARTNERSHIPS OF WHICH THE**  
4 **UNITED STATES IS A MEMBER.**

5 (a) **REPORT REQUIRED.**—Not later than 180 days  
6 after the date of the enactment of this Act and biennially  
7 thereafter until April 1, 2024, the Secretary of Defense  
8 and the Secretary of State, in coordination with the Direc-  
9 tor of National Intelligence and the heads of any other  
10 appropriate departments or agencies, shall jointly submit  
11 to the appropriate congressional committees a report on  
12 Russian influence operations and campaigns that target  
13 United States military alliances and partnerships.

14 (b) **ELEMENTS.**—The report required under sub-  
15 section (a) shall include each of the following:

16 (1) An assessment of Russia’s objectives for in-  
17 fluence operations and campaigns targeting United  
18 States military alliances and partnerships, including  
19 the North Atlantic Treaty Organization, its allies,  
20 and partner countries, and how such operations and  
21 campaigns relate to Russia’s broader strategic aims.

22 (2) The activities and roles of the Department  
23 of Defense and Department of State in the United  
24 States Government strategy to counter such Russian  
25 influence operations and campaigns.

1           (3) A comprehensive list of specific Russian  
2 state and non-state entities, or those of any other  
3 country with which Russia may cooperate, involved  
4 in supporting such Russian influence operations and  
5 campaigns and the role of each such entity in such  
6 support.

7           (4) An identification of the tactics, techniques,  
8 and procedures used in previous Russian influence  
9 operations and campaigns.

10          (5) An assessment of the impact of previous  
11 Russian influence operations and campaigns tar-  
12 geting United States military alliances and partner-  
13 ships, including the views of senior Russian officials  
14 about the effectiveness of such operations and cam-  
15 paigns in achieving Russian objectives.

16          (6) An identification of each United States ally  
17 and partner, and each military alliance of which the  
18 United States is a member, that has been targeted  
19 by Russian influence operations and campaigns.

20          (7) An identification of each United States ally  
21 and partner, and each military alliance of which the  
22 United States is a member, that may be targeted in  
23 future Russian influence operations and campaigns,  
24 and an assessment of the likelihood that each such  
25 ally, partner, or alliance will be targeted.

1           (8) An assessment of the capacity and efforts  
2 of each United States ally and partner, and each  
3 military alliance of which the United States is a  
4 member, to counter Russian influence operations  
5 and campaigns.

6           (9) An identification of tactics, techniques, and  
7 procedures likely to be used in future Russian influ-  
8 ence operations and campaigns targeting United  
9 States military alliances and partnerships.

10          (10) Recommended authorities or activities for  
11 the Department of Defense and Department of State  
12 in the United States Government strategy to counter  
13 such Russian influence operations and campaigns.

14          (11) Any other matters the Secretaries deter-  
15 mine appropriate.

16          (c) FORM.—The report required under subsection (a)  
17 shall be submitted in unclassified form and in a manner  
18 appropriate for release to the public, but may include a  
19 classified annex.

20          (d) DEFINITIONS.—In this section, the term “appro-  
21 priate congressional committees” means—

22           (1) the congressional defense committees;

23           (2) the Permanent Select Committee on Intel-  
24 ligence of the House of Representatives and the Se-  
25 lect Committee on Intelligence of the Senate; and

1           (3) the Committee on Foreign Affairs of the  
2           House of Representatives and the Committee on  
3           Foreign Relations of the Senate.

4           **Subtitle E—Matters Relating to the**  
5           **Indo-Pacific Region**

6           **SEC. 1241. EXTENSION AND MODIFICATION OF INDO-PA-**  
7           **CIFIC MARITIME SECURITY INITIATIVE.**

8           (a) ASSISTANCE AND TRAINING.—Subsection (a)(1)  
9           of section 1263 of the National Defense Authorization Act  
10          for Fiscal Year 2016 (10 U.S.C. 333 note) is amended,  
11          in the matter preceding subparagraph (A), by striking  
12          “for the purpose of” and all that follows through “Indian  
13          Ocean” and inserting “with the primary goal of increasing  
14          multilateral maritime security cooperation and maritime  
15          domain awareness of foreign countries in the area of re-  
16          sponsibility of the United States Indo-Pacific Command”.

17          (b) RECIPIENT COUNTRIES.—Subsection (b) of such  
18          section is amended to read as follows:

19          “(b) RECIPIENT COUNTRIES.—The foreign countries  
20          that may be provided assistance and training under sub-  
21          section (a) are the countries located within the area of  
22          responsibility of the United States Indo-Pacific Com-  
23          mand.”.

24          (c) TYPES OF ASSISTANCE AND TRAINING.—Sub-  
25          section (c)(1) of such section is amended by striking



1 “small-scale military construction” and inserting “small-  
2 scale construction (as defined in section 301 of title 10,  
3 United States Code)”.

4 (d) PRIORITIES FOR ASSISTANCE AND TRAINING.—  
5 Subsection (d) of such section is amended to read as fol-  
6 lows:

7 “(d) PRIORITIES FOR ASSISTANCE AND TRAINING.—  
8 In developing programs for assistance or training to be  
9 provided under subsection (a), the Secretary of Defense  
10 shall prioritize assistance, training, or both, to enhance—

11 “(1) multilateral cooperation and coordination  
12 among recipient countries; or

13 “(2) the capabilities of a recipient country to  
14 more effectively participate in a regional organiza-  
15 tion of which the recipient country is a member.”.

16 (e) INCREMENTAL EXPENSES OF PERSONNEL OF  
17 CERTAIN OTHER COUNTRIES FOR TRAINING.—Subsection  
18 (e) of such section is amended to read as follows:

19 “(e) INCREMENTAL EXPENSES OF PERSONNEL OF  
20 RECIPIENT COUNTRIES FOR TRAINING.—If the Secretary  
21 of Defense determines that the payment of incremental  
22 expenses (as defined in section 301 of title 10, United  
23 States Code) in connection with training described in sub-  
24 section (a)(1)(B) will facilitate the participation in such  
25 training of organization personnel of recipient countries

1 described in subsection (b), the Secretary may use  
2 amounts available under subsection (f) for assistance and  
3 training under subsection (a) for the payment of such in-  
4 cremental expenses.”.

5 (f) AVAILABILITY OF FUNDS.—Subsection (f) of such  
6 section is amended to read as follows:

7 “(f) AVAILABILITY OF FUNDS.—Of the amounts au-  
8 thorized to be appropriated for each of fiscal years 2022  
9 through 2027 for the Department of Defense, Operation  
10 and Maintenance, Defense-wide, \$50,000,000 may be  
11 made available for the provision of assistance and training  
12 under subsection (a).”.

13 (g) LIMITATIONS.—Such section is further amend-  
14 ed—

15 (1) by striking subsection (i);

16 (2) by redesignating subsections (g) and (h) as  
17 subsections (h) and (i), respectively; and

18 (3) by inserting after subsection (f) the fol-  
19 lowing new subsection (g):

20 “(g) LIMITATIONS.—

21 “(1) ASSISTANCE OTHERWISE PROHIBITED BY  
22 LAW.—The Secretary of Defense may not use the  
23 authority in subsection (a) to provide any type of as-  
24 sistance described in subsection (c) that is otherwise  
25 prohibited by any provision of law.

1           “(2) PROHIBITION ON ASSISTANCE TO UNITS  
2           THAT HAVE COMMITTED GROSS VIOLATIONS OF  
3           HUMAN RIGHTS.—The provision of assistance pursu-  
4           ant to a program under subsection (a) shall be sub-  
5           ject to the provisions of section 362 of title 10,  
6           United States Code.

7           “(3) SECURITY COOPERATION.—Assistance,  
8           training, and exercises with recipient countries de-  
9           scribed in subsection (b) shall be planned and  
10          prioritized consistent with applicable guidance relat-  
11          ing to the security cooperation program and activi-  
12          ties of the Department of Defense.

13          “(4) ASSESSMENT, MONITORING, AND EVALUA-  
14          TION.—The provision of assistance and training pur-  
15          suant to a program under subsection (a) shall be  
16          subject to the provisions of section 383 of title 10,  
17          United States Code.”.

18          (h) NOTICE TO CONGRESS ON ASSISTANCE AND  
19          TRAINING.—Subsection (h)(1) of such section, as so re-  
20          designated, is amended—

21                 (1) by amending subparagraph (B) to read as  
22          follows:

23                         “(B) A detailed justification of the pro-  
24                         gram for the provision of the assistance or  
25                         training concerned, its relationship to United

1 States security interests, and an explanation of  
2 the manner in which such assistance or training  
3 will increase multilateral maritime security co-  
4 operation or maritime domain awareness.”; and  
5 (2) in subparagraph (G) by striking “the geo-  
6 graphic combatant command concerned” and insert-  
7 ing “the United States Indo-Pacific Command”.

8 (i) ANNUAL MONITORING REPORT.—Subsection (i)  
9 of such section, as so redesignated, is amended—

10 (1) in paragraph (1)—

11 (A) in the matter preceding subparagraph  
12 (A), by striking “March 1, 2020” and inserting  
13 “March 1, 2022”;

14 (B) by redesignating subparagraphs (A)  
15 through (G) as subparagraphs (B) through (H),  
16 respectively;

17 (C) by inserting before subparagraph (B),  
18 as so redesignated, the following new subpara-  
19 graph (A):

20 “(A) The overall strategy for improving  
21 multilateral maritime security cooperation and  
22 maritime domain awareness across the theater,  
23 including an identification of the following:

24 “(i) Priority countries and associated  
25 capabilities across the theater.

1 “(ii) Strategic objectives for the Indo-  
2 Pacific Maritime Security Initiative across  
3 the theater, lines of effort, and desired end  
4 results for such lines of effort.

5 “(iii) Significant challenges to improv-  
6 ing multilateral maritime security coopera-  
7 tion and maritime domain awareness  
8 across the theater and the manner in  
9 which the United States Indo-Pacific Com-  
10 mand is seeking to address such chal-  
11 lenges.”; and

12 (D) in subparagraph (B), as so redesign-  
13 nated—

14 (i) in clause (ii), by striking the semi-  
15 colon and inserting “; and”; and

16 (ii) by adding at the end the following  
17 new clause:

18 “(iii) how such capabilities can be le-  
19 veraged to improve multilateral maritime  
20 security cooperation and maritime domain  
21 awareness.”; and

22 (2) in paragraph (2), by striking “subsection  
23 (g)(2)” and inserting “subsection (h)(2)”.

1 (j) EXPIRATION.—Subsection (j) of such section is  
2 amended by striking “December 31, 2025” and inserting  
3 “December 31, 2027”.

4 **SEC. 1242. EXTENSION AND MODIFICATION OF PACIFIC DE-**  
5 **TERRENCE INITIATIVE.**

6 (a) EXTENSION.—Subsection (c) of section 1251 of  
7 the National Defense Authorization Act for Fiscal Year  
8 2021 (Public Law 116–283) is amended to read as fol-  
9 lows:

10 “(c) FUNDING.—Of the amounts authorized to be ap-  
11 propriated by the National Defense Authorization Act for  
12 Fiscal Year 2022 for the Department of Defense for fiscal  
13 year 2022, there is authorized to be appropriated for the  
14 Pacific Deterrence Initiative such sums as may be nec-  
15 essary, as indicated in sections 4101, 4201, 4301, and  
16 4601 of such Act.”.

17 (b) REPORT ON RESOURCING UNITED STATES DE-  
18 FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION  
19 AND STUDY ON COMPETITIVE STRATEGIES.—Such sec-  
20 tion is further amended—

21 (1) by redesignating subsections (d) through (g)  
22 as subsections (e) through (h), respectively;

23 (2) by inserting after subsection (c) the fol-  
24 lowing new subsection (d):

1       “(d) REPORT ON RESOURCING UNITED STATES DE-  
2 FENSE REQUIREMENTS FOR THE INDO-PACIFIC REGION  
3 AND STUDY ON COMPETITIVE STRATEGIES.—

4           “(1) REPORT REQUIRED.—

5           “(A) IN GENERAL.—At the same time as  
6 the submission of the budget of the President  
7 (submitted to Congress pursuant to section  
8 1105 of title 31, United States Code) for each  
9 of fiscal years 2023 and 2024, the Commander  
10 of the United States Indo-Pacific Command  
11 shall submit to the congressional defense com-  
12 mittees a report containing the independent as-  
13 sessment of the Commander with respect to the  
14 activities and resources required, for the first  
15 fiscal year beginning after the date of submis-  
16 sion of the report and the four following fiscal  
17 years, to achieve the following objectives:

18           “(i) The implementation of the Na-  
19 tional Defense Strategy with respect to the  
20 Indo-Pacific region.

21           “(ii) The maintenance or restoration  
22 of the comparative military advantage of  
23 the United States with respect to the Peo-  
24 ple’s Republic of China.

1           “(iii) The reduction of the risk of exe-  
2           cuting contingency plans of the Depart-  
3           ment of Defense.

4           “(B) MATTERS TO BE INCLUDED.—The  
5           report required under subparagraph (A) shall  
6           include the following:

7                   “(i) With respect to the achievement  
8                   of the objectives described in subparagraph  
9                   (A), a description of the intended force  
10                  structure and posture of assigned and allo-  
11                  cated forces in each of the following:

12                           “(I) West of the International  
13                           Date Line.

14                           “(II) In States outside the con-  
15                           tiguous United States east of the  
16                           International Date Line.

17                           “(III) In the contiguous United  
18                           States.

19                   “(ii) An assessment of capabilities re-  
20                   quirements to achieve such objectives.

21                   “(iii) An assessment of logistics re-  
22                   quirements, including personnel, equip-  
23                   ment, supplies, storage, and maintenance  
24                   needs to achieve such objectives.



1           “(iv) An identification of required in-  
2           frastructure and military construction in-  
3           vestments to achieve such objectives.

4           “(v) An assessment of security co-  
5           operation activities or resources required to  
6           achieve such objectives.

7           “(vi)(I) A plan to fully resource  
8           United States force posture and capabili-  
9           ties, including—

10                   “(aa) a detailed assessment  
11                   of the resources necessary to ad-  
12                   dress the elements described in  
13                   clauses (i) through (v), including  
14                   specific cost estimates for rec-  
15                   ommended investments or  
16                   projects—

17                           “(AA) to modernize  
18                           and strengthen the presence  
19                           of the United States Armed  
20                           Forces, including those with  
21                           advanced capabilities;

22                           “(BB) to improve logis-  
23                           tics and maintenance capa-  
24                           bilities and the pre-posi-

1                   tioning of equipment, muni-  
2                   tions, fuel, and materiel;

3                   “(CC) to carry out a  
4                   program of exercises, train-  
5                   ing, experimentation, and in-  
6                   novation for the joint force;

7                   “(DD) to improve in-  
8                   frastructure to enhance the  
9                   responsiveness and resiliency  
10                  of the United States Armed  
11                  Forces;

12                  “(EE) to build the de-  
13                  fense and security capabili-  
14                  ties, capacity, and coopera-  
15                  tion of allies and partners;  
16                  and

17                  “(FF) to improve capa-  
18                  bilities available to the  
19                  United States Indo-Pacific  
20                  Command;

21                  “(bb) a detailed timeline to  
22                  achieve the intended force struc-  
23                  ture and posture described in  
24                  clause (i).

1                   “(II) The specific cost estimates  
2 required by subclause (I)(aa) shall, to  
3 the maximum extent practicable, in-  
4 clude the following:

5                   “(aa) With respect to pro-  
6 curement accounts—

7                   “(AA) amounts dis-  
8 played by account, budget  
9 activity, line number, line  
10 item, and line item title; and

11                   “(BB) a description of  
12 the requirements for each  
13 such amount.

14                   “(bb) With respect to re-  
15 search, development, test, and  
16 evaluation accounts—

17                   “(AA) amounts dis-  
18 played by account, budget  
19 activity, line number, pro-  
20 gram element, and program  
21 element title; and

22                   “(BB) a description of  
23 the requirements for each  
24 such amount.

1           “(cc) With respect to oper-  
2           ation and maintenance ac-  
3           counts—

4                   “(AA) amounts dis-  
5                   played by account title,  
6                   budget activity title, line  
7                   number, and subactivity  
8                   group title; and

9                   “(BB) a description of  
10                  the specific manner in which  
11                  each such amount would be  
12                  used.

13           “(dd) With respect to mili-  
14           tary personnel accounts—

15                   “(AA) amounts dis-  
16                   played by account, budget  
17                   activity, budget subactivity,  
18                   and budget subactivity title;  
19                   and

20                   “(BB) a description of  
21                   the requirements for each  
22                   such amount.

23           “(ee) With respect to each  
24           project under military construc-  
25           tion accounts (including unspec-

1           ified minor military construction  
2           and amounts for planning and  
3           design), the country, location,  
4           project title, and project amount  
5           for each fiscal year.

6                       “(ff) With respect to any ex-  
7                       penditure or proposed appropria-  
8                       tion not described in items (aa)  
9                       through (ee), a level of detail  
10                      equivalent to or greater than the  
11                      level of detail provided in the fu-  
12                      ture-years defense program sub-  
13                      mitted pursuant to section  
14                      221(a) of title 10, United States  
15                      Code.

16                     “(C) FORM.—The report required under  
17                     subparagraph (A) may be submitted in classi-  
18                     fied form, but shall include an unclassified sum-  
19                     mary.

20                     “(D) AVAILABILITY.—Not later than Feb-  
21                     ruary 1 each year, the Commander of the  
22                     United States Indo-Pacific Command shall  
23                     make the report available to the Secretary of  
24                     Defense, the Under Secretary of Defense for  
25                     Policy, the Under Secretary of Defense (Comp-

1 troller), the Director of Cost Assessment and  
2 Program Evaluation, the Chairman of the Joint  
3 Chiefs of Staff, the Secretaries of the military  
4 departments, and the chiefs of staff of each  
5 military service.

6 “(2) BRIEFINGS REQUIRED.—

7 “(A) INITIAL BRIEFING.—Not later than  
8 15 days after the submission of the budget of  
9 the President (submitted to Congress pursuant  
10 to section 1105 of title 31, United States Code)  
11 for each of fiscal years 2023 and 2024, the Sec-  
12 retary of Defense (acting through the Under  
13 Secretary of Defense for Policy, the Under Sec-  
14 retary of Defense (Comptroller), and the Direc-  
15 tor of Cost Assessment and Program Evalua-  
16 tion) and the Chairman of the Joint Chiefs of  
17 Staff shall provide to the congressional defense  
18 committees a joint briefing, and any written  
19 comments the Secretary of Defense and the  
20 Chairman of the Joint Chiefs of Staff consider  
21 necessary, with respect to their assessments of  
22 the report submitted under paragraph (1), in-  
23 cluding their assessments of the feasibility and  
24 advisability of the plan required by subpara-  
25 graph (B)(vi) of that paragraph.

1           “(B) SUBSEQUENT BRIEFING.—Not later  
2           than 30 days after the submission of the budget  
3           of the President (submitted to Congress pursu-  
4           ant to section 1105 of title 31, United States  
5           Code) for each of fiscal years 2023 and 2024,  
6           the Secretary of the Air Force, the Secretary of  
7           the Army, and the Secretary of the Navy shall  
8           provide to the congressional defense committees  
9           a joint briefing, and documents as appropriate,  
10          with respect to their assessments of the report  
11          submitted under paragraph (1), including their  
12          assessments of the feasibility and advisability of  
13          the plan required by subparagraph (B)(vi) of  
14          that paragraph.”;

15          (3) by amending subsection (e), as redesign-  
16          nated, to read as follows:

17          “(e) PLAN REQUIRED.—At the same time as the sub-  
18          mission of the budget of the President (submitted to Con-  
19          gress pursuant to section 1105 of title 31, United States  
20          Code) for each of fiscal years 2023 and 2024, the Sec-  
21          retary, in consultation with the Commander of the United  
22          States Indo-Pacific Command, shall submit to the con-  
23          gressional defense committees a report on future year ac-  
24          tivities and resources for the Initiative that includes the  
25          following:

1           “(1) A description of the activities and re-  
2           sources for the first fiscal year beginning after the  
3           date of submission of the report and the plan for not  
4           fewer than the four following fiscal years, orga-  
5           nized—

6                   “(A) functionally, by the activities de-  
7                   scribed in paragraphs (1) through (5) of sub-  
8                   section (b); and

9                   “(B) geographically by—

10                           “(i) areas west of the International  
11                           Date Line;

12                           “(ii) States outside the contiguous  
13                           United States east of the International  
14                           Date Line; and

15                           “(iii) States in the contiguous United  
16                           States.

17           “(2) A summary of progress made toward  
18           achieving the purposes of the Initiative.

19           “(3) A summary of the activity, resource, capa-  
20           bility, infrastructure, and logistics requirements nec-  
21           essary to achieve measurable progress in reducing  
22           risk to the joint force’s ability to achieve objectives  
23           in the region.

24           “(4) A detailed timeline to achieve the require-  
25           ments identified under paragraph (3).



1           “(5) A detailed explanation of any significant  
2           modifications to such requirements, as compared to  
3           plans previously submitted under this subsection.

4           “(6) Any other matter, as determined by the  
5           Secretary.”; and

6           (4) in subsection (g), as redesignated, by strik-  
7           ing “subsection (e)” and inserting “subsection (f)”.

8   **SEC. 1243. MODIFICATION OF ANNUAL REPORT ON MILI-**  
9           **TARY AND SECURITY DEVELOPMENTS IN-**  
10           **VOLVING THE PEOPLE’S REPUBLIC OF**  
11           **CHINA.**

12           Section 1202 of the National Defense Authorization  
13   Act for Fiscal Year 2000 (10 U.S.C. 113 note) is amended  
14   to read as follows:

15   **“SEC. 1202. ANNUAL REPORT ON MILITARY AND SECURITY**  
16           **DEVELOPMENTS INVOLVING THE PEOPLE’S**  
17           **REPUBLIC OF CHINA.**

18           “(a) ANNUAL REPORT.—Not later than January 31  
19   of each year through January 31, 2027, the Secretary of  
20   Defense, in consultation with the heads of other Federal  
21   departments and agencies as appropriate, shall submit to  
22   the specified congressional committees a report on military  
23   and security developments involving the People’s Republic  
24   of China.

1       “(b) MATTERS TO BE INCLUDED.—Each report  
2 under this section shall include analyses and forecasts,  
3 through the next 20 years, of the following:

4           “(1) The goals, factors, and trends shaping  
5 Chinese security strategy and military strategy.

6           “(2) The role of the People’s Liberation Army  
7 in the strategy, governance systems, and foreign and  
8 economic policies of the People’s Republic of China,  
9 including the following:

10           “(A) Developments in the defense policy  
11 and military strategy of the People’s Republic  
12 of China, and the role and mission of the Peo-  
13 ple’s Liberation Army.

14           “(B) The role of the People’s Liberation  
15 Army in the Chinese Communist Party, includ-  
16 ing the structure and leadership of the Central  
17 Military Commission.

18           “(C) The internal security role and affili-  
19 ation of the People’s Liberation Army with the  
20 People’s Armed Police and other law enforce-  
21 ment, intelligence, and paramilitary entities of  
22 the People’s Republic of China, including any  
23 activities supporting or implementing mass sur-  
24 veillance, mass detentions, forced labor, or  
25 gross violations of human rights.

1           “(3) The role of the People’s Liberation Army  
2           in, and its support of, the overall foreign policy of  
3           the People’s Republic of China, as expressed through  
4           military diplomacy and other external actions, activi-  
5           ties, and operations, including the following:

6                   “(A) Chinese military-to-military relation-  
7                   ships with other countries, including—

8                           “(i) Chinese military attache presence,  
9                           activities, exercises, and agreements with  
10                          the militaries of other countries; and

11                           “(ii) military education programs con-  
12                          ducted—

13                                   “(I) in the People’s Republic of  
14                                   China for militaries of other countries;  
15                                   or

16                                   “(II) in other countries for per-  
17                                   sonnel of the People’s Liberation  
18                                   Army.

19                   “(B) Any significant sale or transfer of  
20                   military hardware, expertise, and technology to  
21                   or from the People’s Republic of China, includ-  
22                   ing—

23                           “(i) a forecast of possible future sales  
24                           and transfers;

1           “(ii) the implications of such sales  
2           and transfers for the security of the  
3           United States and its partners and allies;  
4           and

5           “(iii) any significant assistance to and  
6           from any selling state with military-related  
7           research and development programs in the  
8           People’s Republic of China.

9           “(C) Relations between the People’s Re-  
10          public of China and the Russian Federation,  
11          and between the People’s Republic of China and  
12          Iran, with respect to security and military mat-  
13          ters.

14          “(4) Developments in the military doctrine,  
15          operational concepts, joint command and organiza-  
16          tional structures, and significant military operations  
17          and deployments of the People’s Liberation Army.

18          “(5) Developments and future course of the  
19          services, theater-level commands, and paramilitary  
20          organizations of the People’s Liberation Army, in-  
21          cluding—

22                 “(A) the specific roles and missions, orga-  
23                 nization, capabilities, force structure, readiness,  
24                 and modernization efforts of such services, the-

1           ater-level commands, and paramilitary organi-  
2           zations;

3           “(B) A summary of the order of battle of  
4           the People’s Liberation Army, including bal-  
5           listic and cruise missile inventories; and

6           “(C) developments relating to the Chinese  
7           Coast Guard, including its interactions with the  
8           Armed Forces of the United States, and the im-  
9           plications for its use as a coercive tool in mari-  
10          time disputes.

11          “(7) Developments in the People’s Liberation  
12          Army as a global actor, such as overseas military  
13          basing, military logistics capabilities, and infrastruc-  
14          ture to project power, and the overseas command  
15          and control structure of the People’s Liberation  
16          Army, including—

17               “(A) Chinese overseas investments or  
18               projects likely, or with significant potential, to  
19               be converted into military or intelligence assets  
20               of the People’s Republic of China; and

21               “(B) efforts by the People’s Republic of  
22               China to use the People’s Liberation Army to  
23               expand its presence and influence overseas and  
24               the implications of such efforts on United

1 States' national defense and security interests  
2 in—

3 “(i) Latin America and the Carib-  
4 bean;

5 “(ii) Africa; and

6 “(iii) the Indo-Pacific region, includ-  
7 ing the Pacific Islands.

8 “(8) The strategy, policy, development, and  
9 modernization of key military capabilities of the Peo-  
10 ple's Republic of China across the People's Libera-  
11 tion Army, including the following:

12 “(A) The cyberwarfare and electronic war-  
13 fare capabilities (including details on the num-  
14 ber of malicious cyber incidents originating  
15 from the People's Republic of China against  
16 Department of Defense infrastructure) and as-  
17 sociated activities originating or suspected to  
18 have originated from the People's Republic of  
19 China.

20 “(B) The space and counter-space pro-  
21 grams and capabilities.

22 “(C) The nuclear program and capabilities,  
23 including—

24 “(i) its nuclear strategy and associ-  
25 ated doctrines;

1                   “(ii) the size and state of its stockpile  
2                   and projections of its future arsenals;

3                   “(iii) its civil and military production  
4                   capacities; and

5                   “(iv) the modernization and force  
6                   structure of its strategic forces.

7                   “(D) The anti-access and area denial capa-  
8                   bilities .

9                   “(E) The command, control, communica-  
10                  tions, computers, intelligence, surveillance, and  
11                  reconnaissance modernization program and ca-  
12                  pabilities and the applications for such program  
13                  and capabilities for precision-guided weapons.

14                  “(9) Trends and developments in the budget,  
15                  resources, strategies, and policies of the People’s  
16                  Liberation Army with respect to science and tech-  
17                  nology, defense industry reform, and the use of espi-  
18                  onage and technology transfers by the People’s Re-  
19                  public of China, including—

20                  “(A) the relationship between Chinese  
21                  overseas investment (including the Belt and  
22                  Road Initiative, the Digital Silk Road, and any  
23                  state- owned or state-controlled digital or phys-  
24                  ical infrastructure projects of the People’s Re-

1 public of China) and Chinese security and mili-  
2 tary strategy objectives, including—

3 “(i) any Chinese investment or  
4 project, located in any other country, that  
5 is linked to military or intelligence coopera-  
6 tion with such country, such as cooperation  
7 on satellite navigation or arms production;  
8 and

9 “(ii) the implications for United  
10 States military or governmental interests  
11 related to denial of access, compromised  
12 intelligence activities, and network advan-  
13 tages of Chinese investments or projects in  
14 other countries, including in port or port-  
15 related infrastructure; and

16 “(B) efforts (including by espionage and  
17 technology transfers through investment, indus-  
18 trial espionage, cyber theft, academia, forced  
19 technological transfers, and other means) to de-  
20 velop, acquire, or gain access to information,  
21 communication, space, and other advanced tech-  
22 nologies that would enhance defense capabilities  
23 or otherwise undermine the capability of the  
24 Department of Defense to conduct information  
25 assurance, including an assessment of the dam-



1           age inflicted on the Department of Defense by  
2           such efforts.

3           “(10) The strategy of the People’s Republic of  
4           China regarding Taiwan and the security situation  
5           in the Taiwan Strait, including—

6                   “(A) the posture of the forces of the Peo-  
7                   ple’s Liberation Army facing Taiwan; and

8                   “(B) any challenges during the preceding  
9                   year to the deterrent forces of the Republic of  
10                  China on Taiwan, consistent with the commit-  
11                  ments made by the United States in the Taiwan  
12                  Relations Act (Public Law 96–8; 22 U.S.C.  
13                  3301 et seq.).

14           “(11) The maritime strategy and military and  
15           nonmilitary activities in the South China Sea and  
16           East China Sea of the People’s Republic of China,  
17           including—

18                   “(A) the role and activities of the People’s  
19                   Liberation Army and maritime law enforce-  
20                   ment, the People’s Armed Forces Maritime Mi-  
21                   litia or other subset national militias, and para-  
22                   military entities of the People’s Republic of  
23                   China; and

24                   “(B) any such activities in the South  
25                   China Sea or East China Sea affecting United

1 States military activities or the military activi-  
2 ties of a United States ally or partner.

3 “(12) The current state of United States mili-  
4 tary-to-military contacts with the People’s Libera-  
5 tion Army, including the following:

6 “(A) A comprehensive and coordinated  
7 strategy for such military-to-military contacts  
8 and any necessary update to the strategy.

9 “(B) A summary of all such military-to-  
10 military contacts during the preceding fiscal  
11 year including a summary of topics discussed.

12 “(C) A description of such military-to-mili-  
13 tary contacts scheduled for the 1-year period  
14 following the period covered by the report and  
15 the plan for future contacts.

16 “(D) The Secretary’s assessment of the  
17 benefits the Chinese expect to gain from such  
18 military-to-military contacts.

19 “(E) The Secretary’s assessment of the  
20 benefits the Department of Defense expects to  
21 gain from such military-to-military contacts,  
22 and any concerns regarding such contacts.

23 “(F) The Secretary’s assessment of how  
24 such military-to-military contacts fit into the

1 larger security relationship between the United  
2 States and the People's Republic of China.

3 “(G) The Secretary's certification whether  
4 or not any military-to-military exchange or con-  
5 tact was conducted during the period covered  
6 by the report in violation of section 1201(a).

7 “(13) Any influence operations or campaigns by  
8 the People's Republic of China targeting military al-  
9 liances and partnerships of which the United States  
10 is a member, including—

11 “(A) United States military alliances and  
12 partnerships targeted or that may be targeted;

13 “(B) the objectives of such operations;

14 “(C) the tactics, techniques, and proce-  
15 dures used; and

16 “(D) the impact of such operations on  
17 military alliances and partnerships of which the  
18 United States is a member.

19 “(14) Any other significant military or security  
20 development involving the People's Republic of  
21 China the Secretary considers relevant to United  
22 States national security.

23 “(c) FORM.—Each report required by subsection (a)  
24 shall be submitted in unclassified form but may include  
25 a classified annex.

1 “(d) SPECIFIED CONGRESSIONAL COMMITTEES DE-  
2 FINED.—In this section, the term ‘specified congressional  
3 committees’ means—

4 “(1) the Committee on Armed Services, the  
5 Committee on Foreign Relations, and the Select  
6 Committee on Intelligence of the Senate; and

7 “(2) the Committee on Armed Services, the  
8 Committee on Foreign Affairs, and the Permanent  
9 Select Committee on Intelligence of the House of  
10 Representatives.”.

11 **SEC. 1244. EXTENSION OF AUTHORITY TO TRANSFER**  
12 **FUNDS FOR BIEN HOA DIOXIN CLEANUP.**

13 Section 1253(b) of the National Defense Authoriza-  
14 tion Act for Fiscal Year 2021 (Public Law 116–283) is  
15 amended by striking “fiscal year 2021” and inserting “fis-  
16 cal year 2022”.

17 **SEC. 1245. COOPERATIVE PROGRAM WITH VIETNAM TO AC-**  
18 **COUNT FOR VIETNAMESE PERSONNEL MISS-**  
19 **ING IN ACTION.**

20 (a) IN GENERAL.—The Secretary of Defense, in co-  
21 ordination with the heads of other relevant Federal de-  
22 partments and agencies, may carry out a cooperative pro-  
23 gram with the Ministry of Defense of Vietnam and other  
24 entities of the Government of Vietnam to assist in ac-  
25 counting for Vietnamese personnel missing in action.

1 (b) PURPOSE.—The purpose of the cooperative pro-  
2 gram under subsection (a) is to carry out the following  
3 activities:

4 (1) Collection, digitization, and sharing of ar-  
5 chival information.

6 (2) Building the capacity of Vietnam to conduct  
7 archival research, investigations, and excavations.

8 (3) Improving DNA analysis capacity.

9 (4) Increasing veteran-to-veteran exchanges.

10 (5) Other support activities the Secretary of  
11 Defense considers necessary and appropriate.

12 (c) TERMINATION.—The authority provided by sub-  
13 section (a) shall terminate on October 1, 2026.

14 **SEC. 1246. SENSE OF CONGRESS ON TAIWAN DEFENSE RE-**  
15 **LATIONS.**

16 It is the sense of Congress that—

17 (1) the Taiwan Relations Act (Public Law 96–  
18 8; 22 U.S.C. 3301 et seq.) and the Six Assurances  
19 provided by the United States to Taiwan in July  
20 1982 are the foundation for United States-Taiwan  
21 relations;

22 (2) as set forth in the Taiwan Relations Act,  
23 the United States decision to establish diplomatic re-  
24 lations with the People’s Republic of China rests  
25 upon the expectation that the future of Taiwan will

1       be determined by peaceful means, and that any ef-  
2       fort to determine the future of Taiwan by other than  
3       peaceful means, including boycotts and embargoes,  
4       is of grave concern to the United States;

5           (3) the increasingly coercive and aggressive be-  
6       havior of the People's Republic of China towards  
7       Taiwan is contrary to the expectation of a peaceful  
8       resolution of the future of Taiwan;

9           (4) as set forth in the Taiwan Relations Act,  
10      the capacity of the United States to resist any resort  
11      to force or other forms of coercion that would jeop-  
12      ardize the security, or the social or economic system,  
13      of the people on Taiwan and the policy of the United  
14      States to make available to Taiwan such defense ar-  
15      ticles and defense services in such quantities as may  
16      be necessary to enable Taiwan to maintain a suffi-  
17      cient self-defense capability should be maintained;  
18      and

19           (5) the United States should continue to sup-  
20      port the development of capable, ready, and modern  
21      defense forces necessary for Taiwan to maintain a  
22      sufficient self-defense capability, including by—

23           (A) supporting acquisition by Taiwan of  
24      defense articles and services through foreign  
25      military sales, direct commercial sales, and in-

1 industrial cooperation, with an emphasis on capa-  
2 bilities that support the asymmetric defense  
3 strategy of Taiwan;

4 (B) ensuring timely review of and response  
5 to requests by Taiwan for defense articles and  
6 services;

7 (C) conducting practical training and mili-  
8 tary exercises with Taiwan, including, as appro-  
9 priate, inviting Taiwan to participate in the  
10 Rim of the Pacific exercise conducted in 2022,  
11 that enable Taiwan to maintain a sufficient  
12 self-defense capability, as described in the Tai-  
13 wan Relations Act;

14 (D) deepening interoperability with Taiwan  
15 in defensive capabilities, including maritime and  
16 air domain awareness and integrated air and  
17 missile defense systems;

18 (E) encouraging exchanges between de-  
19 fense officials and officers of the United States  
20 and Taiwan at the strategic, policy, and func-  
21 tional levels, consistent with the Taiwan Travel  
22 Act (Public Law 115-135; 132 Stat. 341), espe-  
23 cially for the purposes of—

24 (i) enhancing cooperation on defense  
25 planning;

1 (ii) improving the interoperability of  
2 the military forces of the United States  
3 and Taiwan; and

4 (iii) improving the reserve force of  
5 Taiwan;

6 (F) identifying improvements in Taiwan's  
7 ability to use asymmetric military capabilities to  
8 enhance its defensive capabilities, as described  
9 in the Taiwan Relations Act; and

10 (G) expanding cooperation in humanitarian  
11 assistance and disaster relief.

12 **SEC. 1247. STATEMENT OF POLICY ON TAIWAN.**

13 (a) STATEMENT OF POLICY.—Consistent with the  
14 Taiwan Relations Act (22 U.S.C. 3301 et. seq.), it shall  
15 be the policy of the United States to maintain the capacity  
16 of the United States to resist a fait accompli that would  
17 jeopardize the security of the people on Taiwan.

18 (b) DEFINITION.—In this section, the term “fait  
19 accompli” refers to the resort to force by the People's Re-  
20 public of China to invade and seize control of Taiwan be-  
21 fore the United States can respond effectively.

22 **SEC. 1248. ANNUAL REPORT ON TAIWAN ASYMMETRIC CA-**  
23 **PABILITIES AND INTELLIGENCE SUPPORT.**

24 (a) IN GENERAL.—The Secretary of Defense, in co-  
25 ordination with the heads of other relevant Federal de-



1 partments and agencies, shall each year through fiscal  
2 year 2027, consistent with the Taiwan Relations Act  
3 (Public Law 96-8; 22 U.S.C. 3302(c)), perform an annual  
4 assessment of matters related to Taiwan, including intel-  
5 ligence matters, Taiwan's asymmetric defensive capabili-  
6 ties, and how defensive shortcomings or vulnerabilities of  
7 Taiwan could be mitigated through cooperation, mod-  
8 ernization, or integration. At a minimum, the assessment  
9 shall include the following:

10 (1) An intelligence assessment regarding—

11 (A) conventional military threats to Tai-  
12 wan from China, including exercises intended to  
13 intimidate or coerce Taiwan; and

14 (B) irregular warfare activities, including  
15 influence operations, conducted by China to  
16 interfere in or undermine the peace and sta-  
17 bility of the Taiwan Strait.

18 (2) The current defensive asymmetric capabili-  
19 ties of Taiwan and the ability of Taiwan to defend  
20 itself from external conventional and irregular mili-  
21 tary threats.

22 (3) The interoperability of current and future  
23 defensive asymmetric capabilities of Taiwan with the  
24 military capabilities of the United States and its al-  
25 lies and partners.

1           (4) The plans, tactics, techniques, and proce-  
2           dures underpinning the defensive asymmetric capa-  
3           bilities of Taiwan.

4           (5) A description of additional personnel, re-  
5           sources, and authorities in Taiwan or in the United  
6           States that may be required to meet any short-  
7           comings in the development of Taiwan's defensive  
8           capabilities identified pursuant to this section.

9           (6) The applicability of Department of Defense  
10          authorities for improving the defensive asymmetric  
11          capabilities of Taiwan in accordance with the Tai-  
12          wan Relations Act.

13          (7) The feasibility and advisability of assisting  
14          Taiwan in the domestic production of defensive  
15          asymmetric capabilities, including through the trans-  
16          fer of intellectual property, co-development, or co-  
17          production arrangements.

18          (8) An assessment of ways in which the United  
19          States could enhance cooperation with on intel-  
20          ligence matters with Taiwan.

21          (9) A description of any non-Department of De-  
22          fense efforts by the United States Government to  
23          build the capacity of Taiwan to disrupt external ef-  
24          forts that degrade its free and democratic society.

1           (10) A description of any significant efforts by  
2           the Defense Intelligence Enterprise and other ele-  
3           ments of the intelligence community to coordinate  
4           technical and material support for Taiwan to iden-  
5           tify, disrupt, and combat influence operations re-  
6           ferred to in this subsection.

7           (11) Any other matter the Secretary of Defense  
8           considers appropriate.

9           (b) PLAN.—The Secretary of Defense, in coordina-  
10          tion with the heads of other relevant Federal departments  
11          and agencies, shall develop a plan for assisting Taiwan  
12          in improving its defensive asymmetric capabilities and ad-  
13          dressing vulnerabilities identified pursuant to subsection  
14          (a) that includes—

15                (1) recommendations for new Department of  
16                Defense authorities, or modifications to existing De-  
17                partment authorities, necessary to improve the de-  
18                fensive asymmetric capabilities of Taiwan in accord-  
19                ance with the Taiwan Relations Act (Public Law 96-  
20                8; 22 U.S.C. 3301 et seq.);

21                (2) an identification of opportunities for key  
22                leader and subject matter expert engagement be-  
23                tween Department personnel and military and civil-  
24                ian counterparts in Taiwan; and

1           (3) an identification of challenges and opportu-  
2           nities for leveraging non-Department authorities, re-  
3           sources, and capabilities to improve the defensive  
4           asymmetric capabilities of Taiwan in accordance  
5           with the Taiwan Relations Act.

6           (c) REPORT.—Not later than 180 days after the date  
7           of the enactment of this Act, and annually through fiscal  
8           year 2027, the Secretary of Defense shall submit to the  
9           appropriate committees of Congress—

10           (1) a report on the results of the assessment re-  
11           quired by subsection (a); and

12           (2) the plan required by subsection (b).

13           (d) FORM.—The report required by subsection (c)  
14           shall be submitted in unclassified form, but may include  
15           a classified annex.

16           (e) DEFINITIONS.—In this section:

17           (1) The term “appropriate committees of Con-  
18           gress” means—

19                   (A) the Committee on Armed Services, the  
20                   Committee on Foreign Relations, and the Select  
21                   Committee on Intelligence of the Senate; and

22                   (B) the Committee on Armed Services, the  
23                   Committee on Foreign Affairs, and the Perma-  
24                   nent Select Committee on Intelligence of the  
25                   House of Representatives.

1           (2) The term “defensive asymmetric capabili-  
2           ties” means the capabilities necessary to defend Tai-  
3           wan against conventional external threats, including  
4           coastal defense missiles, naval mines, anti-aircraft  
5           capabilities, cyber defenses, and special operations  
6           forces.

7   **SEC. 1249. FEASIBILITY BRIEFING ON COOPERATION BE-**  
8                                   **TWEEN THE NATIONAL GUARD AND TAIWAN.**

9           (a) IN GENERAL.—Not later than February 15,  
10          2022, the Secretary of Defense shall provide to the con-  
11          gressional defense committees a briefing on the feasibility  
12          and advisability of enhanced cooperation between the Na-  
13          tional Guard and Taiwan.

14          (b) ELEMENTS.—The briefing required by subsection  
15          (a) shall include the following:

16                 (1) A description of the cooperation between the  
17                 National Guard and Taiwan during the preceding  
18                 calendar year, including mutual visits, exercises,  
19                 training, and equipment opportunities.

20                 (2) An evaluation of the feasibility of enhancing  
21                 cooperation between the National Guard and Taiwan  
22                 on a range of activities, including—

23                         (A) disaster and emergency response;

24                         (B) cyber defense and communications se-  
25                         curity;

1 (C) military medical cooperation;

2 (D) Mandarin-language education and cul-  
3 tural exchange; and

4 (E) programs for National Guard advisors  
5 to assist in training the reserve components of  
6 the military forces of Taiwan.

7 (3) Recommendations to enhance such coopera-  
8 tion and improve interoperability, including through  
9 familiarization visits, cooperative training and exer-  
10 cises, and co-deployments.

11 (4) Any other matter the Secretary of Defense  
12 considers appropriate.

13 **SEC. 1250. FEASIBILITY REPORT ON ESTABLISHING MILI-**  
14 **TARY-TO-MILITARY CRISIS COMMUNICA-**  
15 **TIONS CAPABILITIES.**

16 (a) IN GENERAL.—Not later than 180 days after the  
17 date of the enactment of this Act, the Secretary of De-  
18 fense, in coordination with the heads of other relevant  
19 Federal departments and agencies, shall submit to the ap-  
20 propriate committees of Congress a report on the feasi-  
21 bility and advisability of establishing military-to-military  
22 communications with a covered strategic competitor.

23 (b) ELEMENTS.—The report required by subsection

24 (a) shall include the following:

25 (1) An articulation of—

1 (A) the importance of military-to-military  
2 communications with a covered strategic com-  
3 petitor; and

4 (B) the utility of such communications to  
5 enable clear transmission of messages from the  
6 government of the United States, avoid mis-  
7 understandings, and reduce the possibility of  
8 miscalculation.

9 (2) A description of the current process and ca-  
10 pabilities relating to communications with a covered  
11 strategic competitor, including the means, levels of  
12 seniority, and timelines for such communications.

13 (3) An identification of opportunities for im-  
14 proving military-to-military crisis communications  
15 with a covered strategic competitor, including the  
16 preferred means, levels of seniority, and timelines  
17 for such communications.

18 (4) An identification of challenges to estab-  
19 lishing more military-to-military communications  
20 with a covered strategic competitor.

21 (5) Any other matter the Secretary of Defense  
22 considers appropriate.

23 (c) DEFINITIONS.—In this section:

1           (1) The term “covered strategic competitor”  
2 means a near-peer country identified by the Sec-  
3 retary of Defense and National Defense Strategy.

4           (2) The term “appropriate committees of Con-  
5 gress” means—

6           (A) the Committee on Armed Services, the  
7 Committee on Appropriations, and the Com-  
8 mittee on Foreign Relations of the Senate; and

9           (B) the Committee on Armed Services, the  
10 Committee on Appropriations, and the Com-  
11 mittee on Foreign Affairs of the House of Rep-  
12 resentatives.

13 **SEC. 1251. COMPARATIVE ANALYSES AND REPORTS ON EF-**  
14 **FORTS BY THE UNITED STATES AND THE**  
15 **PEOPLE’S REPUBLIC OF CHINA TO ADVANCE**  
16 **CRITICAL MODERNIZATION TECHNOLOGY**  
17 **WITH RESPECT TO MILITARY APPLICATIONS.**

18 (a) COMPARATIVE ANALYSES.—

19 (1) DEVELOPMENT OF PROCEDURES.—

20 (A) IN GENERAL.—Not later than 270  
21 days after the date of the enactment of this  
22 Act, the Under Secretary of Defense for Re-  
23 search and Engineering, in coordination with  
24 the Director of the Office of Net Assessment,  
25 shall develop procedures by which comparative



1 analyses, including the assessments under para-  
2 graph (2), shall be conducted.

3 (B) ELEMENTS.—The procedures devel-  
4 oped under subparagraph (A)—

5 (i) shall include processes—

6 (I) by which senior officials of  
7 the Department of Defense may re-  
8 quest that such comparative analyses  
9 be conducted with respect to a specific  
10 technology, sector, or system of inter-  
11 est;

12 (II) by which teams of technical,  
13 industrial, policy, intelligence, and  
14 operational experts consisting of per-  
15 sonnel of the Department and private  
16 sector organizations may be estab-  
17 lished for the purpose of conducting  
18 such comparative analyses;

19 (III) to ensure adequate funding  
20 to support the conduct of such com-  
21 parative analyses; and

22 (IV) by which classified and un-  
23 classified information, including nec-  
24 essary data, records, and technical in-  
25 formation, may be shared with De-

1                   partment personnel for the purpose of  
2                   carrying out such comparative anal-  
3                   yses; and

4                   (ii) may include the development of  
5                   quantitative and qualitative metrics for use  
6                   in, and new intelligence collection require-  
7                   ments to support, such comparative anal-  
8                   yses.

9                   (2) COMPARATIVE ANALYSIS ASSESSMENTS.—

10                   (A) IN GENERAL.—The Under Secretary,  
11                   in coordination with the Director of the Office  
12                   of Net Assessment, shall conduct a comparative  
13                   analysis assessment of the efforts of the United  
14                   States Government and the Government of the  
15                   People’s Republic of China to develop and de-  
16                   ploy critical modernization technology with re-  
17                   spect to military applications in each of the fol-  
18                   lowing areas of critical modernization tech-  
19                   nology:

20                   (i) Directed energy systems.

21                   (ii) Hypersonics.

22                   (iii) Emerging biotechnologies.

23                   (iv) Quantum science.

24                   (v) Cyberspace capabilities.

1 (B) ELEMENTS.—Each comparative anal-  
2 ysis assessment under subparagraph (A) shall  
3 include an evaluation of each of the following:

4 (i) With respect to the applicable area  
5 of critical modernization technology de-  
6 scribed in subparagraph (A), research and  
7 development activities carried out in the  
8 United States and the People’s Republic of  
9 China by governmental entities and non-  
10 governmental entities.

11 (ii) The ability of research programs  
12 carried out by the United States Govern-  
13 ment and the Government of the People’s  
14 Republic of China to achieve the goals of—

15 (I) transitioning emerging tech-  
16 nologies into acquisition efforts and  
17 operational use; and

18 (II) incorporating emerging tech-  
19 nologies into military applications.

20 (iii) Operational effectiveness and  
21 suitability of current or planned defense  
22 systems of the United States and the Peo-  
23 ple’s Republic of China, including relevant  
24 operational concepts relating to the appli-

1 cation and operationalization of critical  
2 modernization technologies.

3 (iv) The ability of defense systems of  
4 the United States and the People's Repub-  
5 lic of China to counter relevant threat ca-  
6 pabilities.

7 (b) REPORTS.—

8 (1) INITIAL REPORT.—Not later than March  
9 15, 2022, the Under Secretary shall submit a report  
10 and provide a briefing to the congressional defense  
11 committees on efforts to develop the procedures re-  
12 quired by subsection (a)(1).

13 (2) SUBSEQUENT REPORTS.—

14 (A) DIRECTED ENERGY SYSTEMS AND  
15 HYPERSONICS.—Not later than December 31,  
16 2023, the Under Secretary shall submit to the  
17 congressional defense committees a report on  
18 the results of the comparative analysis assess-  
19 ments conducted under clauses (i) and (ii) of  
20 subsection (a)(2)(A).

21 (B) EMERGING BIOTECHNOLOGIES, QUAN-  
22 TUM SCIENCE, AND CYBERSPACE CAPABILI-  
23 TIES.—Not later than December 31, 2024, the  
24 Under Secretary shall submit to the congres-  
25 sional defense committees a report on the re-

1           sults of the comparative analysis assessments  
2           conducted under clauses (iii), (iv), and (v) of  
3           subsection (a)(2)(A).

4           (C) ELEMENTS.—The reports required by  
5           subparagraphs (A) and (B) shall include the  
6           following for each such comparative analysis as-  
7           sessment:

8                   (i) The results of the evaluation of  
9                   each element described in subsection  
10                  (a)(2)(B).

11                  (ii) An analysis of significant research  
12                  and development programs and activities  
13                  outside the United States or the People’s  
14                  Republic of China designed to advance the  
15                  applicable area of critical modernization  
16                  technology described in subsection  
17                  (a)(2)(A), and a discussion of such pro-  
18                  grams and activities.

19                  (iii) With respect to each such area of  
20                  critical modernization technology, an iden-  
21                  tification of any area in which the degree  
22                  of uncertainty due to an insufficient knowl-  
23                  edge base is such that an analysis of  
24                  whether the United States or the People’s

1 Republic of China has an advantage would  
2 be inconclusive.

3 (iv) A description of the limitations,  
4 constraints, and challenges encountered in  
5 carrying out the comparative analysis as-  
6 sessment.

7 (v) A description of any other re-  
8 search and development efforts or elements  
9 the Under Secretary considers appropriate  
10 for purposes of the comparative analysis  
11 assessment.

12 (vi) Recommendations with respect to  
13 additional activities by the Department  
14 necessary to address the findings of the  
15 comparative analysis assessment.

16 (D) FORM.—The reports required by sub-  
17 paragraphs (A) and (B) shall be submitted in  
18 unclassified form but may contain a classified  
19 annex.

20 (c) AGREEMENT WITH A FEDERALLY FUNDED RE-  
21 SEARCH AND DEVELOPMENT CORPORATION AUTHOR-  
22 IZED.—

23 (1) IN GENERAL.—The Under Secretary may  
24 enter into an agreement with a federally funded re-

1 search and development corporation under which  
2 such corporation may—

3 (A) carry out any part of a comparative  
4 analysis assessment required by subsection (a);

5 or

6 (B) prepare the reports required by sub-  
7 section (b)(2).

8 (2) NOTIFICATION.—If the Under Secretary en-  
9 ters into an agreement under paragraph (1), the  
10 Under Secretary shall submit to the congressional  
11 defense committees a report that—

12 (A) identifies the federally funded research  
13 and development corporation concerned; and

14 (B) describes the scope of work under the  
15 agreement.

16 **SEC. 1252. SENSE OF CONGRESS ON DEFENSE ALLIANCES**  
17 **AND PARTNERSHIPS IN THE INDO-PACIFIC**  
18 **REGION.**

19 It is the sense of Congress that the Secretary of De-  
20 fense should recommit to and strengthen United States  
21 defense alliances and partnerships in the Indo-Pacific re-  
22 gion so as to further the comparative advantage of the  
23 United States in strategic competition with the People's  
24 Republic of China, including by—

1           (1) enhancing cooperation with Japan, con-  
2           sistent with the Treaty of Mutual Cooperation and  
3           Security Between the United States of America and  
4           Japan, including by developing advanced military ca-  
5           pabilities, fostering interoperability across all do-  
6           mains, and improving sharing of information and in-  
7           telligence;

8           (2) reinforcing the United States alliance with  
9           the Republic of Korea and maintaining the presence  
10          of approximately 28,500 members of the United  
11          States Armed Forces deployed to the country, con-  
12          sistent with the Mutual Defense Treaty Between the  
13          United States and the Republic of Korea, in support  
14          of the shared objective of a peaceful and stable Ko-  
15          rean Peninsula;

16          (3) fostering bilateral and multilateral coopera-  
17          tion with Australia, consistent with the Australia,  
18          New Zealand, United States Security Treaty, to ad-  
19          vance shared security objectives and build the capa-  
20          bilities of emerging partners;

21          (4) advancing United States alliances with the  
22          Philippines and Thailand and United States partner-  
23          ships with other partners in the Association of  
24          Southeast Asian Nations to enhance maritime do-  
25          main awareness, promote sovereignty and territorial



1 integrity, and collaborate on vetting Chinese invest-  
2 ments in strategic technology sectors and critical in-  
3 frastructure;

4 (5) broadening the engagement of the United  
5 States with India, including through the Quadrilat-  
6 eral Security Dialogue—

7 (A) to advance the shared objective of a  
8 free and open Indo-Pacific region through bilat-  
9 eral and multilateral engagements and partici-  
10 pation in military exercises, expanded defense  
11 trade, and collaboration on humanitarian aid  
12 and disaster response; and

13 (B) to enable greater cooperation on mari-  
14 time security and the threat of global  
15 pandemics, including COVID-19;

16 (6) strengthening the United States partnership  
17 with Taiwan, consistent with the Three Commu-  
18 niques, the Taiwan Relations Act (Public Law 96-8;  
19 22 U.S.C. 3301 et seq.), and the Six Assurances,  
20 with the goal of improving Taiwan's asymmetric de-  
21 fensive capabilities and promoting peaceful cross-  
22 strait relations;

23 (7) reinforcing the status of the Republic of  
24 Singapore as a Major Security Cooperation Partner  
25 of the United States and continuing to strengthen

1 defense and security cooperation between the mili-  
2 tary forces of the Republic of Singapore and the  
3 Armed Forces of the United States, including  
4 through participation in combined exercises and  
5 training, including the use of the Foreign Military  
6 Sales Training Center at Ebbing Air National Guard  
7 Base in Fort Smith, Arkansas and a fighter training  
8 detachment in Guam;

9 (8) engaging with the Federated States of Mi-  
10 cronisia, the Republic of the Marshall Islands, and  
11 the Republic of Palau with the goal of strengthening  
12 regional security and addressing issues of mutual  
13 concern, including protecting fisheries from illegal,  
14 unreported and unregulated fishing; and

15 (9) investing in enhanced military posture and  
16 capabilities in the United States Indo-Pacific Com-  
17 mand area of responsibility and strengthening co-  
18 operation in bilateral relationships, multilateral part-  
19 nerships, and other international fora to uphold  
20 global security and shared principles, with the goal  
21 of ensuring the maintenance of a free and open  
22 Indo-Pacific region.

1 **TITLE XIII—OTHER MATTERS**  
2 **RELATING TO FOREIGN NA-**  
3 **TIONS**

Subtitle A—Matters Relating to Europe and NATO

Sec. 1301. Sense of Congress on North Atlantic Treaty Organization allies and partners.

Sec. 1302. Report on Armenia-Azerbaijan conflict.

Sec. 1303. Report on the state of United States military investment in Europe, including the European Deterrence Initiative.

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

Sec. 1311. Sense of Congress.

Sec. 1312. Funding for the European Recapitalization Incentive Program.

Sec. 1313. Sense of Congress on loan program.

Sec. 1314. Sense of Congress on transfer of F-35 Joint Strike Fighter aircraft to Greece.

Sec. 1315. IMET cooperation with Greece.

Sec. 1316. Cyprus, Greece, Israel, and the United States 3+1 Interparliamentary Group.

Sec. 1317. Appropriate congressional committees.

Subtitle C—Security Cooperation and Assistance

Sec. 1321. Clarification of requirements for contributions by participants in the American, British, Canadian, and Australian Armies' Program.

Sec. 1322. Foreign Area Officer assessment and review.

Sec. 1323. Study on certain security cooperation programs.

Sec. 1324. Notification relating to overseas humanitarian, disaster, and civic aid funds obligated in support of operation allies welcome.

Subtitle D—Other Matters

Sec. 1331. Extension and modification of authority for certain payments to redress injury and loss.

Sec. 1332. Secretary of Defense Strategic Competition Initiative.

Sec. 1333. Extension and modification of Department of Defense support for stabilization activities in national security interest of the United States.

Sec. 1334. Pilot program to support the implementation of the Women, Peace, and Security act of 2017.

Sec. 1335. Annual report on Comprehensive Nuclear-Test-Ban Treaty sensors.

Sec. 1336. Security assistance in Northern Triangle countries.

Sec. 1337. Report on human rights in Colombia.

Sec. 1338. Report on efforts by the People's Republic of China to expand its presence and influence in Latin America and the Caribbean.

Sec. 1339. Extension of prohibition on in-flight refueling to non-United States aircraft that engage in hostilities in the ongoing civil war in Yemen.

Sec. 1340. Statement of policy and report on Yemen.

Sec. 1341. Limitation on support to military forces of the Kingdom of Morocco for multilateral exercises.

1       **Subtitle A—Matters Relating to**  
2                               **Europe and NATO**

3       **SEC. 1301. SENSE OF CONGRESS ON NORTH ATLANTIC**  
4                               **TREATY ORGANIZATION ALLIES AND PART-**  
5                               **NERS.**

6       It is the sense of Congress as follows:

7               (1) The North Atlantic Treaty Organization  
8               (NATO) remains the strongest and most successful  
9               military alliance in the world, founded on a commit-  
10              ment by its members to uphold the principles of de-  
11              mocracy, individual liberty, and the rule of law, and  
12              its contributions to the collective defense are indis-  
13              pensable to the security, prosperity, and freedom of  
14              its members.

15             (2) The success of NATO is critical to achiev-  
16             ing United States national security objectives in Eu-  
17             rope and around the world, including deterring Rus-  
18             sian aggression, upholding territorial integrity and  
19             sovereignty in Europe, addressing strategic competi-  
20             tion and mitigating shared security concerns, coun-  
21             tering malign efforts to undermine the rules-based  
22             international order and disrupt shared values, and  
23             fostering international cooperation against collective  
24             challenges.

1           (3) The United States reaffirms its ironclad  
2           commitment to NATO as the foundation of trans-  
3           atlantic security and to uphold its obligations under  
4           the North Atlantic Treaty, including Article 5 of the  
5           Treaty, and remains steadfastly committed to up-  
6           holding and strengthening its defense alliances and  
7           partnerships in the European theater.

8           (4) The commitment of NATO allies in re-  
9           sponse to the invocation of Article 5 of the North  
10          Atlantic Treaty following attacks on the United  
11          States homeland on September 11, 2001, and during  
12          years of counterterrorism, humanitarian, and sta-  
13          bilization operations in Afghanistan has been inval-  
14          uable, and the sacrifices of NATO allies deserve the  
15          highest order of respect and gratitude.

16          (5) The national security challenges posed by  
17          the Russian Government against NATO allies and  
18          partners are of grave concern to the United States  
19          and a top NATO defense priority. Since the invasion  
20          of Ukraine in 2014, the Russian Government has  
21          not improved its behavior and has, in many aspects,  
22          become increasingly belligerent. Aggression against  
23          NATO allies and United States partners is unac-  
24          ceptable, and Russia's willingness to engage in far-  
25          reaching, risky actions contrary to the international

1 order poses major risks to United States national se-  
2 curity interests that must be met with sustained en-  
3 gagement, investment in credible deterrence, and  
4 vigilance.

5 (6) The United States should continue to deep-  
6 en cooperation on defense issues with non-NATO  
7 European partners, bilaterally and as part of the  
8 NATO alliance, encourage security sector coopera-  
9 tion between NATO and non-NATO defense part-  
10 ners that complements and strengthens shared secu-  
11 rity goals, interoperability, and allies' commitment to  
12 Article 3 of the North Atlantic Treaty, build on re-  
13 cent progress in NATO allies achieving defense  
14 spending goals agreed to at the 2014 Wales Summit  
15 and reaffirmed at the 2016 Warsaw Summit and the  
16 2021 Brussels Summit, and build consensus to plan,  
17 organize, and invest in the full range of defense ca-  
18 pabilities necessary to deter and defend against po-  
19 tential adversaries.

20 (7) The United States should continue to en-  
21 hance United States and allied force posture in Eu-  
22 rope in order to establish and sustain a credible de-  
23 terrent against Russian aggression and long-term  
24 strategic competition by the Russian Government,  
25 including continued robust support for the European

1 Deterrence Initiative and other investments, ongoing  
2 use of rotational deployments and robust exercises in  
3 the European theater, improved forward-stationing  
4 of forces to enhance deterrence and reduce cost, ad-  
5 ditional planning and efforts to mitigate contested  
6 logistics challenges, implementation of key initiatives  
7 to enhance readiness, military mobility, and national  
8 resilience, and effective investments in multi-service,  
9 cyber, information, and air defense efforts to counter  
10 modern military challenges.

11 (8) Following the end of the Resolute Support  
12 Mission in Afghanistan, it is essential that the  
13 United States consider ways to continue the benefits  
14 of combined interaction alongside NATO allies and  
15 United States partners to continue strengthening  
16 interoperability and cooperation.

17 (9) The Black Sea is a strategically significant  
18 region to United States interests and to the security  
19 of United States allies and partners, especially in  
20 light of Russia's actions in the region and illegal oc-  
21 cupation of territory. The United States should con-  
22 tinue security cooperation efforts, exercises, and  
23 training with regional allies and partners, regional  
24 posture enhancements, and support for those allies'  
25 and partners' pursuit of their own defenses, as well

1 as joint efforts that enhance interoperability and in-  
2 formation sharing.

3 (10) Enhancing security and stability in the  
4 Western Balkans is a goal that the United States  
5 shares with European allies and partners. The  
6 United States should continue its efforts to build  
7 interoperability and support institutional reforms of  
8 the militaries of the Western Balkan nations, includ-  
9 ing both NATO allies and partners. The United  
10 States should also support those nations' efforts to  
11 resist disinformation campaigns, predatory invest-  
12 ments, efforts to promote instability, and other  
13 means by which Russia and China may seek to influ-  
14 ence this region of Europe.

15 (11) Estonia, Latvia, and Lithuania are model  
16 allies and play a critical role in strategic efforts to  
17 ensure continued deterrence against aggression by  
18 Russia and maintain the collective security of the  
19 NATO alliance. The security of the Baltic region is  
20 crucial to the security of the NATO alliance.

21 (12) The United States should continue to pur-  
22 sue efforts consistent with the comprehensive, multi-  
23 lateral Baltic Defense Assessment of the military re-  
24 quirements of Estonia, Latvia, and Lithuania issued  
25 in December 2020. Robust support to accomplish



1 United States strategic objectives, including by pro-  
2 viding assistance to the Baltic countries through se-  
3 curity cooperation referred to as the Baltic Security  
4 Initiative pursuant to sections 332 and 333 of title  
5 10, United States Code, should be prioritized in the  
6 years to come. Specifically, the continuation of—

7 (A) efforts to enhance interoperability  
8 among Estonia, Latvia, and Lithuania and in  
9 support of NATO efforts;

10 (B) infrastructure and other host-country  
11 support improvements that will enhance United  
12 States and allied military mobility across the  
13 region;

14 (C) efforts to improve resilience to hybrid  
15 threats and cyber defenses in Estonia, Latvia,  
16 and Lithuania; and

17 (D) support for planning and budgeting ef-  
18 forts of Estonia, Latvia, and Lithuania that are  
19 regionally synchronized.

20 **SEC. 1302. REPORT ON ARMENIA-AZERBAIJAN CONFLICT.**

21 (a) REPORT.—Not later than 180 days after the date  
22 of the enactment of this Act, the Secretary of Defense,  
23 in consultation with the heads of other Federal depart-  
24 ments and agencies as appropriate, shall submit to the rel-

1 relevant congressional committees a report on the 2020 con-  
2 flict between Armenia and Azerbaijan.

3 (b) ELEMENTS.—The report required by subsection  
4 (a) shall include the following:

5 (1) An assessment of the use of United States  
6 weapon systems or controlled technology that were  
7 employed in the 2020 conflict, including a list of the  
8 origins of such items, if known.

9 (2) A description of the involvement of foreign  
10 actors in the conflict, including a description of the  
11 military activities, influence operations, foreign mili-  
12 tary sales, and diplomatic engagement by foreign  
13 countries before, during, and after the conflict, and  
14 efforts by parties to the conflict or foreign actors to  
15 recruit or employ foreign fighters or private military  
16 organizations during the conflict. Such description  
17 may include a classified annex, if necessary.

18 (3) Any violations of the November 9, 2020,  
19 agreement, including the continued detention of pris-  
20 oners of war or captured civilians.

21 (4) Any other matter the Secretary considers  
22 appropriate.

23 (c) RELEVANT CONGRESSIONAL COMMITTEES.—In  
24 this section, the term “relevant congressional committees”  
25 means the Committee on Foreign Affairs and Committee

1 on Armed Services of the House of Representatives and  
2 the Committee on Foreign Relations and Committee on  
3 Armed Services of the Senate.

4 (d) SENSE OF CONGRESS.—It is the sense of Con-  
5 gress that—

6 (1) the parties to the conflict must adhere to  
7 their obligations under the November 9, 2020,  
8 agreement and international law, including to imme-  
9 diately release all prisoners of war and captured ci-  
10 vilians;

11 (2) the parties to the conflict must refrain from  
12 the use of force and threats to use force in pursuit  
13 of diplomatic resolutions to any outstanding dis-  
14 putes; and

15 (3) the United States should engage with par-  
16 ties to the conflict, including redoubling engagement  
17 with the Minsk Group, to make clear the importance  
18 of adhering to these obligations and advance diplo-  
19 matic progress.

20 **SEC. 1303. REPORT ON THE STATE OF UNITED STATES MILI-**  
21 **TARY INVESTMENT IN EUROPE, INCLUDING**  
22 **THE EUROPEAN DETERRENCE INITIATIVE.**

23 Not later than 180 days after the date of the enact-  
24 ment of this Act, the Secretary of Defense shall submit  
25 to the congressional defense committees a report assessing

1 the current state of United States defense investment in  
2 Europe, with particular focus on United States military  
3 infrastructure requirements, including the European De-  
4 terrence Initiative. Such report shall include the following  
5 elements:

6 (1) An assessment of the progress made by the  
7 Department of Defense toward achieving the stated  
8 objectives of the European Deterrence Initiative  
9 (EDI) over its lifetime, and the extent to which EDI  
10 funding has aligned with such objectives.

11 (2) An assessment of the current state of the  
12 United States defense posture in Europe.

13 (3) An assessment of further investments re-  
14 quired to improve United States military mobility in  
15 the United States European Command area of re-  
16 sponsibility, including efforts to—

17 (A) address contested logistics; and

18 (B) improve physical impediments and reg-  
19 ulatory challenges to movement by air, rail,  
20 road, or waterway across such area of responsi-  
21 bility.

22 (4) An assessment of the current state of  
23 United States prepositioned stocks in Europe, in-  
24 cluding a description of both completed and under-  
25 way projects, timelines for completion of underway

1 projects, and estimated sustainment costs upon com-  
2 pletion of such projects.

3 (5) An assessment of the current state of  
4 United States munitions in Europe, including the  
5 adequacy to satisfy United States needs in a Euro-  
6 pean contingency, and a description of any plans to  
7 adjust munitions stocks.

8 (6) An assessment of the current state of  
9 United States antisubmarine warfare assets, organi-  
10 zation, and resources in the United States European  
11 Command and Second Fleet areas of responsibility,  
12 including—

13 (A) the sufficiency of such assets, organi-  
14 zation, and resources to counter Russian sub-  
15 marine threats; and

16 (B) the sufficiency of United States sono-  
17 buoy stocks, antisubmarine warfare platforms,  
18 and undersea sensing equipment.

19 (7) An assessment of the current state of the  
20 United States naval presence in the United States  
21 European Command area of responsibility and the  
22 ability of such presence to respond to future chal-  
23 lenges in the Black Sea, Mediterranean Sea, and  
24 Arctic region, including a description of any future

1 plans regarding increased naval force structure for-  
2 ward stationed in Europe and associated timelines.

3 (8) An assessment of the current state of  
4 United States Air Force operational planning and  
5 resourcing in the European theater, including the  
6 current state of prepositioned Air Force equipment,  
7 activities, and relevant infrastructure.

8 (9) An assessment of the current state of  
9 United States defense information operations capa-  
10 bilities dedicated to the United States European  
11 Command area of responsibility, and any defense re-  
12 sources required or policies needed to strengthen  
13 such capabilities.

14 (10) An assessment of all purchases, invest-  
15 ments, and expenditures made by any Armed Force  
16 under the jurisdiction of the Secretary of a military  
17 department and identified as part of the EDI, since  
18 its inception, that have been diverted for purposes or  
19 uses other than the objectives of the EDI, including  
20 a list of all purchases, investments, and expenditures  
21 that were requested to support the EDI since its in-  
22 ception that were not ultimately employed for the  
23 objectives of the EDI and the respective dollar val-  
24 ues of such purchaes, investments, and expenditures.

1 (11) An assessment of the current state of EDI  
2 military construction efforts in Europe.

3 (12) An assessment of United States European  
4 Command's planned exercise schedule in coming  
5 years, the estimated resourcing requirements to ful-  
6 fill such schedule, and what percentage of such  
7 resourcing is expected to come from EDI.

8 (13) Any other information the Secretary deter-  
9 mines relevant.

10 **Subtitle B—United States-Greece**  
11 **Defense and Interparliamentary**  
12 **Partnership Act of 2021**

13 **SEC. 1311. SENSE OF CONGRESS.**

14 It is the sense of Congress that—

15 (1) Greece is a pillar of stability in the Eastern  
16 Mediterranean region and the United States should  
17 remain committed to supporting its security and  
18 prosperity;

19 (2) the 3+1 format of cooperation among Cy-  
20 prus, Greece, Israel, and the United States has been  
21 a successful forum to cooperate on energy issues and  
22 should be expanded to include other areas of com-  
23 mon concern to the members;

1           (3) the United States should increase and deep-  
2           en efforts to partner with and support the mod-  
3           ernization of the Greek military;

4           (4) it is in the interests of the United States  
5           that Greece continue to transition its military equip-  
6           ment away from Russian-produced platforms and  
7           weapons systems through the European Recapital-  
8           ization Incentive Program;

9           (5) the naval partnerships with Greece at  
10          Souda Bay and Alexandroupolis are mutually bene-  
11          ficial to the national security of the United States  
12          and Greece;

13          (6) the United States should, as appropriate,  
14          support the sale of F-35 Joint Strike Fighters to  
15          Greece;

16          (7) the United States Government should con-  
17          tinue to invest in International Military Education  
18          and Training programs in Greece;

19          (8) the United States Government should sup-  
20          port joint maritime security cooperation exercises  
21          with Cyprus, Greece, and Israel;

22          (9) in accordance with its legal authorities and  
23          project selection criteria, the United States Develop-  
24          ment Finance Corporation should consider sup-  
25          porting private investment in strategic infrastructure



1 projects in Greece, to include shipyards and ports  
2 that contribute to the security of the region and  
3 Greece's prosperity;

4 (10) the extension of the Mutual Defense Co-  
5 operation Agreement with Greece for a period of five  
6 years includes deepened partnerships at Greek mili-  
7 tary facilities throughout the country and is a wel-  
8 come development; and

9 (11) the United States Government should es-  
10 tablish the United States-Eastern Mediterranean  
11 Energy Center, as authorized by section 204 of the  
12 Eastern Mediterranean Energy and Security Part-  
13 nership Act of 2019 (22 U.S.C. 2373 note).

14 **SEC. 1312. FUNDING FOR THE EUROPEAN RECAPITALIZA-**  
15 **TION INCENTIVE PROGRAM.**

16 (a) IN GENERAL.—To the maximum extent feasible,  
17 amounts appropriated or otherwise made available for the  
18 European Recapitalization Incentive Program should be  
19 considered for Greece as appropriate to assist the country  
20 in meeting its defense needs and transitioning away from  
21 Russian-produced military equipment.

22 (b) REPORT.—Not later than 180 days after the date  
23 of the enactment of this Act, the Secretary of State shall  
24 submit to the appropriate congressional committees a re-  
25 port that provides a full accounting of all funds distributed

1 under the European Recapitalization Incentive Program,  
2 including—

3 (1) identification of each recipient country;

4 (2) a description of how the funds were used;

5 and

6 (3) an accounting of remaining equipment in  
7 recipient countries that was provided by the then-So-  
8 viet Union or Russian Federation.

9 **SEC. 1313. SENSE OF CONGRESS ON LOAN PROGRAM.**

10 It is the sense of Congress that, as appropriate, the  
11 United States Government should provide direct loans to  
12 Greece for the procurement of defense articles, defense  
13 services, and design and construction services pursuant to  
14 the authority of section 23 of the Arms Export Control  
15 Act (22 U.S.C. 2763) to support the further development  
16 of Greece's military forces.

17 **SEC. 1314. SENSE OF CONGRESS ON TRANSFER OF F-35**

18 **JOINT STRIKE FIGHTER AIRCRAFT TO**  
19 **GREECE.**

20 It is the sense of Congress that the President has  
21 the authority to expedite delivery of any future F-35 air-  
22 craft to Greece once Greece is prepared to move forward  
23 with such a purchase on such terms and conditions as the  
24 President may require, pursuant to the certification re-

1 requirements under section 36 of the Arms Export Control  
2 Act (22 U.S.C. 2776).

3 **SEC. 1315. IMET COOPERATION WITH GREECE.**

4 For each of fiscal years 2022 through 2026, there  
5 is authorized to be appropriated \$1,800,000 for Inter-  
6 national Military Education and Training assistance for  
7 Greece, which may be made available for the following  
8 purposes:

9 (1) Training of future leaders.

10 (2) Fostering a better understanding of the  
11 United States.

12 (3) Establishing a rapport between the United  
13 States Armed Forces and Greece's military to build  
14 partnerships for the future.

15 (4) Enhancement of interoperability and capa-  
16 bilities for joint operations.

17 (5) Focusing on professional military education,  
18 civilian control of the military, and protection of  
19 human rights.

20 **SEC. 1316. CYPRUS, GREECE, ISRAEL, AND THE UNITED**  
21 **STATES 3+1 INTERPARLIAMENTARY GROUP.**

22 (a) ESTABLISHMENT.—There is established a group,  
23 to be known as the “Cyprus, Greece, Israel, and the  
24 United States 3+1 Interparliamentary Group”, to serve

1 as a legislative component to the 3+1 process launched  
2 in Jerusalem in March 2019.

3 (b) MEMBERSHIP.—The Cyprus, Greece, Israel, and  
4 the United States 3+1 Interparliamentary Group shall in-  
5 clude a group of not more than 6 United States Senators,  
6 to be known as the “United States group”, who shall be  
7 appointed in equal numbers by the majority leader and  
8 the minority leader of the Senate. The majority leader and  
9 the minority leader of the Senate shall also serve as ex  
10 officio members of the United States group.

11 (c) MEETINGS.—Not less frequently than once each  
12 year, the United States group shall meet with members  
13 of the 3+1 group to discuss issues on the agenda of the  
14 3+1 deliberations of the Governments of Greece, Israel,  
15 Cyprus, and the United States to include maritime secu-  
16 rity, defense cooperation, energy initiatives, and coun-  
17 tering malign influence efforts by the People’s Republic  
18 of China and the Russian Federation.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be  
21 appropriated \$100,000 for each fiscal year to assist  
22 in meeting the expenses of the United States group.

23 (2) AVAILABILITY OF FUNDS.—Amounts appro-  
24 priated pursuant to the authorization under this

1 subsection are authorized to remain available until  
2 expended.

3 (e) **TERMINATION.**—The Cyprus, Greece, Israel, and  
4 the United States 3+1 Interparliamentary Group shall  
5 terminate 4 years after the date of the enactment of this  
6 Act.

7 **SEC. 1317. APPROPRIATE CONGRESSIONAL COMMITTEES.**

8 In this subtitle, the term “appropriate congressional  
9 committees” means—

10 (1) the Committee on Foreign Relations, the  
11 Committee on Armed Services, and the Committee  
12 on Appropriations of the Senate; and

13 (2) the Committee on Foreign Affairs, the  
14 Committee on Armed Services, and the Committee  
15 on Appropriations of the House of Representatives.

16 **Subtitle C—Security Cooperation**  
17 **and Assistance**

18 **SEC. 1321. CLARIFICATION OF REQUIREMENTS FOR CON-**  
19 **TRIBUTIONS BY PARTICIPANTS IN THE AMER-**  
20 **ICAN, BRITISH, CANADIAN, AND AUSTRALIAN**  
21 **ARMIES’ PROGRAM.**

22 Section 1274 of the National Defense Authorization  
23 Act for Fiscal Year 2013 (10 U.S.C. 2350a note) is  
24 amended—

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

3           “(c) CONTRIBUTIONS BY PARTICIPANTS.—

4           “(1) IN GENERAL.—An agreement under sub-  
5           section (a) shall provide that—

6           “(A) the United States, as the host coun-  
7           try for the Program, shall provide office facili-  
8           ties and related office equipment and supplies  
9           for the Program; and

10           “(B) each participating country shall con-  
11           tribute its equitable share of the remaining  
12           costs for the Program, including—

13           “(i) the agreed upon share of adminis-  
14           trative costs related to the Program, except  
15           the costs for facilities and equipment and  
16           supplies described in subparagraph (A);  
17           and

18           “(ii) any amount allocated against the  
19           country for monetary claims as a result of  
20           participation in the Program, in accord-  
21           ance with the agreement.

22           “(2) EQUITABLE CONTRIBUTIONS.—The con-  
23           tributions, as allocated under paragraph (1) and set  
24           forth in an agreement under subsection (a), shall be  
25           considered equitable for purposes of this subsection

1 and section 27(e) of the Arms Export Control Act  
2 (22 U.S.C. 2767(e)).

3 “(3) AUTHORIZED CONTRIBUTION.—An agree-  
4 ment under subsection (a) shall provide that each  
5 participating country may provide its contribution in  
6 funds, in personal property, in services required for  
7 the Program, or any combination thereof.

8 “(4) FUNDING FOR UNITED STATES CONTRIBU-  
9 TION.—Any monetary contribution by the United  
10 States to the Program that is provided in funds  
11 shall be made from funds available to the Depart-  
12 ment of Defense for operation and maintenance.

13 “(5) CONTRIBUTIONS AND REIMBURSEMENTS  
14 FROM OTHER PARTICIPATING COUNTRIES.—

15 “(A) IN GENERAL.—The Secretary of De-  
16 fense may accept from any other participating  
17 country a contribution or reimbursement of  
18 funds, personal property, or services made by  
19 the participating country in furtherance of the  
20 Program.

21 “(B) CREDIT TO APPROPRIATIONS.—Any  
22 contribution or reimbursement of funds received  
23 by the United States from any other partici-  
24 pating country to meet that country’s share of  
25 the costs of the Program shall be credited to

1 the appropriations available to the appropriate  
2 military department, as determined by the Sec-  
3 retary of Defense.

4 “(C) TREATMENT OF PERSONAL PROP-  
5 ERTY.—Any contribution or reimbursement of  
6 personal property received under this paragraph  
7 may be—

8 “(i) retained and used by the Pro-  
9 gram in the form in which it was contrib-  
10 uted;

11 “(ii) sold or otherwise disposed of in  
12 accordance with such terms, conditions,  
13 and procedures as the members of the Pro-  
14 gram consider appropriate, and any result-  
15 ing proceeds shall be credited to appropria-  
16 tions of the appropriate military depart-  
17 ment, as described in subparagraph (B); or

18 “(iii) converted into a form usable by  
19 the Program.

20 “(D) USE OF CREDITED FUNDS.—

21 “(i) IN GENERAL.—Amounts credited  
22 under subparagraph (B) or (C)(ii) shall  
23 be—

24 “(I) merged with amounts in the  
25 appropriation concerned;



1 “(II) subject to the same condi-  
2 tions and limitations as amounts in  
3 such appropriation; and

4 “(III) available for payment of  
5 Program expenses described in clause  
6 (ii).

7 “(ii) PROGRAM EXPENSES DE-  
8 SCRIBED.—The Program expenses de-  
9 scribed in this clause include—

10 “(I) payments to contractors and  
11 other suppliers, including the Depart-  
12 ment of Defense and participating  
13 countries acting as suppliers, for nec-  
14 essary goods and services of the Pro-  
15 gram;

16 “(II) payments for any damages  
17 or costs resulting from the perform-  
18 ance or cancellation of any contract or  
19 other obligation in support of the Pro-  
20 gram;

21 “(III) payments or reimburse-  
22 ments for other Program expenses; or

23 “(IV) refunds to other partici-  
24 pating countries.”; and

25 (2) by striking subsection (g).

1 **SEC. 1322. FOREIGN AREA OFFICER ASSESSMENT AND RE-**  
2 **VIEW.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) Foreign Area Officers of the Army and  
5 their equivalent positions in the other Armed Forces  
6 (in this section referred to as “FAOs”) are trained  
7 to manage, grow, and enhance security cooperation  
8 relationships between the United States and foreign  
9 partners and to build the overall military capacity  
10 and capabilities of foreign partners.

11 (2) At present, some senior defense official po-  
12 sitions in United States embassies are filled by offi-  
13 cers lacking the necessary skills, training, and expe-  
14 rience to strengthen the relationships between the  
15 United States and its critical partners and allies.

16 (3) FAOs are trained to fill those positions, and  
17 deficiencies in the equitable use, assessment, pro-  
18 motion, diversity and inclusion of such officers, as  
19 well as limitations on career opportunities, under-  
20 mine the ability of the Department of Defense to  
21 strengthen partnerships and alliances of the United  
22 States.

23 (4) A federally funded research and develop-  
24 ment center can provide a roadmap to correcting  
25 these deficiencies, strengthening the FAO branch,  
26 and placing qualified FAOs in positions of positive

1 influence over United States partnerships and alli-  
2 ances.

3 (b) ASSESSMENT AND REVIEW REQUIRED.—

4 (1) IN GENERAL.—Not later than 60 days after  
5 the date of the enactment of this Act, the Secretary  
6 of Defense shall enter into an agreement with a fed-  
7 erally funded research and development center to  
8 conduct an independent assessment and comprehen-  
9 sive review of the process by which Foreign Area Of-  
10 ficers and their equivalent positions in the other  
11 Armed Forces (in this section referred to as  
12 “FAOs”) are recruited, selected, trained, assigned,  
13 organized, promoted, retained, and used in security  
14 cooperation offices, senior defense roles in U.S. em-  
15 bassies, and in other critical roles of engagement  
16 with allies and partners.

17 (2) ELEMENTS.—The assessment and review  
18 conducted under paragraph (1) shall include the fol-  
19 lowing:

20 (A) Identification and assessment of the  
21 number and location of senior defense official  
22 billets, including their grade structure and  
23 availability to FAOs.

24 (B) A review of the cultural, racial, and  
25 ethnic diversity of FAOs.

1 (C) An assessment of the assignment proc-  
2 ess for FAOs.

3 (D) A review and assessment of the pro-  
4 motion criteria, process, and possible pathways  
5 for career advancement for FAOs.

6 (E) A review of the organization and cat-  
7 egorization of FAOs by geographic region.

8 (F) An assessment of the training program  
9 for FAOs and its effectiveness.

10 (G) An assessment of the available career  
11 paths for FAOs.

12 (H) An assessment of the criteria used to  
13 determine staffing requirements for senior de-  
14 fense official positions and security cooperation  
15 roles for uniformed officers.

16 (I) A review of the staffing of senior de-  
17 fense official and security cooperation roles and  
18 assessment to determine whether requirements  
19 are being met through the staffing process.

20 (J) An assessment of how the broader uti-  
21 lization of FAOs in key security cooperation  
22 and embassy defense leadership billets would  
23 improve the quality and professionalism of the  
24 security cooperation workforce under section  
25 384 of title 10, United States Code.

1           (K) A review of how many FAO opportuni-  
2           ties are joint-qualifying and an assessment of  
3           whether increasing the number of joint-qualified  
4           opportunities for FAOs would increase recruit-  
5           ment, retention, and promotion.

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

8           (c) RESULTS.—The federally funded research and de-  
9           velopment center conducting the assessment and review  
10          described in subsection (b) shall submit to the Secretary  
11          the results of such assessment and review, which shall in-  
12          clude the following:

13           (1) A summary of the research and activities  
14           undertaken to carry out the assessment required by  
15           subsection (b).

16           (2) Considerations and recommendations, in-  
17           cluding legislative recommendations, to achieve the  
18           following:

19           (A) Improving the assessment, promotion,  
20           assignment selection, retention, and diversity of  
21           FAOs.

22           (B) Assigning additional FAOs to positions  
23           as senior defense officials.

24          (d) SUBMISSION TO CONGRESS.—

1           (1) IN GENERAL.—Not later than December 31,  
2           2022, the Secretary shall submit to the Committees  
3           on Armed Services of the Senate and the House of  
4           Representatives—

5                   (A) an unaltered copy of the results sub-  
6                   mitted pursuant to subsection (c); and

7                   (B) the written responses of the Secretary  
8                   and the Chairman of the Joint Chiefs of Staff  
9                   to such results.

10           (2) FORM.—The submission under paragraph  
11           (1) shall be submitted in unclassified form, but may  
12           include a classified annex.

13 **SEC. 1323. STUDY ON CERTAIN SECURITY COOPERATION**  
14 **PROGRAMS.**

15           (a) IN GENERAL.—Not later than 60 days after the  
16           date of the enactment of this Act, the Secretary of Defense  
17           shall enter into a contract with a federally funded research  
18           and development center with the appropriate expertise and  
19           analytical capability to carry out the study described in  
20           subsection (b).

21           (b) STUDY.—The study described in this subsection  
22           shall—

23                   (1) provide for a comprehensive assessment of  
24                   strategic and operational lessons collected from the

1 war in Afghanistan that can be applied to existing  
2 and future security cooperation programs;

3 (2) identify metrics used in the war in Afghani-  
4 stan to measure progress in partner capacity build-  
5 ing and defense institution building and whether  
6 such metrics are sufficient for measuring progress in  
7 future security cooperation programs;

8 (3) assess challenges related to strategic plan-  
9 ning for capacity building, baseline assessments of  
10 partner capacity, and issues related to project  
11 sustainment, and recommendations for how to man-  
12 age such challenges;

13 (4) assess Department of Defense coordination  
14 with coalition partners engaged in partner capacity  
15 building and defense institution building efforts, and  
16 recommendations for how to improve such coordina-  
17 tion;

18 (5) identify risks posed by rapid expansion or  
19 reductions in security cooperation, and recommenda-  
20 tions for how to manage such risks;

21 (6) identify risks posed by corruption in secu-  
22 rity cooperation programs and recommendations for  
23 how to manage such risks;

24 (7) assess best practices and training improve-  
25 ments for managing cultural barriers in partner

1 countries, and recommendations for how to promote  
2 cultural competency;

3 (8) assess the effectiveness of the Department  
4 of Defense in promoting the rights of women, includ-  
5 ing incorporating a gender perspective in security co-  
6 operation programs, in accordance with the Women,  
7 Peace and Security Strategic Framework and Imple-  
8 mentation Plan issued by the Department of De-  
9 fense in June 2020 and the Women, Peace, and Se-  
10 curity Act of 2017 (Public Law 115–68);

11 (9) identify best practices to promote partner  
12 country ownership of long-term objectives of the  
13 United States including with respect to human  
14 rights, democratic governance, and the rule of law;

15 (10) assess challenges related to contractors of  
16 the Department of Defense, including cost, limited  
17 functions, and oversight; and

18 (11) assess best practices for sharing lessons on  
19 security cooperation with allies and partners.

20 (c) REPORT.—

21 (1) TO SECRETARY OF DEFENSE.—Not later  
22 than two years after the date on which a federally  
23 funded research and development center enters into  
24 a contract described in subsection (a), such center  
25 shall submit to the Secretary of Defense a report



1 containing the results of the study required under  
2 this section.

3 (2) TO CONGRESS.— Not later than 30 days  
4 after the receipt of the report under paragraph (1),  
5 the Secretary of Defense shall submit to Congress  
6 such report, which shall be made public, together  
7 with any additional views or recommendations of the  
8 Secretary, which may be transmitted in a classified  
9 annex.

10 **SEC. 1324. NOTIFICATION RELATING TO OVERSEAS HUMAN-**  
11 **ITARIAN, DISASTER, AND CIVIC AID FUNDS**  
12 **OBLIGATED IN SUPPORT OF OPERATION AL-**  
13 **LIES WELCOME.**

14 Not later than 30 days after the date of the enact-  
15 ment of this Act and every 120 days thereafter until all  
16 applicable funds have been obligated in support of Oper-  
17 ation Allies Welcome or any successor operation, the Sec-  
18 retary of Defense shall submit to the congressional defense  
19 committees a notification that includes—

20 (1) the costs associated with the provision of  
21 transportation, housing, medical services, and other  
22 sustainment expenses for Afghan special immigrant  
23 visa applicants and other Afghans at risk; and

24 (2) whether such funds were obligated under a  
25 reimbursable or nonreimbursable basis.

1                   **Subtitle D—Other Matters**

2   **SEC. 1331. EXTENSION AND MODIFICATION OF AUTHORITY**  
3                   **FOR CERTAIN PAYMENTS TO REDRESS IN-**  
4                   **JURY AND LOSS.**

5           (a) EXTENSION.—Subsection (a) of section 1213 of  
6 the National Defense Authorization Act for Fiscal Year  
7 2020 (Public Law 116–92; 10 U.S.C. 2731 note) is  
8 amended by striking “December 31, 2022” and inserting  
9 “December 31, 2023”.

10          (b) MODIFICATION TO CONDITIONS ON PAYMENT.—  
11 Subsection (b) of such section is amended—

12               (1) in paragraph (1) to read as follows:

13               “(1) the prospective foreign civilian recipient is  
14 not otherwise ineligible for payment under any other  
15 provision of law;”;

16               (2) in paragraph (2), by striking “a claim” and  
17 inserting “a request”;

18               (3) in paragraph (4), by striking “the claim-  
19 ant” and inserting “the prospective foreign civilian  
20 recipient”; and

21               (4) in paragraph (5), by striking “the claim-  
22 ant” and inserting “the prospective foreign civilian  
23 recipient”.

1 (c) MODIFICATIONS TO QUARTERLY REPORT RE-  
2 QUIREMENT.—Subsection (g) of such section is amend-  
3 ed—

4 (1) in paragraph (1)(B), by striking “claims”  
5 and inserting “requests”; and

6 (2) by adding at the end the following:

7 “(3) The status of Department of Defense ef-  
8 forts to establish the requests procedures required  
9 under subsection (d)(1) and to otherwise implement  
10 this section.”.

11 (d) MODIFICATION TO PROCEDURE TO SUBMIT RE-  
12 QUESTS.—Such section is further amended—

13 (1) by redesignating subsections (d) through (h)  
14 as subsections (e) through (i), respectively; and

15 (2) by inserting after subsection (c) the fol-  
16 lowing:

17 “(d) PROCEDURES TO REVIEW ALLEGATIONS.—

18 “(1) PROCEDURES REQUIRED.—Not later than  
19 180 days after the date of enactment of this sub-  
20 section, the Secretary of Defense shall establish pro-  
21 cedures to receive, evaluate, and respond to allega-  
22 tions of civilian harm resulting from military oper-  
23 ations involving the United States Armed Forces, a  
24 coalition that includes the United States, or a mili-

1 tary organization supporting the United States.

2 Such responses may include—

3 “(A) a formal acknowledgement of such  
4 harm;

5 “(B) a nonmonetary expression of condo-  
6 lence; or

7 “(C) an ex gratia payment.

8 “(2) CONSULTATION.—In establishing the pro-  
9 cedures under paragraph (1), the Secretary of De-  
10 fense shall consult with the Secretary of State and  
11 with nongovernmental organizations that focus on  
12 addressing civilian harm in conflict.

13 “(3) POLICY UPDATES.—Not later than one  
14 year after the date of the enactment of this sub-  
15 section, the Secretary of Defense shall ensure that  
16 procedures established under paragraph (1) are for-  
17 malized through updates to the policy referred to in  
18 section 936 of the John S. McCain National Defense  
19 Authorization Act for Fiscal Year 2019 (Public Law  
20 115–232; 10 U.S.C. 134 note).”.

21 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion or the amendments made by this section may be con-  
23 strued to require the Secretary of Defense to pause, sus-  
24 pend, or otherwise alter the provision of ex gratia pay-  
25 ments in accordance with section 1213 of the National De-

1 fense Authorization Act for Fiscal Year 2020, as amend-  
2 ed, in the course of developing the procedures required by  
3 subsection (d) of such section (as added by subsection (d)  
4 of this section).

5 **SEC. 1332. SECRETARY OF DEFENSE STRATEGIC COMPETI-**  
6 **TION INITIATIVE.**

7 (a) IN GENERAL.—The Secretary of Defense, with  
8 the concurrence of the Secretary of State, may provide  
9 funds for one or more Department of Defense activities  
10 or programs described in subsection (b) that advance  
11 United States national security objectives for strategic  
12 competition by supporting Department of Defense efforts  
13 to compete below the threshold of armed conflict and by  
14 supporting other Federal departments and agencies in ad-  
15 vancing United States strategic interests.

16 (b) AUTHORIZED ACTIVITIES AND PROGRAMS.—Ac-  
17 tivities and programs for which funds may be provided  
18 under subsection (a) are the following:

19 (1) The provision of funds to pay for personnel  
20 expenses of foreign defense or security personnel for  
21 bilateral or regional security cooperation programs  
22 and joint exercises, in accordance with section 321  
23 of title 10, United States Code.

24 (2) Activities to build the institutional capacity  
25 of foreign national security forces, including efforts

1 to counter corruption, in accordance with section  
2 332 of title 10, United States Code.

3 (3) Activities to build the capabilities of the  
4 United States joint force and the security forces of  
5 United States allies and partners relating to irreg-  
6 ular warfare.

7 (4) Activities to expose and disprove foreign  
8 malign influence and disinformation, and to expose  
9 and deter coercion and subversion.

10 (c) FUNDING.—Amounts made available for activities  
11 carried out pursuant to subsection (a) in a fiscal year may  
12 be derived only from amounts authorized to be appro-  
13 priated for such fiscal year for the Department of Defense  
14 for operation and maintenance, Defense-wide.

15 (d) RELATIONSHIP TO OTHER FUNDING.—Any  
16 amount provided by the Secretary of Defense during any  
17 fiscal year pursuant to subsection (a) for an activity or  
18 program described in subsection (b) shall be in addition  
19 to amounts otherwise available for that activity or pro-  
20 gram for that fiscal year.

21 (e) USE OF FUNDS.—

22 (1) LIMITATIONS.—Of funds made available  
23 under this section for any fiscal year—

1 (A) not more than \$20,000,000 in each  
2 fiscal year is authorized to be obligated and ex-  
3 pended under this section; and

4 (B) not more than \$3,000,000 may be  
5 used to pay for personnel expenses under sub-  
6 section (b)(1).

7 (2) PROHIBITION.—Funds may not be provided  
8 under this section for any activity that has been de-  
9 nied authorization by Congress.

10 (f) ANNUAL REPORT.—Not less frequently than an-  
11 nually, the Secretary of Defense shall submit to the con-  
12 gressional defense committees and the Committee on For-  
13 eign Relations of the Senate and the Committee on For-  
14 eign Affairs of the House of Representatives a report on  
15 the use of the authority under subsection (a).

16 (g) PLAN FOR STRATEGIC COMPETITION INITIATIVE  
17 FOR U.S. SOUTHERN COMMAND AND U.S. AFRICA COM-  
18 MAND.—

19 (1) IN GENERAL.—The Secretary of Defense  
20 shall develop and submit to the congressional de-  
21 fense committees a plan for an initiative to support  
22 programs and activities for strategic competition in  
23 the areas of responsibility of United States Southern  
24 Command and United States Africa Command.

1           (2) REPORT.—Not later than 120 days after  
2           the date of the enactment of this Act, the Secretary  
3           of Defense shall submit to the congressional defense  
4           committees the plan developed under paragraph (1).

5           (h) TERMINATION.—The authority under subsection  
6 (a) shall terminate on September 30, 2024.

7 **SEC. 1333. EXTENSION AND MODIFICATION OF DEPART-**  
8 **MENT OF DEFENSE SUPPORT FOR STABILIZA-**  
9 **TION ACTIVITIES IN NATIONAL SECURITY IN-**  
10 **TEREST OF THE UNITED STATES.**

11           Section 1210A of the National Defense Authorization  
12 Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.  
13 1626) is amended—

14           (1) in subsection (a), by striking “for the sta-  
15           bilization activities of other Federal agencies speci-  
16           fied in subsection (c)(1)” and inserting “to other  
17           Federal agencies specified in subsection (c)(1) for  
18           the stabilization activities of such agencies”;

19           (2) in subsection (b), by amending paragraph  
20 (1) to read as follows:

21           “(1) IN GENERAL.—Amounts authorized to be  
22           provided pursuant to this section shall be available  
23           only for support for stabilization activities—

24           “(A)(i) in a country specified in paragraph  
25           (2); and



1           “(ii) that the Secretary of Defense, with  
2           the concurrence of the Secretary of State, has  
3           determined are in the national security interest  
4           of the United States; or

5           “(B) in a country that—

6           “(i)(I) has been selected as a priority  
7           country under section 505 of the Global  
8           Fragility Act of 2019 (22 U.S.C. 9804); or

9           “(II) is located in a region that has  
10          been selected as a priority region under  
11          section 505 of such Act; and

12          “(ii) has Department of Defense re-  
13          source or personnel presence to support  
14          such activities.”;

15          (3) in the first sentence of subsection (c)(1), by  
16          striking “Support may be provided for stabilization  
17          activities under subsection (a)” and inserting “Sup-  
18          port under subsection (a) may be provided”;

19          (4) in subsection (g)(1), by striking “, Defense-  
20          wide”; and

21          (5) in subsection (h), by striking “December  
22          31, 2021” and inserting “December 31, 2023”.

1 **SEC. 1334. PILOT PROGRAM TO SUPPORT THE IMPLEMEN-**  
2 **TATION OF THE WOMEN, PEACE, AND SECU-**  
3 **RITY ACT OF 2017.**

4 Section 1210E of the William M. (Mac) Thornberry  
5 National Defense Authorization Act for Fiscal Year 2021  
6 (Public Law 116–283) is amended by—

7 (1) redesignating subsection (f) as subsection  
8 (h); and

9 (2) by inserting after subsection (e) the fol-  
10 lowing new subsections (f) and (g):

11 “(f) PILOT PROGRAM.—

12 “(1) ESTABLISHMENT.—The Secretary of De-  
13 fense, in consultation with the Secretary of State,  
14 shall establish and carry out a pilot program for the  
15 purpose of conducting partner country assessments  
16 described in subsection (b)(2).

17 “(2) CONTRACT AUTHORITY.—The Secretary of  
18 Defense, in consultation with the Secretary of State,  
19 shall seek to enter into one or more contracts with  
20 a nonprofit organization or a federally funded re-  
21 search and development center independent of the  
22 Department for the purpose of conducting such  
23 partner country assessments.

24 “(3) SELECTION OF COUNTRIES.—

25 “(A) IN GENERAL.—The Secretary of De-  
26 fense, in consultation with the commanders of

1 the combatant commands and relevant United  
2 States ambassadors, shall select one partner  
3 country within the area of responsibility of each  
4 geographic combatant command for participa-  
5 tion in the pilot program.

6 “(B) CONSIDERATIONS.—In making the  
7 selection under subparagraph (A), the Secretary  
8 of Defense shall consider—

9 “(i) the demonstrated political com-  
10 mitment of the partner country to increas-  
11 ing the participation of women in the secu-  
12 rity sector; and

13 “(ii) the national security priorities  
14 and theater campaign strategies of the  
15 United States.

16 “(4) PARTNER COUNTRY ASSESSMENTS.—Part-  
17 ner country assessments conducted under the pilot  
18 program shall be—

19 “(A) adapted to the local context of the  
20 partner country being assessed;

21 “(B) conducted in collaboration with the  
22 security sector of the partner country being as-  
23 sessed; and

24 “(C) based on tested methodologies.

1           “(5) REVIEW AND ASSESSMENT.—With respect  
2           to each partner country assessment conducted under  
3           the pilot program, the Secretary of Defense, in con-  
4           sultation with the Secretary of State, shall—

5                   “(A) review the methods of research and  
6                   analysis used by any entity contracted with  
7                   under paragraph (2) in conducting the assess-  
8                   ment and identify lessons learned from such re-  
9                   view; and

10                   “(B) assess the ability of the Department  
11                   to conduct future partner country assessments  
12                   without entering into such a contract, including  
13                   by assessing potential costs and benefits for the  
14                   Department that may arise in conducting such  
15                   future assessments.

16           “(6) FINDINGS.—

17                   “(A) IN GENERAL.—The Secretary of De-  
18                   fense, in consultation with the Secretary of  
19                   State, shall use findings from each partner  
20                   country assessment to inform effective security  
21                   cooperation activities and security sector assist-  
22                   ance interventions by the United States in the  
23                   partner country assessed, which shall be de-  
24                   signed to substantially increase opportunities  
25                   for the recruitment, employment, development,

1 retention, deployment, and promotion of women  
2 in the national security forces of such partner  
3 country (including for deployments to peace op-  
4 erations and for participation in counterter-  
5 rorism operations and activities).

6 “(B) MODEL METHODOLOGY.—The Sec-  
7 retary of Defense, in consultation with the Sec-  
8 retary of State, shall develop, based on the find-  
9 ings of the pilot program, a model barrier as-  
10 sessment methodology for use across the geo-  
11 graphic combatant commands.

12 “(7) REPORTS.—

13 “(A) IN GENERAL.—Not later than 2 years  
14 after the date of the enactment of the National  
15 Defense Authorization Act for Fiscal Year  
16 2022, the Secretary of Defense, in consultation  
17 with the Secretary of State, shall submit to the  
18 appropriate committees of Congress an initial  
19 report on the implementation of the pilot pro-  
20 gram under this subsection that includes an  
21 identification of the partner countries selected  
22 for participation in the program and the jus-  
23 tifications for such selections.

24 “(B) METHODOLOGY.—On the date on  
25 which the Secretary of Defense determines the

1 pilot program to be complete, the Secretary of  
2 Defense, in consultation with the Secretary of  
3 State, shall submit to the appropriate commit-  
4 tees of Congress a report on the model barrier  
5 assessment methodology developed under para-  
6 graph (6)(B).

7 “(g) BRIEFING.—Not later than 1 year after the date  
8 of the enactment of the National Defense Authorization  
9 Act for Fiscal Year 2022, the Director of the Defense Se-  
10 curity Cooperation Agency shall provide to the appropriate  
11 committees of Congress a briefing on the efforts to build  
12 partner defense institution and security force capacity  
13 pursuant to this section.”.

14 **SEC. 1335. ANNUAL REPORT ON COMPREHENSIVE NU-**  
15 **CLEAR-TEST-BAN TREATY SENSORS.**

16 (a) REQUIREMENT.—Not later than 90 days after the  
17 date of the enactment of this Act, and not later than Sep-  
18 tember 1 of each subsequent year, the Secretary of State  
19 shall submit to the appropriate congressional committees  
20 a report on the sensors used in the international moni-  
21 toring system of the Comprehensive Nuclear-Test-Ban  
22 Treaty Organization. Each such report shall include, with  
23 respect to the period covered by the report—

1 (1) the number of incidents where such sensors  
2 are disabled, turned off, or experience “technical dif-  
3 ficulties”; and

4 (2) with respect to each such incident—

5 (A) the location of the sensor;

6 (B) the duration of the incident; and

7 (C) whether the Secretary determines there  
8 is reason to believe that the incident was a de-  
9 liberate act on the part of the host nation.

10 (b) APPROPRIATE CONGRESSIONAL COMMITTEES  
11 DEFINED.—In this section, the term “appropriate con-  
12 gressional committees” means—

13 (1) the Committee on Foreign Affairs and the  
14 Committee on Armed Services of the House of Rep-  
15 resentatives; and

16 (2) the Committee on Foreign Relations and  
17 the Committee on Armed Services of the Senate.

18 **SEC. 1336. SECURITY ASSISTANCE IN NORTHERN TRIANGLE**  
19 **COUNTRIES.**

20 (a) CERTIFICATION RELATING TO ASSISTANCE FOR  
21 GUATEMALA.—Prior to the transfer of any vehicles by the  
22 Department of Defense to a joint task force of the Min-  
23 istry of Defense or Ministry of the Interior of Guatemala  
24 during fiscal year 2022, the Secretary of Defense shall  
25 certify to the congressional defense committees that such

1 ministries have made a credible commitment to use such  
2 equipment only for the uses for which they were intended.

3 (b) REPORT ON SECURITY COOPERATION WITH  
4 NORTHERN TRIANGLE COUNTRIES.—

5 (1) IN GENERAL.—Not later than June 30,  
6 2022, the Secretary of Defense shall submit to the  
7 congressional defense committees a report that in-  
8 cludes the following:

9 (A) A description of any ongoing or  
10 planned security cooperation activities between  
11 the United States and the Northern Triangle  
12 countries focused on protection of human rights  
13 and adherence to the rule of law.

14 (B) A description of efforts to investigate  
15 credible information on gross violations of  
16 human rights by the military or national secu-  
17 rity forces of the governments of Northern Tri-  
18 angle countries since January 1, 2017, con-  
19 sistent with applicable law, including the pos-  
20 sible use in committing such violations of de-  
21 fense articles provided by the United States.

22 (2) FORM.—The report required by paragraph  
23 (1) shall be submitted in unclassified form but may  
24 contain a classified annex.

25 (c) GAO REPORT.—



1 (1) Not later than June 30, 2022, the Comp-  
2 troller General shall submit to the congressional de-  
3 fense committees a report containing an evaluation  
4 of the Department of Defense’s end-use monitoring  
5 procedures for tracking credible information regard-  
6 ing the misuse by Northern Triangle countries of  
7 equipment provided by the Department of Defense,  
8 including—

9 (A) the Department’s review of any cred-  
10 ible information related to the misuse of De-  
11 partment of Defense-provided vehicles to North-  
12 ern Triangle countries since 2018; and

13 (B) a description of any remediation activi-  
14 ties undertaken by the Department of Defense  
15 and Northern Triangle countries in response to  
16 any such misuse.

17 (d) STRATEGIC EVALUATION OF SECURITY CO-  
18 OPERATION WITH NORTHERN TRIANGLE COUNTRIES.—

19 (1) IN GENERAL.—Not later than March 31,  
20 2022, the Secretary of Defense shall enter into an  
21 agreement with an appropriate federally funded re-  
22 search and development center to complete an eval-  
23 uation, not later than June 30, 2024, of Department  
24 of Defense security cooperation programs in United

1 States Southern Command area of responsibility  
2 that includes—

3 (A) how such programs in general and in  
4 Northern Triangle countries in particular ad-  
5 vance U.S. Southern Command's Theater Cam-  
6 paign Plan;

7 (B) how such programs in general and in  
8 Northern Triangle countries in particular pro-  
9 mote the rule of law and human rights in the  
10 United States Southern Command area of re-  
11 sponsibility;

12 (C) how such programs in general and in  
13 Northern Triangle countries in particular ad-  
14 vance the objectives of the National Defense  
15 Strategy; and

16 (D) any other matters the Secretary deems  
17 appropriate.

18 (2) REPORT.—The Secretary of Defense shall  
19 submit to the congressional defense committees a re-  
20 port that includes the evaluation completed by the  
21 federally funded research and development center se-  
22 lected pursuant to paragraph (1) within 30 days of  
23 receiving such evaluation.

24 (3) FORM.—The report required by subsection  
25 (2) shall be submitted in unclassified form and post-

1 ed on the Department of Defense’s public website,  
2 but may contain a classified annex.

3 (e) NORTHERN TRIANGLE COUNTRIES DEFINED.—

4 In this section, the term “Northern Triangle countries”  
5 means El Salvador, Guatemala, and Honduras.

6 **SEC. 1337. REPORT ON HUMAN RIGHTS IN COLOMBIA.**

7 (a) IN GENERAL.—Not later than 180 days after the  
8 date of the enactment of this Act, the Secretary of De-  
9 fense, in coordination with the Secretary of State, shall  
10 submit to the appropriate congressional committees a re-  
11 port that includes the following:

12 (1) A detailed summary of the security coopera-  
13 tion relationship between the United States and Co-  
14 lombia, including a description of United States ob-  
15 jectives, any ongoing or planned security cooperation  
16 activities with the military or other security forces of  
17 Colombia, an assessment of the capabilities of the  
18 military or other security forces of Colombia, and a  
19 description of the capabilities of the military or  
20 other security forces of Colombia that the Depart-  
21 ment of Defense has identified as a priority for fur-  
22 ther capability building efforts.

23 (2) A description of any ongoing or planned co-  
24 operative activities between the United States and  
25 Colombia focused on human rights and adherence to

1 the rule of law, and a description of the manner and  
2 extent to which the security cooperation strategy be-  
3 tween the United States and Colombia seeks to build  
4 the institutional capacity of the Colombian military  
5 or other Colombian security forces to respect human  
6 rights and encourage accountability.

7 (b) DEFINITION.—In this section, the term “appro-  
8 priate congressional committees” means—

9 (1) the Committee on Armed Services and the  
10 Committee on Foreign Affairs of the House of Rep-  
11 resentatives; and

12 (2) the Committee on Armed Services and the  
13 Committee on Foreign Relations of the Senate.

14 **SEC. 1338. REPORT ON EFFORTS BY THE PEOPLE’S REPUB-**  
15 **LIC OF CHINA TO EXPAND ITS PRESENCE**  
16 **AND INFLUENCE IN LATIN AMERICA AND THE**  
17 **CARIBBEAN.**

18 (a) REPORT.—Not later than June 30, 2022, the  
19 Secretary of State, in coordination with the Secretary of  
20 Defense and in consultation with the heads of other appro-  
21 priate Federal departments and agencies, as necessary,  
22 shall submit to the appropriate congressional committees  
23 a report that identifies efforts by the Government of the  
24 People’s Republic of China to expand its presence and in-  
25 fluence in Latin America and the Caribbean through dip-

1 lomatic, military, economic, and other means, and de-  
2 scribes the implications of such efforts on the national de-  
3 fense and security interests of the United States.

4 (b) ELEMENTS.—The report required by subsection  
5 (a) shall also include the following:

6 (1) An identification of—

7 (A) the countries of Latin America and the  
8 Caribbean with which the Government of the  
9 People’s Republic of China maintains especially  
10 close diplomatic, military, and economic rela-  
11 tionships;

12 (B) the number and contents of strategic  
13 partnership agreements or similar agreements,  
14 including any non-public, secret, or informal  
15 agreements, that the Government of the Peo-  
16 ple’s Republic of China has established with  
17 countries and regional organizations of Latin  
18 America and the Caribbean;

19 (C) the countries of Latin America and the  
20 Caribbean that have joined the Belt and Road  
21 Initiative or the Asian Infrastructure Invest-  
22 ment Bank;

23 (D) the countries of Latin America and  
24 the Caribbean to which the Government of the  
25 People’s Republic of China provides foreign as-

1           sistance or disaster relief (including access to  
2           COVID–19 vaccines), including a description of  
3           the amount and purpose of, and any conditions  
4           attached to, such assistance;

5           (E) countries and regional organizations of  
6           Latin America and the Caribbean in which the  
7           Government of the People’s Republic of China,  
8           including its state-owned or state-directed en-  
9           terprises and banks, have undertaken signifi-  
10          cant investments, or infrastructure projects,  
11          and correspondent banking and lending activi-  
12          ties, at the regional, national, or subnational  
13          levels;

14          (F) recent visits by senior officials of the  
15          Government of the People’s Republic of China,  
16          including its state-owned or state-directed en-  
17          terprises, to Latin America and the Caribbean,  
18          and visits by senior officials from Latin Amer-  
19          ica and the Caribbean to the People’s Republic  
20          of China;

21          (G) the existence of any defense exchanges,  
22          military or police education or training, and ex-  
23          ercises between any military or police organiza-  
24          tion of the Government of the People’s Republic  
25          of China and military, police, or security-ori-

1           ented organizations of countries of Latin Amer-  
2           ica and the Caribbean;

3           (H) countries and regional organizations of  
4           Latin America and the Caribbean that maintain  
5           diplomatic relations with Taiwan; and

6           (I) any steps that the Government of the  
7           People's Republic of China has taken to encour-  
8           age countries and regional organizations of  
9           Latin America and the Caribbean to switch dip-  
10          lomatic relations to the People's Republic of  
11          China instead of Taiwan.

12          (2) A detailed description of—

13           (A) the relationship between the Govern-  
14           ment of the People's Republic of China and the  
15           Government of Venezuela and the Government  
16           of Cuba;

17           (B) military installations, assets, and ac-  
18           tivities of the Government of the People's Re-  
19           public of China in Latin America and the Car-  
20           ibbean that currently exist or are planned for  
21           the future;

22           (C) sales or transfers of defense articles  
23           and services by the Government of the People's  
24           Republic of China to countries of Latin Amer-  
25           ica and the Caribbean;

1 (D) a comparison of sales and transfers of  
2 defense articles and services to countries of  
3 Latin America and the Caribbean by the Gov-  
4 ernment of the People's Republic of China, the  
5 Russian Federation, and the United States;

6 (E) any other form of military, para-  
7 military, or security cooperation between the  
8 Government of the People's Republic of China  
9 and the governments of countries of Latin  
10 America and the Caribbean;

11 (F) the nature, extent, and purpose of the  
12 Government of the People's Republic of China's  
13 intelligence activities in Latin America and the  
14 Caribbean;

15 (G) the role of the Government of the Peo-  
16 ple's Republic of China in transnational crime  
17 in Latin America and the Caribbean, including  
18 trafficking and money laundering, as well as  
19 any links to the People's Liberation Army;

20 (H) efforts by the Government of the Peo-  
21 ple's Republic of China to expand the reach and  
22 influence of its financial system within Latin  
23 America and the Caribbean, through banking  
24 activities and payments systems and through



1 goods and services related to the use of the dig-  
2 ital yuan; and

3 (I) efforts by the Government of the Peo-  
4 ple's Republic of China to build its media pres-  
5 ence in Latin America and the Caribbean, and  
6 any government-directed disinformation or in-  
7 formation warfare campaigns in the region, in-  
8 cluding for military purposes or with ties to the  
9 People's Liberation Army.

10 (3) An assessment of—

11 (A) the specific objectives that the Govern-  
12 ment of the People's Republic of China seeks to  
13 achieve by expanding its presence and influence  
14 in Latin America and the Caribbean, including  
15 any objectives articulated in official documents  
16 or statements;

17 (B) whether certain investments by the  
18 Government of the People's Republic of China,  
19 including in port projects, canal projects, and  
20 telecommunications projects in Latin America  
21 and the Caribbean, could have military uses or  
22 dual use capability or could enable the Govern-  
23 ment of the People's Republic of China to mon-  
24 itor or intercept United States or host nation  
25 communications;

1 (C) the degree to which the Government of  
2 the People's Republic of China uses its presence  
3 and influence in Latin America and the Carib-  
4 bean to encourage, pressure, or coerce govern-  
5 ments in the region to support its defense and  
6 national security goals, including policy posi-  
7 tions taken by the Government of the People's  
8 Republic of China at international institutions;

9 (D) documented instances of governments  
10 of countries of Latin America and the Carib-  
11 bean silencing, or attempting to silence, local  
12 critics of the Government of the People's Re-  
13 public of China, including journalists, aca-  
14 demics, and civil society representatives, in  
15 order to placate the Government of the People's  
16 Republic of China;

17 (E) the rationale for the Government of  
18 the People's Republic of China becoming an ob-  
19 server at the Organization of American States;

20 (F) the relationship between the Govern-  
21 ment of the People's Republic of China and the  
22 Community of Latin American and Caribbean  
23 States (CELAC), a regional organization that  
24 excludes the United States, and the role of the

1 China-CELAC Forum in coordinating such re-  
2 lationship; and

3 (G) the specific actions and activities un-  
4 dertaken by the Government of the People's Re-  
5 public of China in Latin America and the Car-  
6 ibbean that present the greatest threat or chal-  
7 lenge to the United States' defense and national  
8 security interests in the region.

9 (4) Any other matters the Secretary of State  
10 determines is appropriate.

11 (c) FORM.—The report required by subsection (a)  
12 shall be submitted in unclassified form without any des-  
13 ignation relating to dissemination control, but may include  
14 a classified annex.

15 (d) DEFINITIONS.—In this section:

16 (1) The term “appropriate congressional com-  
17 mittees” means—

18 (A) the Committee on Armed Services and  
19 the Committee on Foreign Affairs of the House  
20 of Representatives; and

21 (B) the Committee on Armed Services and  
22 the Committee on Foreign Relations of the Sen-  
23 ate.

24 (2) The terms “Latin America and the Carib-  
25 bean” and “countries of Latin America and the Car-

1       ibbean” mean the countries and non-United States  
2       territories of South America, Central America, the  
3       Caribbean, and Mexico.

4   **SEC. 1339. EXTENSION OF PROHIBITION ON IN-FLIGHT RE-**  
5                   **FUELING TO NON-UNITED STATES AIRCRAFT**  
6                   **THAT ENGAGE IN HOSTILITIES IN THE ONGO-**  
7                   **ING CIVIL WAR IN YEMEN.**

8       Section 1273(a) of the National Defense Authoriza-  
9       tion Act for Fiscal Year 2020 (Public Law 116–92; 133  
10      Stat. 1699) is amended by striking “two-year period” and  
11      inserting “four-year period”.

12   **SEC. 1340. STATEMENT OF POLICY AND REPORT ON YEMEN.**

13      (a) STATEMENT OF POLICY.—It is the policy of the  
14      United States—

15              (1) to continue to support and further efforts to  
16      bring an end to the conflict in Yemen;

17              (2) to support efforts so that United States de-  
18      fense articles and services are not used for military  
19      operations resulting in civilian casualties; and

20              (3) to work with allies and partners to address  
21      the ongoing humanitarian needs of Yemeni civilians.

22      (b) REPORT.—

23              (1) IN GENERAL.—Not later than 90 days after  
24      the date of the enactment of this Act, the Secretary  
25      of State, in coordination with the Secretary of De-

1 fense, shall submit to the appropriate congressional  
2 committees a report on whether the Government of  
3 Saudi Arabia has undertaken offensive airstrikes in-  
4 side Yemen in the preceding year resulting in civil-  
5 ian casualties.

6 (2) MATTERS TO BE INCLUDED.—The report  
7 required by this subsection shall include the fol-  
8 lowing:

9 (A) A full description of any such air-  
10 strikes, including a detailed accounting of civil-  
11 ian casualties incorporating information from  
12 non-governmental sources.

13 (B) An identification of Government of  
14 Saudi Arabia air units responsible for any such  
15 airstrikes.

16 (C) A description of aircraft and munitions  
17 used in any such airstrikes.

18 (3) FORM.—The report required by this sub-  
19 section shall be submitted in unclassified form, but  
20 may contain a classified annex if necessary.

21 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
22 TEES DEFINED.—In this subsection, the term “ap-  
23 propriate congressional committees” means—

24 (A) the Committee on Foreign Relations,  
25 the Committee on Armed Services, and the Se-

1 lect Committee on Intelligence of the Senate;  
2 and

3 (B) the Committee on Foreign Affairs, the  
4 Committee on Armed Services, and the Perma-  
5 nent Select Committee on Intelligence of the  
6 House of Representatives.

7 **SEC. 1341. LIMITATION ON SUPPORT TO MILITARY FORCES**  
8 **OF THE KINGDOM OF MOROCCO FOR MULTI-**  
9 **LATERAL EXERCISES.**

10 (a) IN GENERAL.—None of the funds authorized to  
11 be appropriated by this Act or otherwise made available  
12 to the Department of Defense for fiscal year 2022 may  
13 be used by the Secretary of Defense to support the partici-  
14 pation of the military forces of the Kingdom of Morocco  
15 in any multilateral exercise administered by the Depart-  
16 ment of Defense unless the Secretary determines, in con-  
17 sultation with the Secretary of State, that the Kingdom  
18 of Morocco is committed to seeking a mutually acceptable  
19 political solution in Western Sahara.

20 (b) WAIVER.—The Secretary may waive application  
21 of the limitation under subsection (a) if the Secretary sub-  
22 mits to the congressional defense committees a written de-  
23 termination and justification that the waiver is important  
24 to the national security interests of the United States.

1 **TITLE XIV—OTHER**  
2 **AUTHORIZATIONS**

Subtitle A—Military Programs

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

Subtitle B—Other Matters

- Sec. 1411. Acquisition of strategic and critical materials from the national technology and industrial base.
- Sec. 1412. Authorization to loan materials in National Defense Stockpile.
- Sec. 1413. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.
- Sec. 1414. Authorization of appropriations for Armed Forces Retirement Home.

3 **Subtitle A—Military Programs**

4 **SEC. 1401. WORKING CAPITAL FUNDS.**

5 Funds are hereby authorized to be appropriated for  
6 fiscal year 2022 for the use of the Armed Forces and other  
7 activities and agencies of the Department of Defense for  
8 providing capital for working capital and revolving funds,  
9 as specified in the funding table in section 4501.

10 **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
11 **TION, DEFENSE.**

12 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Funds  
13 are hereby authorized to be appropriated for the Depart-  
14 ment of Defense for fiscal year 2022 for expenses, not oth-  
15 erwise provided for, for Chemical Agents and Munitions

1 Destruction, Defense, as specified in the funding table in  
2 section 4501.

3 (b) USE.—Amounts authorized to be appropriated  
4 under subsection (a) are authorized for—

5 (1) the destruction of lethal chemical agents  
6 and munitions in accordance with section 1412 of  
7 the Department of Defense Authorization Act, 1986  
8 (50 U.S.C. 1521); and

9 (2) the destruction of chemical warfare materiel  
10 of the United States that is not covered by section  
11 1412 of such Act.

12 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
13 **TIVITIES, DEFENSE-WIDE.**

14 Funds are hereby authorized to be appropriated for  
15 the Department of Defense for fiscal year 2022 for ex-  
16 penses, not otherwise provided for, for Drug Interdiction  
17 and Counter-Drug Activities, Defense-wide, as specified in  
18 the funding table in section 4501.

19 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

20 Funds are hereby authorized to be appropriated for  
21 the Department of Defense for fiscal year 2022 for ex-  
22 penses, not otherwise provided for, for the Office of the  
23 Inspector General of the Department of Defense, as speci-  
24 fied in the funding table in section 4501.



1 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

2 Funds are hereby authorized to be appropriated for  
3 fiscal year 2022 for the Defense Health Program for use  
4 of the Armed Forces and other activities and agencies of  
5 the Department of Defense for providing for the health  
6 of eligible beneficiaries, as specified in the funding table  
7 in section 4501.

8 **Subtitle B—Other Matters**

9 **SEC. 1411. ACQUISITION OF STRATEGIC AND CRITICAL MA-**  
10 **TERIALS FROM THE NATIONAL TECHNOLOGY**  
11 **AND INDUSTRIAL BASE.**

12 The Strategic and Critical Materials Stock Piling Act  
13 (50 U.S.C. 98 et seq.) is amended—

14 (1) in section 6(b)(2), by inserting “to consult  
15 with producers and processors of such materials” be-  
16 fore “to avoid”;

17 (2) in section 12, by adding at the end the fol-  
18 lowing new paragraph:

19 “(3) The term ‘national technology and indus-  
20 trial base’ has the meaning given such term in sec-  
21 tion 2500 of title 10, United States Code.”; and

22 (3) in section 15(a)—

23 (A) in paragraph (3), by striking “and” at  
24 the end;

25 (B) in paragraph (4), by striking the pe-  
26 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following new  
2 paragraph:

3 “(5) if domestic sources are unavailable to meet  
4 the requirements defined in paragraphs (1) through  
5 (4), by making efforts to prioritize the purchase of  
6 strategic and critical materials from the national  
7 technology and industrial base.”.

8 **SEC. 1412. AUTHORIZATION TO LOAN MATERIALS IN NA-**  
9 **TIONAL DEFENSE STOCKPILE.**

10 Section 6 of the Strategic and Critical Materials  
11 Stock Piling Act (50 U.S.C. 98e) is amended by adding  
12 at the end the following new subsection:

13 “(f) The President may loan stockpile materials to  
14 the Department of Energy or the military departments if  
15 the President—

16 “(1) has a reasonable assurance that stockpile  
17 materials of a similar or superior quantity and qual-  
18 ity to the materials loaned will be returned to the  
19 stockpile or paid for;

20 “(2) notifies the congressional defense commit-  
21 tees (as defined in section 101(a) of title 10, United  
22 States Code), in writing, not less than 30 days be-  
23 fore making any such loan; and

1           “(3) includes in the written notification under  
2           paragraph (2) sufficient support for the assurance  
3           described in paragraph (1).”.

4   **SEC. 1413. 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, \$137,000,000 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. 1414. AUTHORIZATION OF APPROPRIATIONS FOR**  
9 **ARMED FORCES RETIREMENT HOME.**

10 There is hereby authorized to be appropriated for fis-  
11 cal year 2022 from the Armed Forces Retirement Home  
12 Trust Fund the sum of \$75,300,000 for the operation of  
13 the Armed Forces Retirement Home.

14 **TITLE XV—CYBERSPACE-**  
15 **RELATED MATTERS**

Subtitle A—Matters Related to Cyber Operations and Cyber Forces

- Sec. 1501. Development of taxonomy of cyber capabilities.
- Sec. 1502. Extension of sunset for pilot program on regional cybersecurity training center for the Army National Guard.
- Sec. 1503. Modification of the Principal Cyber Advisor.
- Sec. 1504. Evaluation of Department of Defense cyber governance.
- Sec. 1505. Operational technology and mission-relevant terrain in cyberspace.
- Sec. 1506. Matters concerning cyber personnel requirements.
- Sec. 1507. Assignment of certain budget control responsibilities to commander of United States Cyber Command.
- Sec. 1508. Coordination between United States Cyber Command and private sector.
- Sec. 1509. Assessment of cyber posture and operational assumptions and development of targeting strategies and supporting capabilities.
- Sec. 1510. Assessing capabilities to counter adversary use of ransomware, capabilities, and infrastructure.
- Sec. 1511. Comparative analysis of cybersecurity capabilities.
- Sec. 1512. Eligibility of owners and operators of critical infrastructure to receive certain Department of Defense support and services.

Sec. 1513. Report on potential Department of Defense support and assistance for increasing the awareness of the Cybersecurity and Infrastructure Security Agency of cyber threats and vulnerabilities affecting critical infrastructure.

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

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

Subtitle C—Matters Related to Federal Cybersecurity

Sec. 1541. Capabilities of the Cybersecurity and Infrastructure Security Agency to identify threats to industrial control systems.  
Sec. 1542. Cybersecurity vulnerabilities.  
Sec. 1543. Report on cybersecurity vulnerabilities.  
Sec. 1544. Competition relating to cybersecurity vulnerabilities.  
Sec. 1545. Strategy.  
Sec. 1546. Cyber incident response plan.  
Sec. 1547. National cyber exercise program.  
Sec. 1548. CyberSentry program of the Cybersecurity and Infrastructure Security Agency.  
Sec. 1549. Strategic assessment relating to innovation of information systems and cybersecurity threats.  
Sec. 1550. Pilot program on public-private partnerships with internet ecosystem companies to detect and disrupt adversary cyber operations.  
Sec. 1551. United States-Israel cybersecurity cooperation.  
Sec. 1552. Authority for National Cyber Director to accept details on nonreimbursable basis.

1 **Subtitle A—Matters Related to**  
2 **Cyber Operations and Cyber**  
3 **Forces**

4 **SEC. 1501. DEVELOPMENT OF TAXONOMY OF CYBER CAPA-**  
5 **BILITIES.**

6 (a) IN GENERAL.—Not later than 180 days after the  
7 date of the enactment of this Act, the Secretary of Defense  
8 shall develop a taxonomy of cyber capabilities, including  
9 software, hardware, middleware, code, other information  
10 technology, and accesses, designed for use in cyber effects  
11 operations.

12 (b) REPORT.—

13 (1) IN GENERAL.—Not later than 30 days after  
14 the development of the taxonomy of cyber capabili-  
15 ties required under subsection (a), the Secretary of  
16 Defense shall submit to the congressional defense  
17 committees a report regarding such taxonomy.

18 (2) ELEMENTS.—The report required under  
19 paragraph (1) shall include the following:

20 (A) The definitions associated with each  
21 category contained within the taxonomy of  
22 cyber capabilities developed pursuant to sub-  
23 section (a).

24 (B) Recommendations for improved report-  
25 ing mechanisms to Congress regarding such

1 taxonomy of cyber capabilities, using amounts  
2 from the Cyberspace Activities Budget of the  
3 Department of Defense.

4 (C) Recommendations for modifications to  
5 the notification requirement under section 396  
6 of title 10, United States Code, in order that  
7 such notifications would include information re-  
8 lating to such taxonomy of cyber capabilities,  
9 including with respect to both physical and non-  
10 physical cyber effects.

11 (D) Any other elements the Secretary de-  
12 termines appropriate.

13 **SEC. 1502. EXTENSION OF SUNSET FOR PILOT PROGRAM**  
14 **ON REGIONAL CYBERSECURITY TRAINING**  
15 **CENTER FOR THE ARMY NATIONAL GUARD.**

16 Section 1651(e) of the John S. McCain National De-  
17 fense Authorization Act for Fiscal Year 2019 (Public Law  
18 115–232; 32 U.S.C. 501 note) is amended by striking  
19 “2022” and inserting “2024”.

20 **SEC. 1503. MODIFICATION OF THE PRINCIPAL CYBER ADVI-**  
21 **SOR.**

22 (a) IN GENERAL.—Paragraph (1) of section 932(c)  
23 of the National Defense Authorization Act for Fiscal Year  
24 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is  
25 amended to read as follows:

1           “(1) DESIGNATION.—(A) The Secretary shall  
2           designate, from among the personnel of the Office of  
3           the Under Secretary of Defense for Policy, a Prin-  
4           cipal Cyber Advisor to act as the principal advisor  
5           to the Secretary on military cyber forces and activi-  
6           ties.

7           “(B) The Secretary may only designate an offi-  
8           cial under this paragraph if such official was ap-  
9           pointed to the position in which such official serves  
10          by and with the advice and consent of the Senate.”.

11          (b) DESIGNATION OF DEPUTY PRINCIPAL CYBER  
12          ADVISOR.—Section 905(a)(1) of the National Defense Au-  
13          thorization Act for Fiscal Year 2020 (Public Law 116–  
14          92; 10 U.S.C. 391 note) is amended by striking “Office  
15          of the Secretary of Defense” and inserting “Office of the  
16          Under Secretary of Defense for Policy”.

17          (c) BRIEFING.—Not later than 90 days after the date  
18          of the enactment of this Act, the Deputy Secretary of De-  
19          fense shall brief the Committee on Armed Services of the  
20          Senate and the Committee on Armed Services of the  
21          House of Representatives on such recommendations as the  
22          Deputy Secretary may have for alternate reporting struc-  
23          tures for the Principal Cyber Advisor and the Deputy  
24          Principal Cyber Advisor within the Office of the Under  
25          Secretary for Policy.



1 **SEC. 1504. EVALUATION OF DEPARTMENT OF DEFENSE**  
2 **CYBER GOVERNANCE.**

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 complete an evaluation and review of the Department  
6 of Defense’s current cyber governance construct.

7 (b) **SCOPE.**—The evaluation and review conducted  
8 pursuant to subsection (a) shall—

9 (1) assess the performance of the Department  
10 of Defense in carrying out the pillars of the cyber  
11 strategy and lines of efforts established in the most  
12 recent cyber posture review, including—

13 (A) conducting military cyberspace oper-  
14 ations of offensive, defensive, and protective na-  
15 tures;

16 (B) securely operating technologies associ-  
17 ated with information networks, industrial con-  
18 trol systems, operational technologies, weapon  
19 systems, and weapon platforms; and

20 (C) enabling, encouraging, and supporting  
21 the security of international, industrial, and  
22 academic partners;

23 (2) analyze and assess the current institutional  
24 constructs across the Office of the Secretary of De-  
25 fense, Joint Staff, military services, and combatant  
26 commands involved with and responsible for the exe-

1        cution of and civilian oversight for the responsibil-  
2        ities specified in paragraph (1);

3            (3) analyze and assess the delineation of re-  
4        sponsibilities within the current institutional con-  
5        struct within the Office of the Secretary of Defense  
6        for addressing the objectives of the 2018 Depart-  
7        ment of Defense Cyber Strategy and any super-  
8        seding strategies, as well as identifying potential  
9        seams in responsibility;

10           (4) examine the Department's policy, legislative,  
11        and regulatory regimes related to cyberspace and cy-  
12        bersecurity matters, including the 2018 Department  
13        of Defense Cyber Strategy and any superseding  
14        strategies, for sufficiency in carrying out the respon-  
15        sibilities specified in paragraph (1);

16           (5) examine the Office of the Secretary of De-  
17        fense's current alignment for the integration and co-  
18        ordination of cyberspace activities with other aspects  
19        of information operations, including information  
20        warfare and electromagnetic spectrum operations;

21           (6) examine the current roles and responsibil-  
22        ities of each Principal Staff Assistant to the Sec-  
23        retary of Defense as such relate to the responsibil-  
24        ities specified in paragraph (1), and identify redun-

1 dancy, duplication, or matters requiring deconfliction  
2 or clarification;

3 (7) evaluate and, as appropriate, implement rel-  
4 evant managerial innovation from the private sector  
5 in the management of complex missions, including  
6 enhanced cross-functional teaming;

7 (8) evaluate the state of collaboration among  
8 each Principal Staff Assistant in matters related to  
9 acquisition of cyber capabilities and other enabling  
10 technologies supporting the responsibilities specified  
11 in paragraph (1);

12 (9) analyze and assess the Department's per-  
13 formance in and posture for building and retaining  
14 the requisite workforce necessary to perform the re-  
15 sponsibilities specified in paragraph (1);

16 (10) determine optimal governance structures  
17 related to the management and advancement of the  
18 Department's cyber workforce, including those struc-  
19 tures defined under and evaluated pursuant to sec-  
20 tion 1649 of the National Defense Authorization Act  
21 for Fiscal Year 2020 (Public Law 116-92) and sec-  
22 tion 1726 of the National Defense Authorization Act  
23 for Fiscal Year 2021 (Public Law 116-283);

24 (11) develop policy and legislative recommenda-  
25 tions, as appropriate, to delineate and deconflict the

1 roles and responsibilities of United States Cyber  
2 Command in defending and protecting the Depart-  
3 ment of Defense Information Network (DoDIN),  
4 with the responsibility of the Chief Information Offi-  
5 cer, the Defense Information Systems Agency, and  
6 the military services to securely operate technologies  
7 described in paragraph (1)(B);

8 (12) develop policy and legislative recommenda-  
9 tions to enhance the authority of the Chief Informa-  
10 tion Officers within the military services, specifically  
11 as such relates to executive and budgetary control  
12 over matters related to such services' information  
13 technology security, acquisition, and value;

14 (13) develop policy and legislative recommenda-  
15 tions, as appropriate, for optimizing the institutional  
16 constructs across the Office of the Secretary of De-  
17 fense, Joint Staff, military services, and combatant  
18 commands involved with and responsible for the re-  
19 sponsibilities specified in paragraph (1); and

20 (14) make recommendations for any legislation  
21 determined appropriate.

22 (c) INTERIM BRIEFINGS.—Not later than 90 days  
23 after the commencement of the evaluation and review con-  
24 ducted pursuant to subsection (a) and every 30 days  
25 thereafter, the Secretary of Defense shall brief the con-

1 gressional defense committees on interim findings of such  
2 evaluation and review.

3 (d) REPORT.—Not later than 30 days after the com-  
4 pletion of the evaluation and review conducted pursuant  
5 to subsection (a), the Secretary of Defense shall submit  
6 to the congressional defense committees a report on such  
7 evaluation and review.

8 **SEC. 1505. OPERATIONAL TECHNOLOGY AND MISSION-REL-**  
9 **EVANT TERRAIN IN CYBERSPACE.**

10 (a) MISSION-RELEVANT TERRAIN.—Not later than  
11 January 1, 2025, the Secretary of Defense shall complete  
12 mapping of mission-relevant terrain in cyberspace for De-  
13 fense Critical Assets and Task Critical Assets at sufficient  
14 granularity to enable mission thread analysis and situa-  
15 tional awareness, including required—

16 (1) decomposition of missions reliant on such  
17 Assets;

18 (2) identification of access vectors;

19 (3) internal and external dependencies;

20 (4) topology of networks and network segments;

21 (5) cybersecurity defenses across information  
22 and operational technology on such Assets; and

23 (6) identification of associated or reliant weap-  
24 on systems.

1 (b) COMBATANT COMMAND RESPONSIBILITIES.—Not  
2 later than January 1, 2024, the Commanders of United  
3 States European Command, United States Indo-Pacific  
4 Command, United States Northern Command, United  
5 States Strategic Command, United States Space Com-  
6 mand, United States Transportation Command, and other  
7 relevant Commands, in coordination with the Commander  
8 of United States Cyber Command, in order to enable effec-  
9 tive mission thread analysis, cyber situational awareness,  
10 and effective cyber defense of Defense Critical Assets and  
11 Task Critical Assets under their control or in their areas  
12 of responsibility, shall develop, institute, and make nec-  
13 essary modifications to—

14 (1) internal combatant command processes, re-  
15 sponsibilities, and functions;

16 (2) coordination with service components under  
17 their operational control, United States Cyber Com-  
18 mand, Joint Forces Headquarters-Department of  
19 Defense Information Network, and the service cyber  
20 components;

21 (3) combatant command headquarters' situa-  
22 tional awareness posture to ensure an appropriate  
23 level of cyber situational awareness of the forces, fa-  
24 cilities, installations, bases, critical infrastructure,  
25 and weapon systems under their control or in their

1 areas of responsibility, including, in particular, De-  
2 fense Critical Assets and Task Critical Assets; and

3 (4) documentation of their mission-relevant ter-  
4 rain in cyberspace.

5 (c) DEPARTMENT OF DEFENSE CHIEF INFORMATION  
6 OFFICER RESPONSIBILITIES.—

7 (1) IN GENERAL.—Not later than November 1,  
8 2023, the Chief Information Officer of the Depart-  
9 ment of Defense shall establish or make necessary  
10 changes to policy, control systems standards, risk  
11 management framework and authority to operate  
12 policies, and cybersecurity reference architectures to  
13 provide baseline cybersecurity requirements for oper-  
14 ational technology in forces, facilities, installations,  
15 bases, critical infrastructure, and weapon systems  
16 across the Department of Defense Information Net-  
17 work.

18 (2) IMPLEMENTATION OF POLICIES.—The Chief  
19 Information Officer of the Department of Defense  
20 shall leverage acquisition guidance, concerted assess-  
21 ment of the Department's operational technology en-  
22 terprise, and coordination with the military depart-  
23 ment principal cyber advisors and chief information  
24 officers to drive necessary change and implementa-  
25 tion of relevant policy across the Department's

1 forces, facilities, installations, bases, critical infra-  
2 structure, and weapon systems.

3 (3) ADDITIONAL RESPONSIBILITIES.—The  
4 Chief Information Officer of the Department of De-  
5 fense shall ensure that policies, control systems  
6 standards, and cybersecurity reference architec-  
7 tures—

8 (A) are implementable by components of  
9 the Department;

10 (B) limit adversaries' ability to reach or  
11 manipulate control systems through cyberspace;

12 (C) appropriately balance non-connectivity  
13 and monitoring requirements;

14 (D) include data collection and flow re-  
15 quirements;

16 (E) interoperate with and are informed by  
17 the operational community's workflows for de-  
18 fense of information and operational technology  
19 in the forces, facilities, installations, bases, crit-  
20 ical infrastructure, and weapon systems across  
21 the Department;

22 (F) integrate and interoperate with De-  
23 partment mission assurance construct; and

24 (G) are implemented with respect to De-  
25 fense Critical Assets and Task Critical Assets.



1 (d) UNITED STATES CYBER COMMAND OPER-  
2 ATIONAL RESPONSIBILITIES.—Not later than January 1,  
3 2025, the Commander of United States Cyber Command  
4 shall make necessary modifications to the mission, scope,  
5 and posture of Joint Forces Headquarters-Department of  
6 Defense Information Network to ensure that Joint Forces  
7 Headquarters—

8 (1) has appropriate visibility of operational  
9 technology in the forces, facilities, installations,  
10 bases, critical infrastructure, and weapon systems  
11 across the Department of Defense Information Net-  
12 work, including, in particular, Defense Critical As-  
13 sets and Task Critical Assets;

14 (2) can effectively command and control forces  
15 to defend such operational technology; and

16 (3) has established processes for—

17 (A) incident and compliance reporting;

18 (B) ensuring compliance with Department  
19 of Defense cybersecurity policy; and

20 (C) ensuring that cyber vulnerabilities, at-  
21 tack vectors, and security violations, including,  
22 in particular, those specific to Defense Critical  
23 Assets and Task Critical Assets, are appro-  
24 priately managed.

1 (e) UNITED STATES CYBER COMMAND FUNCTIONAL  
2 RESPONSIBILITIES.—Not later than January 1, 2025, the  
3 Commander of United States Cyber Command shall—

4 (1) ensure in its role of Joint Forces Trainer  
5 for the Cyberspace Operations Forces that oper-  
6 ational technology cyber defense is appropriately in-  
7 corporated into training for the Cyberspace Oper-  
8 ations Forces;

9 (2) delineate the specific force composition re-  
10 quirements within the Cyberspace Operations Forces  
11 for specialized cyber defense of operational tech-  
12 nology, including the number, size, scale, and re-  
13 sponsibilities of defined Cyber Operations Forces ele-  
14 ments;

15 (3) develop and maintain, or support the devel-  
16 opment and maintenance of, a joint training cur-  
17 riculum for operational technology-focused Cyber-  
18 space Operations Forces;

19 (4) support the Chief Information Officer of the  
20 Department of Defense as the Department's senior  
21 official for the cybersecurity of operational tech-  
22 nology under this section;

23 (5) develop and institutionalize, or support the  
24 development and institutionalization of, tradecraft  
25 for defense of operational technology across local de-

1        defenders, cybersecurity service providers, cyber pro-  
2        tection teams, and service-controlled forces;

3            (6) develop and institutionalize integrated con-  
4        cepts of operation, operational workflows, and cyber-  
5        security architectures for defense of information and  
6        operational technology in the forces, facilities, instal-  
7        lations, bases, critical infrastructure, and weapon  
8        systems across the Department of Defense Informa-  
9        tion Network, including, in particular, Defense Crit-  
10       ical Assets and Task Critical Assets, including—

11            (A) deliberate and strategic sensoring of  
12        such Network and Assets;

13            (B) instituting policies governing connec-  
14        tions across and between such Network and As-  
15        sets;

16            (C) modelling of normal behavior across  
17        and between such Network and Assets;

18            (D) engineering data flows across and be-  
19        tween such Network and Assets;

20            (E) developing local defenders, cybersecu-  
21        rity service providers, cyber protection teams,  
22        and service-controlled forces' operational  
23        workflows and tactics, techniques, and proce-  
24        dures optimized for the designs, data flows, and  
25        policies of such Network and Assets;

1 (F) instituting of model defensive cyber op-  
2 erations and Department of Defense Informa-  
3 tion Network operations tradecraft; and

4 (G) integrating of such operations to en-  
5 sure interoperability across echelons; and

6 (7) advance the integration of the Department  
7 of Defense's mission assurance, cybersecurity com-  
8 pliance, cybersecurity operations, risk management  
9 framework, and authority to operate programs and  
10 policies.

11 (f) SERVICE RESPONSIBILITIES.—Not later than  
12 January 1, 2025, the Secretaries of the military depart-  
13 ments, through the service principal cyber advisors, chief  
14 information officers, the service cyber components, and  
15 relevant service commands, shall make necessary invest-  
16 ments in operational technology in the forces, facilities,  
17 installations, bases, critical infrastructure, and weapon  
18 systems across the Department of Defense Information  
19 Network and the service-controlled forces responsible for  
20 defense of such operational technology to—

21 (1) ensure that relevant local network and cy-  
22 bersecurity forces are responsible for defending oper-  
23 ational technology across the forces, facilities, instal-  
24 lations, bases, critical infrastructure, and weapon

1 systems, including, in particular, Defense Critical  
2 Assets and Task Critical Assets;

3 (2) ensure that relevant local operational tech-  
4 nology-focused system operators, network and cyber-  
5 security forces, mission defense teams and other  
6 service-retained forces, and cyber protection teams  
7 are appropriately trained, including through common  
8 training and use of cyber ranges, as appropriate, to  
9 execute the specific requirements of cybersecurity  
10 operations in operational technology;

11 (3) ensure that all Defense Critical Assets and  
12 Task Critical Assets are monitored and defended by  
13 Cybersecurity Service Providers;

14 (4) ensure that operational technology is appro-  
15 priately sensed and appropriate cybersecurity de-  
16 fenses, including technologies associated with the  
17 More Situational Awareness for Industrial Control  
18 Systems Joint Capability Technology Demonstra-  
19 tion, are employed to enable defense of Defense Crit-  
20 ical Assets and Task Critical Assets;

21 (5) implement Department of Defense Chief In-  
22 formation Officer policy germane to operational  
23 technology, including, in particular, with respect to  
24 Defense Critical Assets and Task Critical Assets;

1           (6) plan for, designate, and train dedicated  
2 forces to be utilized in operational technology-centric  
3 roles across the military services and United States  
4 Cyber Command; and

5           (7) ensure that operational technology, as ap-  
6 propriate, is not easily accessible via the internet  
7 and that cybersecurity investments accord with mis-  
8 sion risk to and relevant access vectors for Defense  
9 Critical Assets and Task Critical Assets.

10       (g) OFFICE OF THE SECRETARY OF DEFENSE RE-  
11 SPONSIBILITIES.—Not later than January 1, 2023, the  
12 Secretary of Defense shall—

13           (1) assess and finalize Office of the Secretary  
14 of Defense components' roles and responsibilities for  
15 the cybersecurity of operational technology in the  
16 forces, facilities, installations, bases, critical infra-  
17 structure, and weapon systems across the Depart-  
18 ment of Defense Information Network;

19           (2) assess the need to establish centralized or  
20 dedicated funding for remediation of cybersecurity  
21 gaps in operational technology across the Depart-  
22 ment of Defense Information Network;

23           (3) make relevant modifications to the Depart-  
24 ment of Defense's mission assurance construct, Mis-

1 sion Assurance Coordination Board, and other rel-  
2 evant bodies to drive—

3 (A) prioritization of kinetic and non-kinetic  
4 threats to the Department’s missions and mini-  
5 mization of mission risk in the Department’s  
6 war plans;

7 (B) prioritization of relevant mitigations  
8 and investments to harden and assure the De-  
9 partment’s missions and minimize mission risk  
10 in the Department’s war plans; and

11 (C) completion of mission relevant terrain  
12 mapping of Defense Critical Assets and Task  
13 Critical Assets and population of associated as-  
14 sessment and mitigation data in authorized re-  
15 positories;

16 (4) make relevant modifications to the Strategic  
17 Cybersecurity Program; and

18 (5) drive and provide oversight of the imple-  
19 mentation of this section.

20 (h) BUDGET ROLLOUT BRIEFINGS.—

21 (1) IN GENERAL.—Beginning not later than 30  
22 days after the date of the enactment of this Act,  
23 each of the Secretaries of the military departments,  
24 the Commander of United States Cyber Command,  
25 and the Chief Information Officer of the Depart-

1       ment of Defense shall provide annual updates to the  
2       Committee on Armed Services of the Senate and the  
3       Committee on Armed Services of the House of Rep-  
4       resentatives on activities undertaken and progress  
5       made to carry out this section.

6           (2) ANNUAL BRIEFINGS.—Not later than one  
7       year after the date of the enactment of this Act and  
8       not less frequently than annually thereafter until  
9       January 1, 2024, the Under Secretary of Defense  
10      for Policy, the Under Secretary of Defense for Ac-  
11      quisition and Sustainment, the Chief Information  
12      Officer, and the Joint Staff J6, representing the  
13      combatant commands, shall individually or together  
14      provide briefings to the Committee on Armed Serv-  
15      ices of the Senate and the Committee on Armed  
16      Services of the House of Representatives on activi-  
17      ties undertaken and progress made to carry out this  
18      section.

19      (i) IMPLEMENTATION.—

20           (1) IN GENERAL.—In implementing this sec-  
21      tion, the Secretary of Defense shall prioritize the cy-  
22      bersecurity and cyber defense of Defense Critical As-  
23      sets and Task Critical Assets and shape cyber in-  
24      vestments, policy, operations, and deployments to  
25      ensure cybersecurity and cyber defense.



1           (2) APPLICATION.—This section shall apply to  
2           assets owned and operated by the Department of  
3           Defense, as well as to applicable non-Department as-  
4           sets essential to the projection, support, and  
5           sustainment of military forces and operations world-  
6           wide.

7           (j) DEFINITION.—In this section:

8           (1) MISSION-RELEVANT TERRAIN IN CYBER-  
9           SPACE.—“mission-relevant terrain in cyberspace”  
10          has the meaning given such term as specified in  
11          Joint Publication 6-0.

12          (2) OPERATIONAL TECHNOLOGY.—The term  
13          “operational technology” means control systems or  
14          controllers, communication architectures, and user  
15          interfaces that monitor or control infrastructure and  
16          equipment operating in various environments, such  
17          as weapon systems, utility or energy production and  
18          distribution, or medical, logistics, nuclear, biological,  
19          chemical, or manufacturing facilities.

20       **SEC. 1506. MATTERS CONCERNING CYBER PERSONNEL RE-**  
21       **QUIREMENTS.**

22          (a) IN GENERAL.—The Secretary of Defense, acting  
23          through the Under Secretary of Defense for Personnel and  
24          Readiness and the Chief Information Officer of the De-  
25          partment of Defense, in consultation with Secretaries of

1 the military departments and the head of any other orga-  
2 nization or element of the Department the Secretary de-  
3 termines appropriate, shall—

4 (1) determine the overall workforce requirement  
5 of the Department for cyberspace and information  
6 warfare military personnel across the active and re-  
7 serve components of the Armed Forces (other than  
8 the Coast Guard) and for civilian personnel, and in  
9 doing so shall—

10 (A) consider personnel in positions secur-  
11 ing the Department of Defense Information  
12 Network and associated enterprise information  
13 technology, defense agencies and field activities,  
14 and combatant commands, including current  
15 billets primarily associated with the Department  
16 of Defense Cyber Workforce Framework;

17 (B) consider the mix between military and  
18 civilian personnel, active and reserve compo-  
19 nents, and the use of the National Guard;

20 (C) develop a talent management strategy  
21 that covers accessions, training, and education;  
22 and

23 (D) consider such other elements as the  
24 Secretary determines appropriate;

1           (2) assess current and future cyber education  
2 curriculum and requirements for military and civil-  
3 ian personnel, including—

4                   (A) acquisition personnel;

5                   (B) accessions and recruits to the military  
6 services;

7                   (C) cadets and midshipmen at the military  
8 service academies and enrolled in the Senior  
9 Reserve Officers' Training Corps;

10                  (D) information environment and cyber-  
11 space military and civilian personnel; and

12                  (E) non-information environment cyber-  
13 space military and civilian personnel;

14           (3) identify appropriate locations for informa-  
15 tion warfare and cyber education for military and ci-  
16 vilian personnel, including—

17                   (A) the military service academies;

18                   (B) the senior level service schools and in-  
19 termediate level service schools specified in sec-  
20 tion 2151(b) of title 10, United States Code;

21                   (C) the Air Force Institute of Technology;

22                   (D) the National Defense University;

23                   (E) the Joint Special Operations Univer-  
24 sity;

1 (F) the Command and General Staff Col-  
2 leges;

3 (G) the War Colleges;

4 (H) any military education institution at-  
5 tached to or operating under any institution  
6 specified in this paragraph;

7 (I) any other military educational institu-  
8 tion of the Department identified by the Sec-  
9 retary for purposes of this section;

10 (J) the Cyber Centers of Academic Excel-  
11 lence; and

12 (K) potential future educational institu-  
13 tions of the Federal Government in accordance  
14 with the assessment required under subsection  
15 (b); and

16 (4) determine—

17 (A) whether the cyberspace domain mis-  
18 sion requires a graduate level professional mili-  
19 tary education college on par with and distinct  
20 from the war colleges for the Army, Navy, and  
21 Air Force as in existence on the day before the  
22 date of the enactment of this Act;

23 (B) whether such a college should be joint;  
24 and

25 (C) where such a college should be located.

1           (b) ASSESSMENT.—In identifying appropriate loca-  
2 tions for information warfare and cyber education for mili-  
3 tary and civilian personnel at potential future educational  
4 institutions of the Federal Government pursuant to sub-  
5 section (a)(3)(K), the Secretary of Defense, acting  
6 through the Under Secretary of Defense for Personnel and  
7 Readiness and the Chief Information Officer of the De-  
8 partment of Defense, in consultation with Secretaries of  
9 the military departments, the head of any other organiza-  
10 tion or element of the Department the Secretary deter-  
11 mines appropriate, the Secretary of Homeland Security,  
12 and the National Cyber Director, shall assess the feasi-  
13 bility and advisability of establishing a National Cyber  
14 Academy or similar institute for the purpose of educating  
15 and training civilian and military personnel for service in  
16 cyber, information, and related fields throughout the Fed-  
17 eral Government.

18           (c) REPORTS REQUIRED.—

19           (1) EDUCATION.—Not later than November 1,  
20 2022, the Secretary of Defense shall provide the  
21 Committee on Armed Services of the Senate and the  
22 Committee on Armed Services of the House of Rep-  
23 resentatives a briefing and, not later than January  
24 1, 2023, the Secretary shall submit to such commit-  
25 tees a report, on—

1 (A) talent strategy to satisfy future cyber  
2 education requirements at appropriate locations  
3 referred to in subsection (a)(3); and

4 (B) the findings of the Secretary in assess-  
5 ing cyber education curricula and identifying  
6 such locations.

7 (2) WORKFORCE.—Not later than November 1,  
8 2024, the Secretary of Defense shall provide the  
9 Committee on Armed Services of the Senate and the  
10 Committee on Armed Services of the House of Rep-  
11 resentatives a briefing and, not later than January  
12 1, 2025, the Secretary shall submit to such commit-  
13 tees a report, on—

14 (A) the findings of the Secretary in deter-  
15 mining pursuant to subsection (a)(1) the overall  
16 workforce requirement of the Department of  
17 Defense for cyberspace and information warfare  
18 military personnel across the active and reserve  
19 components of the Armed Forces (other than  
20 the Coast Guard) and for civilian personnel;

21 (B) such recommendations as the Sec-  
22 retary may have relating to such requirement;  
23 and

1 (C) such legislative or administrative ac-  
2 tion as the Secretary identifies as necessary to  
3 effectively satisfy such requirement.

4 (d) EDUCATION DESCRIBED.—In this section, the  
5 term “education” includes formal education requirements,  
6 such as degrees and certification in targeted subject areas,  
7 as well as general training, including—

8 (1) upskilling;

9 (2) knowledge, skills, and abilities; and

10 (3) nonacademic professional development.

11 **SEC. 1507. ASSIGNMENT OF CERTAIN BUDGET CONTROL**  
12 **RESPONSIBILITIES TO COMMANDER OF**  
13 **UNITED STATES CYBER COMMAND.**

14 (a) ASSIGNMENT OF RESPONSIBILITIES.—

15 (1) IN GENERAL.—The Commander of United  
16 States Cyber Command shall, subject to the author-  
17 ity, direction, and control of the Principal Cyber Ad-  
18 visor of the Department of Defense, be responsible  
19 for directly controlling and managing the planning,  
20 programming, budgeting, and execution of resources  
21 to train, equip, operate, and sustain the Cyber Mis-  
22 sion Forces.

23 (2) EFFECTIVE DATE AND APPLICABILITY.—

24 Paragraph (1) shall take effect on the date of the  
25 enactment of this Act and apply—

1 (A) on January 1, 2022, for controlling  
2 and managing budget execution; and

3 (B) beginning with fiscal year 2024 and  
4 each fiscal year thereafter for directly control-  
5 ling and managing the planning, programming,  
6 budgeting, and execution of resources.

7 (b) ELEMENTS.—

8 (1) IN GENERAL.—The responsibilities assigned  
9 to the Commander of United States Cyber Com-  
10 mand pursuant to subsection (a)(1) shall include the  
11 following:

12 (A) Preparation of a program objective  
13 memorandum and budget estimate submission  
14 for the resources required to train, equip, oper-  
15 ate, and sustain the Cyber Mission Forces.

16 (B) Preparation of budget materials per-  
17 taining to United States Cyber Command for  
18 inclusion in the budget justification materials  
19 that are submitted to Congress in support of  
20 the Department of Defense budget for a fiscal  
21 year (as submitted with the budget of the Presi-  
22 dent for a fiscal year under section 1105(a) of  
23 title 31, United States Code) that is separate  
24 from any other military service or component of  
25 the Department.



1           (2) RESPONSIBILITIES NOT DELEGATED.—The  
2           responsibilities assigned to the Commander of  
3           United States Cyber Command pursuant to sub-  
4           section (a)(1) shall not include the following:

5                   (A) Military pay and allowances.

6                   (B) Funding for facility support that is  
7                   provided by the military services.

8           (c) IMPLEMENTATION PLAN.—

9           (1) IN GENERAL.—Not later than the date that  
10           is 30 days after the date of the enactment of this  
11           Act, the Comptroller General of the Department of  
12           Defense and the Commander of United States Cyber  
13           Command, in coordination with Chief Information  
14           Officer of the Department, the Principal Cyber Advi-  
15           sor, the Under Secretary of Defense for Acquisition  
16           and Sustainment, Cost Assessment and Program  
17           Evaluation, and the Secretaries of the military de-  
18           partments, shall jointly develop an implementation  
19           plan for the transition of responsibilities assigned to  
20           the Commander of United States Cyber Command  
21           pursuant to subsection (a)(1).

22           (2) ELEMENTS.—The implementation plan de-  
23           veloped under paragraph (1) shall include the fol-  
24           lowing:

1 (A) A budgetary review to identify appro-  
2 priate resources for transfer to the Commander  
3 of United States Cyber Command for carrying  
4 out responsibilities assigned pursuant to sub-  
5 section (a)(1).

6 (B) Definitions of appropriate roles and  
7 responsibilities.

8 (C) Specification of all program elements  
9 and sub-elements, and the training, equipment,  
10 Joint Cyber Warfighting Architecture capabili-  
11 ties, other enabling capabilities and infrastruc-  
12 ture, intelligence support, operations, and  
13 sustainment investments in each such program  
14 element and sub-element for which the Com-  
15 mander of United States Cyber Command is re-  
16 sponsible.

17 (D) Specification of all program elements  
18 and sub-elements, and the training, equipment,  
19 Joint Cyber Warfighting Architecture capabili-  
20 ties, other enabling capabilities and infrastruc-  
21 ture, intelligence support, operations, and  
22 sustainment investments in each such program  
23 element and sub-element relevant to or that  
24 support the Cyber Mission Force for which the

1 Secretaries of the military departments are re-  
2 sponsible.

3 (E) Required levels of civilian and military  
4 staffing within United States Cyber Command  
5 to carry out subsection (a)(1), and an estimate  
6 of when such levels of staffing will be achieved.

7 (d) BRIEFING.—

8 (1) IN GENERAL.—Not later than the earlier of  
9 the date on which the implementation plan under  
10 subsection (c) is developed or the date that is 90  
11 days after the date of the enactment of this Act, the  
12 Secretary of Defense shall provide the congressional  
13 defense committees a briefing on the implementation  
14 plan.

15 (2) ELEMENTS.—The briefing required by  
16 paragraph (1) shall address any recommendations  
17 for when and how the Secretary of Defense should  
18 delegate to the Commander of United States Cyber  
19 Command budget authority for the Cyber Oper-  
20 ations Forces (as such term is defined in the memo-  
21 randum issued by the Secretary of Defense on De-  
22 cember 12, 2019, relating to the definition of “De-  
23 partment of Defense Cyberspace Operations Forces  
24 (DoD COF)”), after successful implementation of

1 the responsibilities described in subsection (a) relat-  
2 ing to the Cyber Mission Forces.

3 **SEC. 1508. COORDINATION BETWEEN UNITED STATES**  
4 **CYBER COMMAND AND PRIVATE SECTOR.**

5 (a) VOLUNTARY PROCESS.—Not later than January  
6 1, 2023, the Commander of United States Cyber Com-  
7 mand shall establish a voluntary process to engage with  
8 private sector information technology and cybersecurity  
9 entities to explore and develop methods and plans through  
10 which the capabilities, knowledge, and actions of—

11 (1) private sector entities operating inside the  
12 United States to defend against foreign malicious  
13 cyber actors could assist, or be coordinated with, the  
14 actions of United States Cyber Command operating  
15 outside the United States against such foreign mali-  
16 cious cyber actors; and

17 (2) United States Cyber Command operating  
18 outside the United States against foreign malicious  
19 cyber actors could assist, or be coordinated with, the  
20 actions of private sector entities operating inside the  
21 United States against such foreign malicious cyber  
22 actors.

23 (b) ANNUAL BRIEFING.—

24 (1) IN GENERAL.—During the period beginning  
25 on March 1, 2022, and ending on March 1, 2026,

1 the Commander of United States Cyber Command  
2 shall, not less frequently than once each year, pro-  
3 vide to the Committee on Armed Services of the  
4 Senate and the Committee on Armed Services of the  
5 House of Representatives a briefing on the status of  
6 any activities conducted pursuant to subsection (a).

7 (2) ELEMENTS.—Each briefing provided under  
8 paragraph (1) shall include the following:

9 (A) Such recommendations for legislative  
10 or administrative action as the Commander of  
11 United States Cyber Command considers appro-  
12 priate to improve and facilitate the exploration  
13 and development of methods and plans under  
14 subsection (a).

15 (B) Such recommendations as the Com-  
16 mander may have for increasing private sector  
17 participation in such exploration and develop-  
18 ment.

19 (C) A description of the challenges encoun-  
20 tered in carrying out subsection (a), including  
21 any concerns expressed to the Commander by  
22 private sector partners regarding participation  
23 in such exploration and development.

24 (D) Information relating to how such ex-  
25 ploration and development with the private sec-

1           tor could assist military planning by United  
2           States Cyber Command.

3           (E) Such other matters as the Commander  
4           considers appropriate.

5           (c) CONSULTATION.—In developing the process de-  
6           scribed in subsection (a), the Commander of United States  
7           Cyber Command shall consult with the Director of the Cy-  
8           bersecurity and Infrastructure Security Agency of the De-  
9           partment of Homeland Security and the heads of any  
10          other Federal agencies the Commander considers appro-  
11          priate.

12          (d) INTEGRATION WITH OTHER EFFORTS.—The  
13          Commander of United States Cyber Command shall en-  
14          sure that the process described in subsection (a) makes  
15          use of, builds upon, and, as appropriate, integrates with  
16          and does not duplicate, other efforts of the Department  
17          of Homeland Security and the Department of Defense re-  
18          lating to cybersecurity, including the following:

19                (1) The Joint Cyber Defense Collaborative of  
20                the Cybersecurity and Infrastructure Security Agen-  
21                cy.

22                (2) The Cybersecurity Collaboration Center and  
23                Enduring Security Framework of the National Secu-  
24                rity Agency.

1           (3) The office for joint cyber planning of the  
2           Department of Homeland Security.

3           (e) PROTECTION OF TRADE SECRETS AND PROPRI-  
4           ETARY INFORMATION.—The Commander of United States  
5           Cyber Command shall ensure that any trade secret or pro-  
6           prietary information of a private sector entity engaged  
7           with the Department of Defense through the process es-  
8           tablished under subsection (a) that is made known to the  
9           Department pursuant to such process remains private and  
10          protected unless otherwise explicitly authorized by such  
11          entity.

12          (f) RULE OF CONSTRUCTION.—Nothing in this sec-  
13          tion may be construed to authorize United States Cyber  
14          Command to conduct operations inside the United States  
15          or for private sector entities to conduct offensive cyber ac-  
16          tivities outside the United States, except to the extent  
17          such operations or activities are permitted by a provision  
18          of law in effect on the day before the date of the enact-  
19          ment of this Act.

1 **SEC. 1509. ASSESSMENT OF CYBER POSTURE AND OPER-**  
2 **ATIONAL ASSUMPTIONS AND DEVELOPMENT**  
3 **OF TARGETING STRATEGIES AND SUP-**  
4 **PORTING CAPABILITIES.**

5 (a) ASSESSMENT OF CYBER POSTURE OF ADVER-  
6 SARIES AND OPERATIONAL ASSUMPTIONS OF UNITED  
7 STATES GOVERNMENT.—

8 (1) IN GENERAL.—Not later than one year  
9 after the date of the enactment of this Act, the  
10 Commander of United States Cyber Command, the  
11 Under Secretary of Defense for Policy, and the  
12 Under Secretary of Defense for Intelligence and Se-  
13 curity, shall jointly sponsor or conduct an assess-  
14 ment, including, if appropriate, a war-game or table-  
15 top exercise, of the current and emerging offensive  
16 and defensive cyber posture of adversaries of the  
17 United States and the current operational assump-  
18 tions and plans of the Armed Forces for offensive  
19 cyber operations during potential crises or conflict.

20 (2) ELEMENTS.—The assessment required  
21 under paragraph (1) shall include consideration of  
22 the following:

23 (A) Changes to strategies, operational con-  
24 cepts, operational preparation of the environ-  
25 ment, and rules of engagement.



1 (B) Opportunities provided by armed  
2 forces in theaters of operations and other inno-  
3 vative alternatives.

4 (C) Changes in intelligence community (as  
5 such term is defined in section 3 of the Na-  
6 tional Security Act of 1947 (50 U.S.C. 3003))  
7 targeting and operations in support of the De-  
8 partment of Defense.

9 (D) Adversary capabilities to deny or de-  
10 grade United States activities in cyberspace.

11 (E) Adversaries' targeting of United States  
12 critical infrastructure and implications for  
13 United States policy.

14 (F) Potential effect of emerging tech-  
15 nologies, such as fifth generation mobile net-  
16 works, expanded use of cloud information tech-  
17 nology services, and artificial intelligence.

18 (G) Changes in Department of Defense or-  
19 ganizational design.

20 (H) The effect of private sector cybersecu-  
21 rity research.

22 (F) Adequacy of intelligence support to  
23 cyberspace operations by Combat Support  
24 Agencies and Service Intelligence Centers.

1 (b) DEVELOPMENT OF TARGETING STRATEGIES,  
2 SUPPORTING CAPABILITIES, AND OPERATIONAL CON-  
3 CEPTS.—

4 (1) IN GENERAL.—Not later than one year  
5 after the date of the enactment of this Act, the  
6 Commander of United States Cyber Command  
7 shall—

8 (A) assess and establish the capabilities,  
9 capacities, tools, and tactics required to support  
10 targeting strategies for—

11 (i) day-to-day persistent engagement  
12 of adversaries, including support to infor-  
13 mation operations;

14 (ii) support to geographic combatant  
15 commanders at the onset of hostilities and  
16 during sustained conflict; and

17 (iii) deterrence of attacks on United  
18 States critical infrastructure, including the  
19 threat of counter value responses;

20 (B) develop future cyber targeting strate-  
21 gies and capabilities across the categories of  
22 cyber missions and targets with respect to  
23 which—

24 (i) time-consuming and human effort-  
25 intensive stealthy operations are required

1 to acquire and maintain access to targets,  
2 and the mission is so important it is  
3 worthwhile to expend such efforts to hold  
4 such targets at risk;

5 (ii) target prosecution requires unique  
6 access and exploitation tools and tech-  
7 nologies, and the target importance justi-  
8 fies the efforts, time, and expense relating  
9 thereto;

10 (iii) operational circumstances do not  
11 allow for and do not require spending the  
12 time and human effort required for  
13 stealthy, nonattributable, and continuous  
14 access to targets;

15 (iv) capabilities are needed to rapidly  
16 prosecute targets that have not been pre-  
17 viously planned and that can be accessed  
18 and exploited using known, available tools  
19 and techniques; and

20 (v) targets may be prosecuted with  
21 the aid of automated techniques to achieve  
22 speed, mass, and scale;

23 (C) develop strategies for appropriate utili-  
24 zation of Cyber Mission Teams in support of  
25 combatant command objectives as—

1 (i) adjuncts to or substitutes for ki-  
2 netic operations; or

3 (ii) independent means to achieve  
4 novel tactical, operational, and strategic  
5 objectives; and

6 (D) develop collection and analytic support  
7 strategies for the service intelligence centers to  
8 assist operations by United States Cyber Com-  
9 mand and the Service Cyber Components.

10 (2) BRIEFING REQUIRED.—

11 (A) IN GENERAL.—Not later than 30 days  
12 after the date on which all activities required  
13 under paragraph (1) have been completed, the  
14 Commander of United States Cyber Command  
15 shall provide the congressional defense commit-  
16 tees a briefing on such activities.

17 (B) ELEMENTS.—The briefing provided  
18 pursuant to subparagraph (A) shall include the  
19 following:

20 (i) Recommendations for such legisla-  
21 tive or administrative action as the Com-  
22 mander of United States Cyber Command  
23 considers necessary to address capability  
24 shortcomings.

1 (ii) Plans to address such capability  
2 shortcomings.

3 (c) COUNTRY-SPECIFIC ACCESS STRATEGIES.—

4 (1) IN GENERAL.—Not later than one year  
5 after the date on which all activities required under  
6 subsection (b)(1) have been completed, the Com-  
7 mander of United States Cyber Command shall com-  
8 plete development of country-specific access strate-  
9 gies for the Russian Federation, the People’s Repub-  
10 lic of China, the Democratic People’s Republic of  
11 Korea, and the Islamic Republic of Iran.

12 (2) ELEMENTS.—Each country-specific access  
13 strategy developed under paragraph (1) shall include  
14 the following:

15 (A) Specification of desired and required—

16 (i) outcomes;

17 (ii) cyber warfighting architecture, in-  
18 cluding—

19 (I) tools and redirectors;

20 (II) access platforms; and

21 (III) data analytics, modeling,  
22 and simulation capacity;

23 (iii) specific means to achieve and  
24 maintain persistent access and conduct  
25 command and control and exfiltration

1 against hard targets and in operationally  
2 challenging environments across the con-  
3 tinuum of conflict;

4 (iv) intelligence, surveillance, and re-  
5 connaissance support;

6 (v) operational partnerships with al-  
7 lies;

8 (vi) rules of engagement;

9 (vii) personnel, training, and equip-  
10 ment; and

11 (viii) targeting strategies, including  
12 strategies that do not demand deliberate  
13 targeting and precise access to achieve ef-  
14 fects; and

15 (B) recommendations for such policy or  
16 resourcing changes as the Commander of  
17 United States Cyber Command considers appro-  
18 priate to address access shortfalls.

19 (3) CONSULTATION REQUIRED.—The Com-  
20 mander of United States Cyber Command shall de-  
21 velop the country-specific access strategies under  
22 paragraph (1) independently but in consultation  
23 with the following:

24 (A) The Director of the National Security  
25 Agency.

1 (B) The Director of the Central Intel-  
2 ligence Agency.

3 (C) The Director of the Defense Advanced  
4 Research Projects Agency.

5 (D) The Director of the Strategic Capabili-  
6 ties Office.

7 (E) The Under Secretary of Defense for  
8 Policy.

9 (F) The Principal Cyber Advisor to the  
10 Secretary of Defense.

11 (G) The Commanders of all other combat-  
12 ant commands.

13 (4) BRIEFING.—Upon completion of the coun-  
14 try-specific access strategies under paragraph (1),  
15 the Commander of United States Cyber Command  
16 shall provide the Deputy Secretary of Defense, the  
17 Vice Chairman of the Joint Chiefs of Staff, the  
18 Committee on Armed Services of the Senate, and the  
19 Committee on Armed Services of the House of Rep-  
20 resentatives a briefing on such strategies.

21 (d) DEFINITION.—In this section, the term “critical  
22 infrastructure” has the meaning given such term in sec-  
23 tion 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

1 **SEC. 1510. ASSESSING CAPABILITIES TO COUNTER ADVER-**  
2 **SARY USE OF RANSOMWARE, CAPABILITIES,**  
3 **AND INFRASTRUCTURE.**

4 (a) COMPREHENSIVE ASSESSMENT AND REC-  
5 OMMENDATIONS REQUIRED.—Not later than 180 days  
6 after the date of enactment of this section, the Secretary  
7 of Defense shall—

8 (1) conduct a comprehensive assessment of the  
9 policy, capacity, and capabilities of the Department  
10 of Defense to diminish and defend the United States  
11 from the threat of ransomware attacks, including—

12 (A) an assessment of the current and po-  
13 tential threats and risks to national and eco-  
14 nomic security posed by—

15 (i) large-scale and sophisticated crimi-  
16 nal cyber enterprises that provide large-  
17 scale and sophisticated cyber attack capa-  
18 bilities and infrastructure used to conduct  
19 ransomware attacks; and

20 (ii) organizations that conduct or  
21 could conduct ransomware attacks or other  
22 attacks that use the capabilities and infra-  
23 structure described in clause (i) on a large  
24 scale against important assets and systems  
25 in the United States, including critical in-  
26 frastructure;



1 (B) an assessment of—

2 (i) the threat posed to the Depart-  
3 ment of Defense Information Network and  
4 the United States by the large-scale and  
5 sophisticated criminal cyber enterprises,  
6 capabilities, and infrastructure described in  
7 subparagraph (A); and

8 (ii) the current and potential role of  
9 United States Cyber Command in address-  
10 ing the threat referred to in clause (i) in-  
11 cluding—

12 (I) the threshold at which United  
13 States Cyber Command should re-  
14 spond to such a threat; and

15 (II) the capacity for United  
16 States Cyber Command to respond to  
17 such a threat without harmful effects  
18 on other United States Cyber Com-  
19 mand missions;

20 (C) an identification of the current and po-  
21 tential Department efforts, processes, and capa-  
22 bilities to deter and counter the threat referred  
23 to in subparagraph (B)(i), including through of-  
24 fensive cyber effects operations;

1 (D) an assessment of the application of the  
2 defend forward and persistent engagement  
3 operational concepts and capabilities of the De-  
4 partment to deter and counter the threat of  
5 ransomware attacks against the United States;

6 (E) a description of the efforts of the De-  
7 partment in interagency processes, and joint  
8 collaboration with allies and partners of the  
9 United States, to address the growing threat  
10 from large-scale and sophisticated criminal  
11 cyber enterprises that conduct ransomware at-  
12 tacks and could conduct attacks with other ob-  
13 jectives;

14 (F) a determination of the extent to which  
15 the governments of countries in which large-  
16 scale and sophisticated criminal cyber enter-  
17 prises are principally located are tolerating the  
18 activities of such enterprises, have interactions  
19 with such enterprises, could direct their oper-  
20 ations, and could suppress such enterprises;

21 (G) an assessment as to whether the large-  
22 scale and sophisticated criminal cyber enter-  
23 prises described in subparagraph (F) are per-  
24 fecting and practicing attack techniques and ca-  
25 pabilities at scale that can be co-opted and

1 placed in the service of the country in which  
2 such enterprises are principally located; and

3 (H) identification of such legislative or ad-  
4 ministrative action as may be necessary to more  
5 effectively counter the threat of ransomware at-  
6 tacks; and

7 (2) develop recommendations for the Depart-  
8 ment to build capabilities to develop and execute in-  
9 novative methods to deter and counter the threat of  
10 ransomware attacks prior to and in response to the  
11 launching of such attacks.

12 (b) BRIEFING.—Not later than 210 days after the  
13 date of the enactment of this Act, the Secretary of Defense  
14 shall brief the congressional defense committees on the  
15 comprehensive assessment completed under paragraph (1)  
16 of subsection (a) and the recommendations developed  
17 under paragraph (2) of such subsection.

18 (c) DEFINITION.—In this section, the term “critical  
19 infrastructure” has the meaning given such term in sec-  
20 tion 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

21 **SEC. 1511. COMPARATIVE ANALYSIS OF CYBERSECURITY**  
22 **CAPABILITIES.**

23 (a) COMPARATIVE ANALYSIS REQUIRED.—Not later  
24 than 180 days after the date of the enactment of this Act,  
25 the Chief Information Officer and the Director of Cost As-

1 assessment and Program Evaluation (CAPE) of the Depart-  
2 ment of Defense, in consultation with the Principal Cyber  
3 Advisor to the Secretary of Defense and the Chief Infor-  
4 mation Officers of each of the military departments, shall  
5 jointly sponsor a comparative analysis, to be conducted by  
6 the Director of the National Security Agency and the Di-  
7 rector of the Defense Information Systems Agency, of the  
8 following:

9 (1) The cybersecurity tools, applications, and  
10 capabilities offered as options on enterprise software  
11 agreements for cloud-based productivity and collabo-  
12 ration suites, such as is offered under the Defense  
13 Enterprise Office Solution and Enterprise Software  
14 Agreement contracts with Department of Defense  
15 components, relative to the cybersecurity tools, appli-  
16 cations, and capabilities that are currently deployed  
17 in, or required by, the Department to conduct—

18 (A) asset discovery;

19 (B) vulnerability scanning;

20 (C) conditional access (also known as  
21 “comply-to-connect”);

22 (D) event correlation;

23 (E) patch management and remediation;

24 (F) endpoint query and control;

25 (G) endpoint detection and response;

- 1 (H) data rights management;
- 2 (I) data loss prevention;
- 3 (J) data tagging;
- 4 (K) data encryption;
- 5 (L) security information and event man-
- 6 agement; and
- 7 (M) security orchestration, automation,
- 8 and response.

9 (2) The identity, credential, and access manage-

10 ment (ICAM) system, and associated capabilities to

11 enforce the principle of least privilege access, offered

12 as an existing option on an enterprise software

13 agreement described in paragraph (1), relative to—

14 (A) the requirements of such system de-

15 scribed in the Zero Trust Reference Architec-

16 ture of the Department; and

17 (B) the requirements of such system under

18 development by the Defense Information Sys-

19 tems Agency.

20 (3) The artificial intelligence and machine-

21 learning capabilities associated with the tools, appli-

22 cations, and capabilities described in paragraphs (1)

23 and (2), and the ability to host Government or third-

24 party artificial intelligence and machine-learning al-

25 gorithms pursuant to contracts referred to in para-

1 graph (1) for such tools, applications, and capabili-  
2 ties.

3 (4) The network consolidation and segmenta-  
4 tion capabilities offered on the enterprise software  
5 agreements described in paragraph (1) relative to  
6 capabilities projected in the Zero Trust Reference  
7 Architecture.

8 (5) The automated orchestration and interoper-  
9 ability among the tools, applications, and capabilities  
10 described in paragraphs (1) through (4).

11 (b) ELEMENTS OF COMPARATIVE ANALYSIS.—The  
12 comparative analysis conducted under subsection (a) shall  
13 include an assessment of the following:

14 (1) Costs.

15 (2) Performance.

16 (3) Sustainment.

17 (4) Scalability.

18 (5) Training requirements.

19 (6) Maturity.

20 (7) Human effort requirements.

21 (8) Speed of integrated operations.

22 (9) Ability to operate on multiple operating sys-  
23 tems and in multiple cloud environments.

1           (10) Such other matters as the Chief Informa-  
2           tion Officer and the Director of Cost Assessment  
3           and Program Evaluation consider appropriate.

4           (c) BRIEFING REQUIRED.—Not later than 30 days  
5           after the date on which the comparative analysis required  
6           under subsection (a) is completed, the Chief Information  
7           Officer and the Director of Cost Assessment and Program  
8           Evaluation (CAPE) of the Department of Defense shall  
9           jointly provide the congressional defense committees with  
10          a briefing on the findings of the Chief Information Officer  
11          and the Director with respect to such analysis, together  
12          with such recommendations for legislative or administra-  
13          tive action as the Chief Information Officer and the Direc-  
14          tor may have with respect to the matters covered by such  
15          analysis.

16 **SEC. 1512. ELIGIBILITY OF OWNERS AND OPERATORS OF**  
17                           **CRITICAL INFRASTRUCTURE TO RECEIVE**  
18                           **CERTAIN DEPARTMENT OF DEFENSE SUP-**  
19                           **PORT AND SERVICES.**

20          Section 2012 of title 10, United States Code is  
21          amended—

22           (1) in subsection (e)—

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

1 (B) by inserting after paragraph (2) the  
2 following new paragraph:

3 “(3) Owners and operators of critical infra-  
4 structure (as such term is defined in section 1016(e)  
5 of Public Law 107–56 (42 U.S.C. 5195c(e)).”;

6 (2) in subsection (f), by adding at the end the  
7 following new paragraph:

8 “(5) Procedures to ensure that assistance pro-  
9 vided to an entity specified in subsection (e)(3) is  
10 provided in a manner that is consistent with similar  
11 assistance provided under authorities applicable to  
12 other Federal departments and agencies, including  
13 the authorities of the Cybersecurity and Infrastruc-  
14 ture Security Agency of the Department of Home-  
15 land Security pursuant to title XXII of the Home-  
16 land Security Act of 2002 (6 U.S.C. 651 et seq.).”.

17 **SEC. 1513. REPORT ON POTENTIAL DEPARTMENT OF DE-**  
18 **FENSE SUPPORT AND ASSISTANCE FOR IN-**  
19 **CREASING THE AWARENESS OF THE CYBER-**  
20 **SECURITY AND INFRASTRUCTURE SECURITY**  
21 **AGENCY OF CYBER THREATS AND**  
22 **VULNERABILITIES AFFECTING CRITICAL IN-**  
23 **FRASTRUCTURE.**

24 (a) REPORT REQUIRED.—Not later than 270 days  
25 after the date of the enactment of this Act, the Secretary



1 of Defense, in consultation with the Secretary of Home-  
2 land Security and the National Cyber Director, shall sub-  
3 mit to the Committee on Armed Services of the Senate  
4 and the Committee on Armed Services of the House of  
5 Representatives a report that provides recommendations  
6 on how the Department of Defense can improve support  
7 and assistance to the Cybersecurity and Infrastructure Se-  
8 curity Agency of the Department of Homeland Security  
9 to increase awareness of cyber threats and vulnerabilities  
10 affecting information technology and networks supporting  
11 critical infrastructure within the United States, including  
12 critical infrastructure of the Department and critical in-  
13 frastructure relating to the defense of the United States.

14 (b) ELEMENTS OF REPORT.—The report required by  
15 subsection (a) shall—

16 (1) assess and identify areas in which the De-  
17 partment of Defense could provide support or assist-  
18 ance, including through information sharing and vol-  
19 untary network monitoring programs, to the Cyber-  
20 security and Infrastructure Security Agency to ex-  
21 pand or increase technical understanding and aware-  
22 ness of cyber threats and vulnerabilities affecting  
23 critical infrastructure;

1           (2) identify and assess any legal, policy, organi-  
2           zational, or technical barriers to carrying out para-  
3           graph (1);

4           (3) assess and describe any legal or policy  
5           changes necessary to enable the Department to carry  
6           out paragraph (1) while preserving privacy and civil  
7           liberties;

8           (4) assess and describe the budgetary and other  
9           resource effects on the Department of carrying out  
10          paragraph (1); and

11          (5) provide a notional time-phased plan, includ-  
12          ing milestones, to enable the Department to carry  
13          out paragraph (1).

14          (c) **CRITICAL INFRASTRUCTURE DEFINED.**—In this  
15          section, the term “critical infrastructure” has the meaning  
16          given such term in section 1016(e) of Public Law 107–  
17          56 (42 U.S.C. 5195c(e)).

18          **Subtitle B—Matters Related to De-**  
19          **partment of Defense Cybersecu-**  
20          **urity and Information Tech-**  
21          **nology**

22          **SEC. 1521. ENTERPRISE-WIDE PROCUREMENT OF CYBER**  
23          **DATA PRODUCTS AND SERVICES.**

24          (a) **PROGRAM.**—Not later than one year after the  
25          date of the enactment of this Act, the Secretary of Defense

1 shall designate an executive agent for Department of De-  
2 fense-wide procurement of cyber data products and serv-  
3 ices. The executive agent shall establish a program man-  
4 agement office responsible for such procurement, and the  
5 program manager of such program office shall be respon-  
6 sible for the following:

7           (1) Surveying components of the Department  
8           for the cyber data products and services needs of  
9           such components.

10           (2) Conducting market research of cyber data  
11           products and services.

12           (3) Developing or facilitating development of re-  
13           quirements, both independently and through con-  
14           sultation with components, for the acquisition of  
15           cyber data products and services.

16           (4) Developing and instituting model contract  
17           language for the acquisition of cyber data products  
18           and services, including contract language that facili-  
19           tates components' requirements for ingesting, shar-  
20           ing, using and reusing, structuring, and analyzing  
21           data derived from such products and services.

22           (5) Conducting procurement of cyber data prod-  
23           ucts and services on behalf of the Department of  
24           Defense, including negotiating contracts with a fixed

1 number of licenses based on aggregate component  
2 demand and negotiation of extensible contracts.

3 (6) Carrying out the responsibilities specified in  
4 paragraphs (1) through (5) with respect to the cyber  
5 data products and services needs of the Cyberspace  
6 Operations Forces, such as cyber data products and  
7 services germane to cyberspace topology and identi-  
8 fication of adversary threat activity and infrastruc-  
9 ture, including—

10 (A) facilitating the development of cyber  
11 data products and services requirements for the  
12 Cyberspace Operations Forces, conducting mar-  
13 ket research regarding the future cyber data  
14 products and services needs of the Cyberspace  
15 Operations Forces, and conducting acquisitions  
16 pursuant to such requirements and market re-  
17 search;

18 (B) coordinating cyber data products and  
19 services acquisition and management activities  
20 with Joint Cyber Warfighting Architecture ac-  
21 quisition and management activities, including  
22 activities germane to data storage, data man-  
23 agement, and development of analytics;

24 (C) implementing relevant Department of  
25 Defense and United States Cyber Command

1 policy germane to acquisition of cyber data  
2 products and services;

3 (D) leading or informing the integration of  
4 relevant datasets and services, including Gov-  
5 ernment-produced threat data, commercial  
6 cyber threat information, collateral telemetry  
7 data, topology-relevant data, sensor data, and  
8 partner-provided data; and

9 (E) facilitating the development of  
10 tradecraft and operational workflows based on  
11 relevant cyber data products and services.

12 (b) COORDINATION.—In implementing this section,  
13 each component of the Department of Defense shall co-  
14 ordinate its cyber data products and services requirements  
15 and potential procurement plans relating to such products  
16 and services with the program management office estab-  
17 lished pursuant to subsection (a) so as to enable such of-  
18 fice to determine if satisfying such requirements or pro-  
19 curement of such products and services on an enterprise-  
20 wide basis would serve the best interests of the Depart-  
21 ment.

22 (c) PROHIBITION.—Beginning not later than 540  
23 days after the date of the enactment of this Act, no com-  
24 ponent of the Department of Defense may independently  
25 procure a cyber data product or service that has been pro-

1 cured by the program management office established pur-  
2 suant to subsection (a), unless—

3 (1) such component is able to procure such  
4 product or service at a lower per-unit price than that  
5 available through such office; or

6 (2) such office has approved such independent  
7 purchase.

8 (d) EXCEPTION.—United States Cyber Command  
9 and the National Security Agency may conduct joint pro-  
10 curements of products and services, including cyber data  
11 products and services, except that the requirements of  
12 subsections (b) and (c) shall not apply to the National Se-  
13 curity Agency.

14 (e) DEFINITION.—In this section, the term “cyber  
15 data products and services” means commercially-available  
16 datasets and analytic services germane to offensive cyber,  
17 defensive cyber, and DODIN operations, including prod-  
18 ucts and services that provide technical data, indicators,  
19 and analytic services relating to the targets, infrastruc-  
20 ture, tools, and tactics, techniques, and procedures of  
21 cyber threats.

22 **SEC. 1522. LEGACY INFORMATION TECHNOLOGIES AND**  
23 **SYSTEMS ACCOUNTABILITY.**

24 (a) IN GENERAL.—Not later than 270 days after the  
25 date of the enactment of this Act, the Secretaries of the

1 Army, Navy, and Air Force shall each initiate efforts to  
2 identify legacy applications, software, and information  
3 technology within their respective Departments and elimi-  
4 nate any such application, software, or information tech-  
5 nology that is no longer required.

6 (b) SPECIFICATIONS.—To carry out subsection (a),  
7 that Secretaries of the Army, Navy, and Air Force shall  
8 each document the following:

9 (1) An identification of the applications, soft-  
10 ware, and information technologies that are consid-  
11 ered active or operational, but which are judged to  
12 no longer be required by the respective Department.

13 (2) Information relating to the sources of fund-  
14 ing for the applications, software, and information  
15 technologies identified pursuant to paragraph (1).

16 (3) An identification of the senior official re-  
17 sponsible for each such application, software, or in-  
18 formation technology.

19 (4) A plan to discontinue use and funding for  
20 each such application, software, or information tech-  
21 nology.

22 (c) EXEMPTION.—Any effort substantially similar to  
23 that described in subsections (a) and (b) that is being car-  
24 ried out by the Secretary of the Army, Navy, or Air Force  
25 as of the date of the enactment of this Act and completed

1 not later 180 days after such date shall be treated as satis-  
2 fying the requirements under such subsections.

3 (d) REPORT.—Not later than 270 days after the date  
4 of the enactment of this Act, the Secretaries of the Army,  
5 Navy, and Air Force shall each submit to the congres-  
6 sional defense committees the documentation required  
7 under subsection (b).

8 **SEC. 1523. UPDATE RELATING TO RESPONSIBILITIES OF**  
9 **CHIEF INFORMATION OFFICER.**

10 Paragraph (1) of section 142(b) of title 10, United  
11 States Code, is amended—

12 (1) in subparagraphs (A), (B), and (C), by  
13 striking “(other than with respect to business man-  
14 agement)” each place it appears; and

15 (2) by amending subparagraph (D) to read as  
16 follows:

17 “(D) exercises authority, direction, and  
18 control over the Activities of the Cybersecurity  
19 Directorate, or any successor organization, of  
20 the National Security Agency, funded through  
21 the Information Systems Security Program;”.

22 **SEC. 1524. PROTECTIVE DOMAIN NAME SYSTEM WITHIN**  
23 **THE DEPARTMENT OF DEFENSE.**

24 (a) IN GENERAL.—Not later than 120 days after the  
25 date of the enactment of this Act, the Secretary of Defense



1 shall ensure each component of the Department of De-  
2 fense uses a Protective Domain Name System (PDNS)  
3 instantiation offered by the Department.

4 (b) EXEMPTIONS.—The Secretary of Defense may ex-  
5 empt a component of the Department from using a PDNS  
6 instantiation for any reason except with respect to cost  
7 or technical application.

8 (c) REPORT TO CONGRESS.—Not later than 150 days  
9 after the date of the enactment of this Act, the Secretary  
10 of Defense shall submit to the congressional defense com-  
11 mittees a report that includes information relating to—

12 (1) each component of the Department of De-  
13 fense that uses a PDNS instantiation offered by the  
14 Department;

15 (2) each component exempt from using a  
16 PDNS instantiation pursuant to subsection (b); and

17 (3) efforts to ensure that each PDNS  
18 instantiation offered by the Department connects  
19 and shares relevant and timely data.

20 **SEC. 1525. CYBERSECURITY OF WEAPON SYSTEMS.**

21 Section 1640 of the National Defense Authorization  
22 Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C.  
23 2224 note), is amended by adding at the end the following  
24 new subsection:

1 “(f) ANNUAL REPORTS.—Not later than August 30,  
2 2022, and annually thereafter through 2024, the Sec-  
3 retary of Defense shall provide to the congressional de-  
4 fense committees a report on the work of the Program,  
5 including information relating to staffing and accomplish-  
6 ments.”.

7 **SEC. 1526. ASSESSMENT OF CONTROLLED UNCLASSIFIED**  
8 **INFORMATION PROGRAM.**

9 Section 1648 of the National Defense Authorization  
10 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.  
11 2224 note), is amended—

12 (1) in subsection (a), by striking “February 1,  
13 2020” and inserting “180 days after the date of the  
14 enactment of the National Defense Authorization  
15 Act for Fiscal Year 2022”; and

16 (2) in subsection (b), by amending paragraph  
17 (4) to read as follows:

18 “(4) Definitions for ‘Controlled Unclassified In-  
19 formation’ (CUI) and ‘For Official Use Only’  
20 (FOUO), policies regarding protecting information  
21 designated as either of such, and an explanation of  
22 the ‘DoD CUI Program’ and Department of Defense  
23 compliance with the responsibilities specified in De-  
24 partment of Defense Instruction (DoDI) 5200.48,

1       ‘Controlled Unclassified Information (CUI),’ includ-  
2       ing the following:

3               “(A) The extent to which the Department  
4               of Defense is identifying whether information is  
5               CUI via a contracting vehicle and marking doc-  
6               uments, material, and media containing such  
7               information in a clear and consistent manner.

8               “(B) Recommended regulatory or policy  
9               changes to ensure consistency and clarity in  
10              CUI identification and marking requirements.

11              “(C) Circumstances under which commer-  
12              cial information is considered CUI, and any im-  
13              pacts to the commercial supply chain associated  
14              with security and marking requirements pursu-  
15              ant to this paragraph.

16              “(D) Benefits and drawbacks of requiring  
17              all CUI to be marked with a unique CUI leg-  
18              end, versus requiring that all data marked with  
19              an appropriate restricted legend be handled as  
20              CUI.

21              “(E) The extent to which the Department  
22              of Defense clearly delineates Federal Contract  
23              Information (FCI) from CUI.

24              “(F) Examples or scenarios to illustrate  
25              information that is and is not CUI.”.

1 **SEC. 1527. CYBER DATA MANAGEMENT.**

2 (a) IN GENERAL.—The Commander of United States  
3 Cyber Command and the Secretaries of the military de-  
4 partments, in coordination with the Principal Cyber Advi-  
5 sor to the Secretary, the Chief Information Officer and  
6 the Chief Data Officer of the Department of Defense, and  
7 the Chairman of the Joint Chiefs of Staff, shall—

8 (1) access, acquire, and use mission-relevant  
9 data to support offensive cyber, defensive cyber, and  
10 DODIN operations from the intelligence community,  
11 other elements of the Department of Defense, and  
12 the private sector;

13 (2) develop policy, processes, and operating pro-  
14 cedures governing the access, ingest, structure, stor-  
15 age, analysis, and combination of mission-relevant  
16 data, including—

17 (A) intelligence data;

18 (B) internet traffic, topology, and activity  
19 data;

20 (C) cyber threat information;

21 (D) Department of Defense Information  
22 Network sensor, tool, routing infrastructure,  
23 and endpoint data; and

24 (E) other data management and analytic  
25 platforms pertinent to United States Cyber  
26 Command missions that align with the prin-

1 principles of Joint All Domain Command and Con-  
2 trol;

3 (3) pilot efforts to develop operational  
4 workflows and tactics, techniques, and procedures  
5 for the operational use of mission-relevant data by  
6 the Cyberspace Operations Forces; and

7 (4) evaluate data management platforms used  
8 to carry out paragraphs (1), (2), and (3) to ensure  
9 such platforms operate consistently with the Deputy  
10 Secretary of Defense's Data Decrees signed on May  
11 5, 2021.

12 (b) ROLES AND RESPONSIBILITIES.—

13 (1) IN GENERAL.—Not later than 270 days  
14 after the date of the enactment of this Act, the  
15 Commander of United States Cyber Command and  
16 the Secretaries of the military departments, in co-  
17 ordination with the Principal Cyber Advisor to the  
18 Secretary, the Chief Information Officer and Chief  
19 Data Officer of the Department of Defense, and the  
20 Chairman of the Joint Chiefs of Staff, shall estab-  
21 lish the specific roles and responsibilities of the fol-  
22 lowing in implementing each of the tasks required  
23 under subsection (a):

24 (A) United States Cyber Command.

1 (B) Program offices responsible for the  
2 components of the Joint Cyber Warfighting Ar-  
3 chitecture.

4 (C) The military services.

5 (D) Entities in the Office of the Secretary  
6 of Defense.

7 (E) Any other program office, head-  
8 quarters element, or operational component  
9 newly instantiated or determined relevant by  
10 the Secretary.

11 (2) BRIEFING.—Not later than 300 days after  
12 the date of the enactment of this Act, the Secretary  
13 of Defense shall provide to the congressional defense  
14 committees a briefing on the roles and responsibil-  
15 ities established under paragraph (1).

16 **SEC. 1528. ZERO TRUST STRATEGY, PRINCIPLES, MODEL**  
17 **ARCHITECTURE, AND IMPLEMENTATION**  
18 **PLANS.**

19 (a) IN GENERAL.—Not later than 270 days after the  
20 date of the enactment of this Act, the Chief Information  
21 Officer of the Department of Defense and the Commander  
22 of United States Cyber Command shall jointly develop a  
23 zero trust strategy, principles, and a model architecture  
24 to be implemented across the Department of Defense In-

1 formation Network, including classified networks, oper-  
2 ational technology, and weapon systems.

3 (b) STRATEGY, PRINCIPLES, AND MODEL ARCHITEC-  
4 TURE ELEMENTS.—The zero trust strategy, principles,  
5 and model architecture required under subsection (a) shall  
6 include, at a minimum, the following elements:

7 (1) Prioritized policies and procedures for es-  
8 tablishing implementations of mature zero trust ena-  
9 bling capabilities within on-premises, hybrid, and  
10 pure cloud environments, including access control  
11 policies that determine which persona or device shall  
12 have access to which resources and the following:

13 (A) Identity, credential, and access man-  
14 agement.

15 (B) Macro and micro network segmenta-  
16 tion, whether in virtual, logical, or physical en-  
17 vironments.

18 (C) Traffic inspection.

19 (D) Application security and containment.

20 (E) Transmission, ingest, storage, and  
21 real-time analysis of cybersecurity metadata  
22 endpoints, networks, and storage devices.

23 (F) Data management, data rights man-  
24 agement, and access controls.

25 (G) End-to-end encryption.

1 (H) User access and behavioral moni-  
2 toring, logging, and analysis.

3 (I) Data loss detection and prevention  
4 methodologies.

5 (J) Least privilege, including system or  
6 network administrator privileges.

7 (K) Endpoint cybersecurity, including se-  
8 cure host, endpoint detection and response, and  
9 comply-to-connect requirements.

10 (L) Automation and orchestration.

11 (M) Configuration management of virtual  
12 machines, devices, servers, routers, and similar  
13 to be maintained on a single virtual device ap-  
14 proved list (VDL).

15 (2) Policies specific to operational technology,  
16 critical data, infrastructures, weapon systems, and  
17 classified networks.

18 (3) Specification of enterprise-wide acquisitions  
19 of capabilities conducted or to be conducted pursu-  
20 ant to the policies referred to in paragraph (2).

21 (4) Specification of standard zero trust prin-  
22 ciples supporting reference architectures and  
23 metrics-based assessment plan.



1           (5) Roles, responsibilities, functions, and oper-  
2           ational workflows of zero trust cybersecurity archi-  
3           tecture and information technology personnel—

4                   (A) at combatant commands, military serv-  
5           ices, and defense agencies; and

6                   (B) Joint Forces Headquarters-Depart-  
7           ment of Defense Information Network.

8           (c) ARCHITECTURE DEVELOPMENT AND IMPLEMEN-  
9           TATION.—In developing and implementing the zero trust  
10          strategy, principles, and model architecture required  
11          under subsection (a), the Chief Information Officer of the  
12          Department of Defense and the Commander of United  
13          States Cyber Command shall—

14                   (1) coordinate with—

15                           (A) the Principal Cyber Advisor to the Sec-  
16                           retary of Defense;

17                           (B) the Director of the National Security  
18                           Agency Cybersecurity Directorate;

19                           (C) the Director of the Defense Advanced  
20                           Research Projects Agency;

21                           (D) the Chief Information Officer of each  
22                           military service;

23                           (E) the Commanders of the cyber compo-  
24                           nents of the military services;

1 (F) the Principal Cyber Advisor of each  
2 military service;

3 (G) the Chairman of the Joints Chiefs of  
4 Staff; and

5 (H) any other component of the Depart-  
6 ment of Defense as determined by the Chief In-  
7 formation Officer and the Commander;

8 (2) assess the utility of the Joint Regional Se-  
9 curity Stacks, automated continuous endpoint moni-  
10 toring program, assured compliance assessment solu-  
11 tion, and each of the defenses at the Internet Access  
12 Points for their relevance and applicability to the  
13 zero trust architecture and opportunities for integra-  
14 tion or divestment;

15 (3) employ all available resources, including on-  
16 line training, leveraging commercially available zero  
17 trust training material, and other Federal agency  
18 training, where feasible, to implement cybersecurity  
19 training on zero trust at the—

20 (A) executive level;

21 (B) cybersecurity professional or imple-  
22 menter level; and

23 (C) general knowledge levels for Depart-  
24 ment of Defense users;

1           (4) facilitate cyber protection team and cyberse-  
2           curity service provider threat hunting and discovery  
3           of novel adversary activity;

4           (5) assess and implement means to effect Joint  
5           Force Headquarters-Department of Defense Infor-  
6           mation Network's automated command and control  
7           of the entire Department of Defense Information  
8           Network;

9           (6) assess the potential of and, as appropriate,  
10          encourage, use of third-party cybersecurity-as-a-serv-  
11          ice models;

12          (7) engage with and conduct outreach to indus-  
13          try, academia, international partners, and other de-  
14          partments and agencies of the Federal Government  
15          on issues relating to deployment of zero trust archi-  
16          tectures;

17          (8) assess the current Comply-to-Connect Plan;  
18          and

19          (9) review past and conduct additional pilots to  
20          guide development, including—

21                 (A) utilization of networks designated for  
22                 testing and accreditation under section 1658 of  
23                 the National Defense Authorization Act for Fis-  
24                 cal Year 2020 (Public Law 116–92; 10 U.S.C.  
25                 2224 note);

1 (B) use of automated red team products  
2 for assessment of pilot architectures; and

3 (C) accreditation of piloted cybersecurity  
4 products for enterprise use in accordance with  
5 the findings on enterprise accreditation stand-  
6 ards conducted pursuant to section 1654 of  
7 such Act (Public Law 116–92).

8 (d) IMPLEMENTATION PLANS.—

9 (1) IN GENERAL.—Not later than one year  
10 after the finalization of the zero trust strategy, prin-  
11 ciples, and model architecture required under sub-  
12 section (a), the head of each military department  
13 and the head of each component of the Department  
14 of Defense shall transmit to the Chief Information  
15 Officer of the Department and the Commander of  
16 Joint Forces Headquarters-Department of Defense  
17 Information Network a draft plan to implement such  
18 zero trust strategy, principles, and model architec-  
19 ture across the networks of their respective compo-  
20 nents and military departments.

21 (2) ELEMENTS.—Each implementation plan  
22 transmitted pursuant to paragraph (1) shall include,  
23 at a minimum, the following:

24 (A) Specific acquisitions, implementations,  
25 instrumentations, and operational workflows to

1 be implemented across unclassified and classi-  
2 fied networks, operational technology, and  
3 weapon systems.

4 (B) A detailed schedule with target mile-  
5 stones and required expenditures.

6 (C) Interim and final metrics, including a  
7 phase migration plan.

8 (D) Identification of additional funding,  
9 authorities, and policies, as may be required.

10 (E) Requested waivers, exceptions to De-  
11 partment of Defense policy, and expected  
12 delays.

13 (e) IMPLEMENTATION OVERSIGHT.—

14 (1) IN GENERAL.—The Chief Information Offi-  
15 cer of the Department of Defense shall—

16 (A) assess the implementation plans trans-  
17 mitted pursuant to subsection (d)(1) for—

18 (i) adequacy and responsiveness to the  
19 zero trust strategy, principles, and model  
20 architecture required under subsection (a);  
21 and

22 (ii) appropriate use of enterprise-wide  
23 acquisitions;

24 (B) ensure, at a high level, the interoper-  
25 ability and compatibility of individual compo-

1 nents' Solutions Architectures, including the  
2 leveraging of enterprise capabilities where ap-  
3 propriate through standards derivation, policy,  
4 and reviews;

5 (C) use the annual investment guidance of  
6 the Chief to ensure appropriate implementation  
7 of such plans, including appropriate use of en-  
8 terprise-wide acquisitions;

9 (D) track use of waivers and exceptions to  
10 policy;

11 (E) use the Cybersecurity Scorecard to  
12 track and drive implementation of Department  
13 components; and

14 (F) leverage the authorities of the Com-  
15 mander of Joint Forces Headquarters-Depart-  
16 ment of Defense Information Network and the  
17 Director of the Defense Information Systems  
18 Agency to begin implementation of such zero  
19 trust strategy, principles, and model architec-  
20 ture.

21 (2) ASSESSMENTS OF FUNDING.—Not later  
22 than March 31, 2024, and annually thereafter, each  
23 Principal Cyber Advisor of a military service shall  
24 include in the annual budget certification of such  
25 military service, as required by section 1657(d) of

1 the National Defense Authorization Act for Fiscal  
2 Year 2020 (Public Law 116–92; 10 U.S.C. 391  
3 note), an assessment of the adequacy of funding re-  
4 quired for each proposed budget for the purposes  
5 of carrying out the implementation plan for such  
6 military service under subsection (d)(1).

7 (f) INITIAL BRIEFINGS.—

8 (1) ON MODEL ARCHITECTURE.—Not later  
9 than 90 days after finalizing the zero trust strategy,  
10 principles, and model architecture required under  
11 subsection (a), the Chief Information Officer of the  
12 Department of Defense and the Commander of Joint  
13 Forces Headquarters-Department of Defense Infor-  
14 mation Network shall provide to the congressional  
15 defense committees a briefing on such zero trust  
16 strategy, principles, and model architecture.

17 (2) ON IMPLEMENTATION PLANS.—Not later  
18 than 90 days after the receipt by the Chief Informa-  
19 tion Officer of the Department of Defense of an im-  
20 plementation plan transmitted pursuant to sub-  
21 section (d)(1), the secretary of a military depart-  
22 ment, in the case of an implementation plan per-  
23 taining to a military department or a military serv-  
24 ice, or the Chief Information Officer of the Depart-  
25 ment, in the case of an implementation plan per-

1 taining to a remaining component of the Depart-  
2 ment, as the case may be, shall provide to the con-  
3 gressional defense committees a briefing on such im-  
4 plementation plan.

5 (g) ANNUAL BRIEFINGS.—Effective February 1,  
6 2022, at each of the annual cybersecurity budget review  
7 briefings of the Chief Information Officer of the Depart-  
8 ment of Defense and the military services for congres-  
9 sional staff, until January 1, 2030, the Chief Information  
10 Officer and the head of each of the military services shall  
11 provide updates on the implementation in their respective  
12 networks of the zero trust strategy, principles, and model  
13 architecture.

14 **SEC. 1529. DEMONSTRATION PROGRAM FOR AUTOMATED**  
15 **SECURITY VALIDATION TOOLS.**

16 (a) DEMONSTRATION PROGRAM REQUIRED.—Not  
17 later than October 1, 2024, the Chief Information Officer  
18 of the Department of Defense, acting through the Director  
19 of the Defense Information Systems Agency of the De-  
20 partment, shall complete a demonstration program to  
21 demonstrate and assess an automated security validation  
22 capability to assist the Department by—

- 23 (1) mitigating cyber hygiene challenges;  
24 (2) supporting ongoing efforts of the Depart-  
25 ment to assess weapon systems resiliency;



1           (3) quantifying enterprise security effectiveness  
2 of enterprise security controls, to inform future ac-  
3 quisition decisions of the Department;

4           (4) assisting portfolio managers with balancing  
5 capability costs and capability coverage of the threat  
6 landscape; and

7           (5) supporting the Department's Cybersecurity  
8 Analysis and Review threat framework.

9           (b) CONSIDERATIONS.—In developing capabilities for  
10 the demonstration program required under subsection (a),  
11 the Chief Information Officer shall consider—

12           (1) integration into automated security valida-  
13 tion tools of advanced commercially available threat  
14 intelligence;

15           (2) metrics and scoring of security controls;

16           (3) cyber analysis, cyber campaign tracking,  
17 and cybersecurity information sharing;

18           (4) integration into cybersecurity enclaves and  
19 existing cybersecurity controls of security instrumen-  
20 tation and testing capability;

21           (5) endpoint sandboxing; and

22           (6) use of actual adversary attack methodolo-  
23 gies.

24           (c) COORDINATION WITH MILITARY SERVICES.—In  
25 carrying out the demonstration program required under

1 subsection (a), the Chief Information Officer, acting  
2 through the Director of the Defense Information Systems  
3 Agency, shall coordinate demonstration program activities  
4 with complementary efforts on-going within the military  
5 services, defense agencies, and field agencies.

6 (d) INDEPENDENT CAPABILITY ASSESSMENT.—In  
7 carrying out the demonstration program required under  
8 subsection (a), the Chief Information Officer, acting  
9 through the Director of the Defense Information Systems  
10 Agency and in coordination with the Director, Operational  
11 Test and Evaluation, shall perform operational testing to  
12 evaluate the operational effectiveness, suitability, and cy-  
13 bersecurity of the capabilities developed under the dem-  
14 onstration program.

15 (e) BRIEFING.—

16 (1) INITIAL BRIEFING.—Not later than April 1,  
17 2022, the Chief Information Officer shall brief the  
18 Committee on Armed Services of the Senate and the  
19 Committee on Armed Services of the House of Rep-  
20 resentatives on the plans and status of the Chief In-  
21 formation Officer with respect to the demonstration  
22 program required under subsection (a).

23 (2) FINAL BRIEFING.—Not later than October  
24 31, 2024, the Chief Information Officer shall brief  
25 the Committee on Armed Services of the Senate and

1 the Committee on Armed Services of the House of  
2 Representatives on the results and findings of the  
3 Chief Information Officer with respect to the dem-  
4 onstration program required under subsection (a).

5 **SEC. 1530. IMPROVEMENTS TO CONSORTIUM OF UNIVER-**  
6 **SITIES TO ADVISE SECRETARY OF DEFENSE**  
7 **ON CYBERSECURITY MATTERS.**

8 Section 1659 of the National Defense Authorization  
9 Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C.  
10 391 note) is amended—

11 (1) in subsection (a)—

12 (A) in the matter preceding paragraph (1),  
13 by striking “one or more consortia” and insert-  
14 ing “a consortium”; and

15 (B) in paragraph (1), by striking “or con-  
16 sortia”;

17 (2) in subsection (b), by striking “or con-  
18 sortia”;

19 (3) in subsection (c)—

20 (A) by amending paragraph (1) to read as  
21 follows:

22 “(1) DESIGNATION OF ADMINISTRATIVE  
23 CHAIR.—The Secretary of Defense shall designate  
24 the National Defense University College of Informa-  
25 tion and Cyberspace to function as the administra-

1       tive chair of the consortium established pursuant to  
2       subsection (a).”;

3               (B) by striking paragraph (2);

4               (C) by redesignating paragraphs (3) and  
5       (4) as paragraphs (2) and (3), respectively;

6               (D) in paragraph (2), as so redesignated—

7                   (i) in the matter preceding subpara-  
8       graph (A)—

9                           (I) by striking “Each administra-  
10                           tive” and inserting “The administra-  
11                           tive”; and

12                           (II) by striking “a consortium”  
13                           and inserting “the consortium”; and

14                           (ii) in subparagraph (A), by striking  
15                           “for the term specified by the Secretary  
16                           under paragraph (1)”; and

17               (E) by amending paragraph (3), as so re-  
18       designated, to read as follows:

19               “(3) EXECUTIVE COMMITTEE.—The Secretary,  
20       in consultation with the administrative chair, may  
21       form an executive committee for the consortium that  
22       is comprised of representatives of the Federal Gov-  
23       ernment to assist the chair with the management  
24       and functions of the consortium.”; and



1 faces, authentication, applications, platforms, soft-  
2 ware, hardware, and data infrastructure.

3 (2) A governance structure, together with asso-  
4 ciated policies and guidance, to support the imple-  
5 mentation throughout the Department of such plan.

6 (3) Identification and minimum viable  
7 instantiations of prototypical development and plat-  
8 form environments with such infrastructure, includ-  
9 ing enterprise data sets assembled under subsection  
10 (e).

11 (c) HARMONIZATION WITH DEPARTMENTAL EF-  
12 FORTS.—The plan developed pursuant to subsection (a)  
13 shall include a description of the aggregated and consoli-  
14 dated financial and personnel requirements necessary to  
15 implement each of the following Department of Defense  
16 documents:

17 (1) The Department of Defense Digital Mod-  
18 ernization Strategy.

19 (2) The Department of Defense Data Strategy.

20 (3) The Department of Defense Cloud Strategy.

21 (4) The Department of Defense Software Mod-  
22 ernization Strategy.

23 (5) The Department-wide software science and  
24 technology strategy required under section 255 of

1 the National Defense Authorization Act for Fiscal  
2 Year 2020 (10 U.S.C. 2223a note).

3 (6) The Department of Defense Artificial Intel-  
4 ligence Data Initiative.

5 (7) The Joint All-Domain Command and Con-  
6 trol Strategy.

7 (8) Such other documents as the Secretary de-  
8 termines appropriate.

9 (d) WORKING GROUP.—

10 (1) ESTABLISHMENT.—Not later than 60 days  
11 after the date of the enactment of this Act, the Sec-  
12 retary of Defense shall establish a working group on  
13 digital development infrastructure implementation to  
14 develop the plan required under subsection (a).

15 (2) MEMBERSHIP.—The working group estab-  
16 lished under paragraph (1) shall be composed of in-  
17 dividuals selected by the Secretary of Defense to  
18 represent each of the following:

19 (A) The Office of Chief Data Officer  
20 (CDO).

21 (B) The Component Offices of Chief Infor-  
22 mation Officer and Chief Digital Officer.

23 (C) The Joint Artificial Intelligence Center  
24 (JAIC).

1 (D) The Office of the Under Secretary of  
2 Defense for Research & Engineering (OUSD  
3 (R&E)).

4 (E) The Office of the Under Secretary of  
5 Defense for Acquisition & Sustainment (OUSD  
6 (A&S)).

7 (F) The Office of the Under Secretary of  
8 Defense for Intelligence & Security (OUSD  
9 (I&S)).

10 (G) Service Acquisition Executives.

11 (H) The Office of the Director of Oper-  
12 ational Test and Evaluation (DOT&E).

13 (I) The office of the Director of the De-  
14 fense Advanced Research Projects Agency  
15 (DARPA).

16 (J) Digital development infrastructure pro-  
17 grams, including the appropriate activities of  
18 the military services and defense agencies.

19 (K) Such other officials of the Department  
20 of Defense as the Secretary determines appro-  
21 priate.

22 (3) CHAIRPERSON.—The chairperson of the  
23 working group established under paragraph (1) shall  
24 be the Chief Information Officer of the Department



1 of Defense, or such other official as the Secretary of  
2 Defense considers appropriate.

3 (4) CONSULTATION.—The working group shall  
4 consult with such experts outside of the Department  
5 of Defense as the working group considers necessary  
6 to develop the plan required under subsection (a).

7 (e) STRATEGIC DATA NODE.—To enable efficient ac-  
8 cess to enterprise data sets referred to in subsection (b)(3)  
9 for users with authorized access, the Secretary of Defense  
10 shall assemble such enterprise data sets in the following  
11 areas:

12 (1) Human resources.

13 (2) Budget and finance.

14 (3) Acquisition.

15 (4) Logistics.

16 (5) Real estate.

17 (6) Health care.

18 (7) Such other areas as the Secretary considers  
19 appropriate.

20 (f) REPORT.—Not later than 180 days after the date  
21 of the enactment of this Act, the Secretary of Defense  
22 shall submit to the congressional defense committees a re-  
23 port on the status of the development of the plan required  
24 under subsection (a).

1 **SEC. 1532. STUDY REGARDING ESTABLISHMENT WITHIN**  
2 **THE DEPARTMENT OF DEFENSE OF A DES-**  
3 **IGNATED CENTRAL PROGRAM OFFICE TO**  
4 **OVERSEE ACADEMIC ENGAGEMENT PRO-**  
5 **GRAMS RELATING TO ESTABLISHING CYBER**  
6 **TALENT ACROSS THE DEPARTMENT.**

7 (a) IN GENERAL.—Not later than 270 days after the  
8 date of the enactment of this Act, the Secretary of Defense  
9 shall submit to the congressional defense committees a  
10 study regarding the need, feasibility, and advisability of  
11 establishing within the Department of Defense a des-  
12 ignated central program office responsible for overseeing  
13 covered academic engagement programs across the De-  
14 partment. Such study shall examine the following:

15 (1) Whether the Department’s cyber-focused  
16 academic engagement needs more coherence, addi-  
17 tional coordination, or improved management, and  
18 whether a designated central program office would  
19 provide such benefits.

20 (2) How such a designated central program of-  
21 fice would coordinate and harmonize Department  
22 programs relating to covered academic engagement  
23 programs.

24 (3) Metrics such office would use to measure  
25 the effectiveness of covered academic engagement  
26 programs.

1           (4) Whether such an office is necessary to serve  
2           as an identifiable entry point to the Department by  
3           the academic community.

4           (5) Whether the cyber discipline with respect to  
5           academic engagement should be treated separately  
6           from other STEM fields.

7           (6) How such an office would interact with the  
8           consortium universities (established pursuant to sec-  
9           tion 1659 of the National Defense Authorization Act  
10          for Fiscal Year 2020 (10 U.S.C. 391 note)) to assist  
11          the Secretary on cybersecurity matters.

12          (7) Whether the establishment of such an office  
13          would have an estimated net savings for the Depart-  
14          ment.

15          (b) CONSULTATION.—In conducting the study re-  
16          quired under subsection (a), the Secretary of Defense shall  
17          consult with and solicit recommendations from academic  
18          institutions and stakeholders, including primary, sec-  
19          ondary, and post-secondary educational institutions.

20          (c) DETERMINATION.—

21               (1) IN GENERAL.—Upon completion of the  
22               study required under subsection (a), the Secretary of  
23               Defense shall make a determination regarding the  
24               establishment within the Department of Defense of  
25               a designated central program office responsible for

1 overseeing covered academic engagement programs  
2 across the Department.

3 (2) IMPLEMENTATION.—If the Secretary of De-  
4 fense makes an affirmative determination in accord-  
5 ance with paragraph (1), the Secretary shall estab-  
6 lish within the Department of Defense a designated  
7 central program office responsible for overseeing cov-  
8 ered academic programs across the Department. Not  
9 later than 180 days after such a determination, the  
10 Secretary shall promulgate such rules and regula-  
11 tions as are necessary to so establish such an office.

12 (3) NEGATIVE DETERMINATION.—If the Sec-  
13 retary of Defense makes a negative determination in  
14 accordance with paragraph (1), the Secretary shall  
15 submit to the congressional defense committees no-  
16 tice of such determination, together with a justifica-  
17 tion for such determination. Such justification shall  
18 include—

19 (A) how the Secretary intends to coordi-  
20 nate and harmonize covered academic engage-  
21 ment programs; and

22 (B) measures to determine effectiveness of  
23 covered academic engagement programs absent  
24 a designated central program office responsible

1           for overseeing covered academic programs  
2           across the Department.

3           (d) REPORT.—Not later than 270 days after the date  
4 of the enactment of this Act, the Secretary of Defense  
5 shall submit to the congressional defense committees a re-  
6 port that updates the matters required for inclusion in the  
7 reports required pursuant to section 1649 of the National  
8 Defense Authorization Act for Fiscal Year 2020 (Public  
9 Law 116–92) and section 1726(c) of the William M. (Mac)  
10 Thornberry National Defense Authorization Act for Fiscal  
11 Year 2021 (Public Law 116–283).

12           (e) DEFINITION.—In this section, the term “covered  
13 academic engagement program” means each of the fol-  
14 lowing:

15           (1) Primary, secondary, or post-secondary edu-  
16 cation programs with a cyber focus.

17           (2) Recruitment or retention programs for De-  
18 partment of Defense cyberspace personnel, including  
19 scholarship programs.

20           (3) Academic partnerships focused on estab-  
21 lishing cyber talent.

22           (4) Cyber enrichment programs.

1 **SEC. 1533. REPORT ON THE CYBERSECURITY MATURITY**  
2 **MODEL CERTIFICATION PROGRAM.**

3 (a) REPORT REQUIRED.—Not later than 90 days  
4 after the date of the enactment of this Act, the Secretary  
5 of Defense shall submit to the Committee on Armed Serv-  
6 ices of the Senate and the Committee on Armed Services  
7 of the House of Representatives a report on the plans and  
8 recommendations of the Secretary for the Cyber Maturity  
9 Model Certification program.

10 (b) CONTENTS.—The report submitted under sub-  
11 section (a) shall include the following:

12 (1) The programmatic changes required in the  
13 Cyber Maturity Model Certification program to ad-  
14 dress the plans and recommendations of the Sec-  
15 retary of Defense referred to in such subsection.

16 (2) The strategy of the Secretary for rule-  
17 making for such program and the process for the  
18 Cybersecurity Maturity Model Certification rule.

19 (3) The budget and resources required to sup-  
20 port such program.

21 (4) A plan for communication and coordination  
22 with the defense industrial base regarding such pro-  
23 gram.

24 (5) The coordination needed within the Depart-  
25 ment of Defense and between Federal agencies for  
26 such program.

1           (6) The applicability of such program require-  
2           ments to universities and academic partners of the  
3           Department.

4           (7) A plan for communication and coordination  
5           with such universities and academic partners regard-  
6           ing such program.

7           (8) Plans and explicit public announcement of  
8           processes for reimbursement of cybersecurity compli-  
9           ance expenses for small and non-traditional busi-  
10          nesses in the defense industrial base.

11          (9) Plans for ensuring that persons seeking a  
12          Department contract for the first time are not re-  
13          quired to expend funds to acquire cybersecurity ca-  
14          pabilities and a certification required to perform  
15          under a contract as a precondition for bidding on  
16          such a contract without reimbursement in the event  
17          that such persons do not receive a contract award.

18          (10) Clarification of roles and responsibilities of  
19          prime contractors for assisting and managing cyber-  
20          security performance of subcontractors.

21          (11) Such additional matters as the Secretary  
22          considers appropriate.

1 **SEC. 1534. DEADLINE FOR REPORTS ON ASSESSMENT OF**  
2 **CYBER RESILIENCY OF NUCLEAR COMMAND**  
3 **AND CONTROL SYSTEM.**

4 Subsection (c) of section 499 of title 10, United  
5 States Code, is amended—

6 (1) in the heading, by striking “REPORT” and  
7 inserting “REPORTS”;

8 (2) in paragraph (1), in the matter preceding  
9 subparagraph (A)—

10 (A) by striking “The Commanders” and  
11 inserting “For each assessment conducted  
12 under subsection (a), the Commanders”; and

13 (B) by striking “the assessment required  
14 by subsection (a)” and inserting “the assess-  
15 ment”;

16 (3) in paragraph (2), by striking “the report”  
17 and inserting “each report”; and

18 (4) in paragraph (3)—

19 (A) by striking “The Secretary” and in-  
20 serting “Not later than 90 days after the date  
21 of the submission of a report under paragraph  
22 (1), the Secretary”; and

23 (B) by striking “required by paragraph  
24 (1)”.



1           **Subtitle C—Matters Related to**  
2                           **Federal Cybersecurity**

3   **SEC. 1541. CAPABILITIES OF THE CYBERSECURITY AND IN-**  
4                           **FRASTRUCTURE SECURITY AGENCY TO IDEN-**  
5                           **TIFY THREATS TO INDUSTRIAL CONTROL**  
6                           **SYSTEMS.**

7           (a) IN GENERAL.—Section 2209 of the Homeland  
8 Security Act of 2002 (6 U.S.C. 659) is amended—

9                           (1) in subsection (e)(1)—

10                                   (A) in subparagraph (G), by striking  
11 “and;” after the semicolon;

12                                   (B) in subparagraph (H), by inserting  
13 “and” after the semicolon; and

14                                   (C) by adding at the end the following new  
15 subparagraph:

16   “(I) activities of the Center address the se-  
17 curity of both information technology and oper-  
18 ational technology, including industrial control  
19 systems;”; and

20                           (2) by adding at the end the following new sub-  
21 section:

22                                   “(q) INDUSTRIAL CONTROL SYSTEMS.—The Director  
23 shall maintain capabilities to identify and address threats  
24 and vulnerabilities to products and technologies intended  
25 for use in the automated control of critical infrastructure

1 processes. In carrying out this subsection, the Director  
2 shall—

3 “(1) lead Federal Government efforts, in con-  
4 sultation with Sector Risk Management Agencies, as  
5 appropriate, to identify and mitigate cybersecurity  
6 threats to industrial control systems, including su-  
7 pervisory control and data acquisition systems;

8 “(2) maintain threat hunting and incident re-  
9 sponse capabilities to respond to industrial control  
10 system cybersecurity risks and incidents;

11 “(3) provide cybersecurity technical assistance  
12 to industry end-users, product manufacturers, Sector  
13 Risk Management Agencies, other Federal agencies,  
14 and other industrial control system stakeholders to  
15 identify, evaluate, assess, and mitigate  
16 vulnerabilities;

17 “(4) collect, coordinate, and provide vulner-  
18 ability information to the industrial control systems  
19 community by, as appropriate, working closely with  
20 security researchers, industry end-users, product  
21 manufacturers, Sector Risk Management Agencies,  
22 other Federal agencies, and other industrial control  
23 systems stakeholders; and

24 “(5) conduct such other efforts and assistance  
25 as the Secretary determines appropriate.”.

1 (b) REPORT TO CONGRESS.—Not later than 180 days  
2 after the date of the enactment of this Act and every six  
3 months thereafter during the subsequent 4-year period,  
4 the Director of the Cybersecurity and Infrastructure Security  
5 Agency of the Department of Homeland Security shall  
6 provide to the Committee on Homeland Security of the  
7 House of Representatives and the Committee on Homeland  
8 Security and Governmental Affairs of the Senate a  
9 briefing on the industrial control systems capabilities of  
10 the Agency under section 2209 of the Homeland Security  
11 Act of 2002 (6 U.S.C. 659), as amended by subsection  
12 (a).

13 (c) GAO REVIEW.—Not later than two years after  
14 the date of the enactment of this Act, the Comptroller  
15 General of the United States shall review implementation  
16 of the requirements of subsections (e)(1)(I) and (p) of section  
17 2209 of the Homeland Security Act of 2002 (6 U.S.C.  
18 659), as amended by subsection (a), and submit to the  
19 Committee on Homeland Security of the House of Rep-  
20 resentatives and the Committee on Homeland Security  
21 and Governmental Affairs of the Senate a report that in-  
22 cludes findings and recommendations relating to such im-  
23 plementation. Such report shall include information on the  
24 following:

1           (1) Any interagency coordination challenges to  
2           the ability of the Director of the Cybersecurity and  
3           Infrastructure Security Agency of the Department of  
4           Homeland Security to lead Federal efforts to iden-  
5           tify and mitigate cybersecurity threats to industrial  
6           control systems pursuant to subsection (p)(1) of  
7           such section.

8           (2) The degree to which the Agency has ade-  
9           quate capacity, expertise, and resources to carry out  
10          threat hunting and incident response capabilities to  
11          mitigate cybersecurity threats to industrial control  
12          systems pursuant to subsection (p)(2) of such sec-  
13          tion, as well as additional resources that would be  
14          needed to close any operational gaps in such capa-  
15          bilities.

16          (3) The extent to which industrial control sys-  
17          tem stakeholders sought cybersecurity technical as-  
18          sistance from the Agency pursuant to subsection  
19          (p)(3) of such section, and the utility and effective-  
20          ness of such technical assistance.

21          (4) The degree to which the Agency works with  
22          security researchers and other industrial control sys-  
23          tems stakeholders, pursuant to subsection (p)(4) of  
24          such section, to provide vulnerability information to  
25          the industrial control systems community.

1 **SEC. 1542. CYBERSECURITY VULNERABILITIES.**

2 Section 2209 of the Homeland Security Act of 2002  
3 (6 U.S.C. 659) is amended—

4 (1) in subsection (a)—

5 (A) by redesignating paragraphs (4)  
6 through (8) as paragraphs (5) through (9), re-  
7 spectively; and

8 (B) by inserting after paragraph (3) the  
9 following new paragraph:

10 “(4) the term ‘cybersecurity vulnerability’ has  
11 the meaning given the term ‘security vulnerability’  
12 in section 102 of the Cybersecurity Information  
13 Sharing Act of 2015 (6 U.S.C. 1501);”.

14 (2) in subsection (c)—

15 (A) in paragraph (5)—

16 (i) in subparagraph (A), by striking  
17 “and” after the semicolon at the end;

18 (ii) by redesignating subparagraph  
19 (B) as subparagraph (C);

20 (iii) by inserting after subparagraph  
21 (A) the following new subparagraph:

22 “(B) sharing mitigation protocols to counter cy-  
23 bersecurity vulnerabilities pursuant to subsection  
24 (n), as appropriate; and”; and

25 (iv) in subparagraph (C), as so redes-  
26 ignated, by inserting “and mitigation pro-

1            protocols to counter cybersecurity  
2            vulnerabilities in accordance with subpara-  
3            graph (B), as appropriate,” before “with  
4            Federal”;

5            (B) in paragraph (7)(C), by striking  
6            “sharing” and inserting “share”; and

7            (C) in paragraph (9), by inserting “mitiga-  
8            tion protocols to counter cybersecurity  
9            vulnerabilities, as appropriate,” after “meas-  
10           ures,”;

11           (3) by redesignating subsection (o) as sub-  
12           section (p); and

13           (4) by inserting after subsection (n) following  
14           new subsection:

15           “(o) **PROTOCOLS TO COUNTER CERTAIN CYBERSE-**  
16           **CURITY VULNERABILITIES.**—The Director may, as appro-  
17           priate, identify, develop, and disseminate actionable proto-  
18           cols to mitigate cybersecurity vulnerabilities to informa-  
19           tion systems and industrial control systems, including in  
20           circumstances in which such vulnerabilities exist because  
21           software or hardware is no longer supported by a ven-  
22           dor.”.

23           **SEC. 1543. REPORT ON CYBERSECURITY VULNERABILITIES.**

24           (a) **REPORT.**—Not later than one year after the date  
25           of the enactment of this Act, the Director of the Cyberse-

1 curity and Infrastructure Security Agency of the Depart-  
2 ment of Homeland Security shall submit to the Committee  
3 on Homeland Security of the House of Representatives  
4 and the Committee on Homeland Security and Govern-  
5 mental Affairs of the Senate a report on how the Agency  
6 carries out subsection (n) of section 2209 of the Homeland  
7 Security Act of 2002 to coordinate vulnerability disclo-  
8 sures, including disclosures of cybersecurity vulnerabilities  
9 (as such term is defined in such section), and subsection  
10 (o) of such section to disseminate actionable protocols to  
11 mitigate cybersecurity vulnerabilities to information sys-  
12 tems and industrial control systems, that include the fol-  
13 lowing:

14           (1) A description of the policies and procedures  
15 relating to the coordination of vulnerability disclo-  
16 sures.

17           (2) A description of the levels of activity in fur-  
18 therance of such subsections (n) and (o) of such sec-  
19 tion 2209.

20           (3) Any plans to make further improvements to  
21 how information provided pursuant to such sub-  
22 sections can be shared (as such term is defined in  
23 such section 2209) between the Department and in-  
24 dustry and other stakeholders.

1 (4) Any available information on the degree to  
2 which such information was acted upon by industry  
3 and other stakeholders.

4 (5) A description of how privacy and civil lib-  
5 erties are preserved in the collection, retention, use,  
6 and sharing of vulnerability disclosures.

7 (b) FORM.—The report required under subsection (b)  
8 shall be submitted in unclassified form but may contain  
9 a classified annex.

10 **SEC. 1544. COMPETITION RELATING TO CYBERSECURITY**  
11 **VULNERABILITIES.**

12 The Under Secretary for Science and Technology of  
13 the Department of Homeland Security, in consultation  
14 with the Director of the Cybersecurity and Infrastructure  
15 Security Agency of the Department, may establish an in-  
16 centive-based program that allows industry, individuals,  
17 academia, and others to compete in identifying remedi-  
18 ation solutions for cybersecurity vulnerabilities (as such  
19 term is defined in section 2209 of the Homeland Security  
20 Act of 2002) to information systems (as such term is de-  
21 fined in such section 2209) and industrial control systems,  
22 including supervisory control and data acquisition sys-  
23 tems.



1 **SEC. 1545. STRATEGY.**

2 Section 2210 of the Homeland Security Act of 2002  
3 (6 U.S.C. 660) is amended by adding at the end the fol-  
4 lowing new subsection:

5 “(e) HOMELAND SECURITY STRATEGY TO IMPROVE  
6 THE CYBERSECURITY OF STATE, LOCAL, TRIBAL, AND  
7 TERRITORIAL GOVERNMENTS.—

8 “(1) IN GENERAL.—

9 “(A) REQUIREMENT.—Not later than one  
10 year after the date of the enactment of this  
11 subsection, the Secretary, acting through the  
12 Director, shall, in coordination with the heads  
13 of appropriate Federal agencies, State, local,  
14 Tribal, and territorial governments, and other  
15 stakeholders, as appropriate, develop and make  
16 publicly available a Homeland Security Strategy  
17 to Improve the Cybersecurity of State, Local,  
18 Tribal, and Territorial Governments.

19 “(B) RECOMMENDATIONS AND REQUIRE-  
20 MENTS.—The strategy required under subpara-  
21 graph (A) shall provide recommendations relat-  
22 ing to the ways in which the Federal Govern-  
23 ment should support and promote the ability of  
24 State, local, Tribal, and territorial governments  
25 to identify, mitigate against, protect against,  
26 detect, respond to, and recover from cybersecu-

1 rity risks (as such term is defined in section  
2 2209), cybersecurity threats, and incidents (as  
3 such term is defined in section 2209).

4 “(2) CONTENTS.—The strategy required under  
5 paragraph (1) shall—

6 “(A) identify capability gaps in the ability  
7 of State, local, Tribal, and territorial govern-  
8 ments to identify, protect against, detect, re-  
9 spond to, and recover from cybersecurity risks,  
10 cybersecurity threats, incidents, and  
11 ransomware incidents;

12 “(B) identify Federal resources and capa-  
13 bilities that are available or could be made  
14 available to State, local, Tribal, and territorial  
15 governments to help those governments identify,  
16 protect against, detect, respond to, and recover  
17 from cybersecurity risks, cybersecurity threats,  
18 incidents, and ransomware incidents;

19 “(C) identify and assess the limitations of  
20 Federal resources and capabilities available to  
21 State, local, Tribal, and territorial governments  
22 to help those governments identify, protect  
23 against, detect, respond to, and recover from  
24 cybersecurity risks, cybersecurity threats, inci-

1 dents, and ransomware incidents and make rec-  
2 ommendations to address such limitations;

3 “(D) identify opportunities to improve the  
4 coordination of the Agency with Federal and  
5 non-Federal entities, such as the Multi-State  
6 Information Sharing and Analysis Center, to  
7 improve—

8 “(i) incident exercises, information  
9 sharing and incident notification proce-  
10 dures;

11 “(ii) the ability for State, local, Trib-  
12 al, and territorial governments to volun-  
13 tarily adapt and implement guidance in  
14 Federal binding operational directives; and

15 “(iii) opportunities to leverage Federal  
16 schedules for cybersecurity investments  
17 under section 502 of title 40, United  
18 States Code;

19 “(E) recommend new initiatives the Fed-  
20 eral Government should undertake to improve  
21 the ability of State, local, Tribal, and territorial  
22 governments to identify, protect against, detect,  
23 respond to, and recover from cybersecurity  
24 risks, cybersecurity threats, incidents, and  
25 ransomware incidents;

1           “(F) set short-term and long-term goals  
2           that will improve the ability of State, local,  
3           Tribal, and territorial governments to identify,  
4           protect against, detect, respond to, and recover  
5           from cybersecurity risks, cybersecurity threats,  
6           incidents, and ransomware incidents; and

7           “(G) set dates, including interim bench-  
8           marks, as appropriate for State, local, Tribal,  
9           and territorial governments to establish baseline  
10          capabilities to identify, protect against, detect,  
11          respond to, and recover from cybersecurity  
12          risks, cybersecurity threats, incidents, and  
13          ransomware incidents.

14          “(3) CONSIDERATIONS.—In developing the  
15          strategy required under paragraph (1), the Director,  
16          in coordination with the heads of appropriate Fed-  
17          eral agencies, State, local, Tribal, and territorial  
18          governments, and other stakeholders, as appropriate,  
19          shall consider—

20                 “(A) lessons learned from incidents that  
21                 have affected State, local, Tribal, and territorial  
22                 governments, and exercises with Federal and  
23                 non-Federal entities;

24                 “(B) the impact of incidents that have af-  
25                 fected State, local, Tribal, and territorial gov-

1 ernments, including the resulting costs to such  
2 governments;

3 “(C) the information related to the interest  
4 and ability of state and non-state threat actors  
5 to compromise information systems (as such  
6 term is defined in section 102 of the Cybersecu-  
7 rity Act of 2015 (6 U.S.C. 1501)) owned or op-  
8 erated by State, local, Tribal, and territorial  
9 governments; and

10 “(D) emerging cybersecurity risks and cy-  
11 bersecurity threats to State, local, Tribal, and  
12 territorial governments resulting from the de-  
13 ployment of new technologies.

14 “(4) EXEMPTION.—Chapter 35 of title 44,  
15 United States Code (commonly known as the ‘Paper-  
16 work Reduction Act’), shall not apply to any action  
17 to implement this subsection.”.

18 **SEC. 1546. CYBER INCIDENT RESPONSE PLAN.**

19 Subsection (c) of section 2210 of the Homeland Secu-  
20 rity Act of 2002 (6 U.S.C. 660) is amended—

21 (1) by striking “regularly update” and inserting  
22 “update not less often than biennially”; and

23 (2) by adding at the end the following new sen-  
24 tence: “The Director, in consultation with relevant  
25 Sector Risk Management Agencies and the National

1 Cyber Director, shall develop mechanisms to engage  
2 with stakeholders to educate such stakeholders re-  
3 garding Federal Government cybersecurity roles and  
4 responsibilities for cyber incident response.”.

5 **SEC. 1547. NATIONAL CYBER EXERCISE PROGRAM.**

6 (a) IN GENERAL.—Subtitle A of title XXII of the  
7 Homeland Security Act of 2002 (6 U.S.C. 651 et seq.)  
8 is amended by adding at the end the following new section:

9 **“SEC. 2220B. NATIONAL CYBER EXERCISE PROGRAM.**

10 “(a) ESTABLISHMENT OF PROGRAM.—

11 “(1) IN GENERAL.—There is established in the  
12 Agency the National Cyber Exercise Program (re-  
13 ferred to in this section as the ‘Exercise Program’)  
14 to evaluate the National Cyber Incident Response  
15 Plan, and other related plans and strategies.

16 “(2) REQUIREMENTS.—

17 “(A) IN GENERAL.—The Exercise Program  
18 shall be—

19 “(i) based on current risk assess-  
20 ments, including credible threats,  
21 vulnerabilities, and consequences;

22 “(ii) designed, to the extent prac-  
23 ticable, to simulate the partial or complete  
24 incapacitation of a government or critical

1 infrastructure network resulting from a  
2 cyber incident;

3 “(iii) designed to provide for the sys-  
4 tematic evaluation of cyber readiness and  
5 enhance operational understanding of the  
6 cyber incident response system and rel-  
7 evant information sharing agreements; and

8 “(iv) designed to promptly develop  
9 after-action reports and plans that can  
10 quickly incorporate lessons learned into fu-  
11 ture operations.

12 “(B) MODEL EXERCISE SELECTION.—The  
13 Exercise Program shall—

14 “(i) include a selection of model exer-  
15 cises that government and private entities  
16 can readily adapt for use; and

17 “(ii) aid such governments and pri-  
18 vate entities with the design, implementa-  
19 tion, and evaluation of exercises that—

20 “(I) conform to the requirements  
21 described in subparagraph (A);

22 “(II) are consistent with any ap-  
23 plicable national, State, local, or Trib-  
24 al strategy or plan; and

1                   “(III) provide for systematic  
2                   evaluation of readiness.

3                   “(3) CONSULTATION.—In carrying out the Ex-  
4                   ercise Program, the Director may consult with ap-  
5                   propriate representatives from Sector Risk Manage-  
6                   ment Agencies, the Office of the National Cyber Di-  
7                   rector, cybersecurity research stakeholders, and Sec-  
8                   tor Coordinating Councils.

9                   “(b) DEFINITIONS.—In this section:

10                   “(1) STATE.—The term ‘State’ means any  
11                   State of the United States, the District of Columbia,  
12                   the Commonwealth of Puerto Rico, the Northern  
13                   Mariana Islands, the United States Virgin Islands,  
14                   Guam, American Samoa, and any other territory or  
15                   possession of the United States.

16                   “(2) PRIVATE ENTITY.—The term ‘private enti-  
17                   ty’ has the meaning given such term in section 102  
18                   of the Cybersecurity Information Sharing Act of  
19                   2015 (6 U.S.C. 1501).

20                   “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
21                   tion shall be construed to affect the authorities or respon-  
22                   sibilities of the Administrator of the Federal Emergency  
23                   Management Agency pursuant to section 648 of the Post-  
24                   Katrina Emergency Management Reform Act of 2006 (6  
25                   U.S.C. 748).”.



1 (b) TITLE XXII TECHNICAL AND CLERICAL AMEND-  
2 MENTS.—

3 (1) TECHNICAL AMENDMENTS.—

4 (A) HOMELAND SECURITY ACT OF 2002.—

5 Subtitle A of title XXII of the Homeland Secu-  
6 rity Act of 2002 (6 U.S.C. 651 et seq.) is  
7 amended—

8 (i) in section 2202(c) (6 U.S.C.  
9 652(c))—

10 (I) in paragraph (11), by striking  
11 “and” after the semicolon;

12 (II) in the first paragraph (12)  
13 (relating to appointment of a Cyberse-  
14 curity State Coordinator) by striking  
15 “as described in section 2215; and”  
16 and inserting “as described in section  
17 2217;”;

18 (III) by redesignating the second  
19 paragraph (12) (relating to the .gov  
20 internet domain) as paragraph (13);  
21 and

22 (IV) by redesignating the third  
23 paragraph (12) (relating to carrying  
24 out such other duties and responsibil-  
25 ities) as paragraph (14);

1 (ii) in the first section 2215 (6 U.S.C.  
2 665; relating to the duties and authorities  
3 relating to .gov internet domain), by  
4 amending the section enumerator and  
5 heading to read as follows:

6 **“SEC. 2215. DUTIES AND AUTHORITIES RELATING TO .GOV**  
7 **INTERNET DOMAIN.”;**

8 (iii) in the second section 2215 (6  
9 U.S.C. 665b; relating to the joint cyber  
10 planning office), by amending the section  
11 enumerator and heading to read as follows:

12 **“SEC. 2216. JOINT CYBER PLANNING OFFICE.”;**

13 (iv) in the third section 2215 (6  
14 U.S.C. 665c; relating to the Cybersecurity  
15 State Coordinator), by amending the sec-  
16 tion enumerator and heading to read as  
17 follows:

18 **“SEC. 2217. CYBERSECURITY STATE COORDINATOR.”;**

19 (v) in the fourth section 2215 (6  
20 U.S.C. 665d; relating to Sector Risk Man-  
21 agement Agencies), by amending the sec-  
22 tion enumerator and heading to read as  
23 follows:

1 **“SEC. 2218. SECTOR RISK MANAGEMENT AGENCIES.”;**

2 (vi) in section 2216 (6 U.S.C. 665e;  
3 relating to the Cybersecurity Advisory  
4 Committee), by amending the section enu-  
5 merator and heading to read as follows:

6 **“SEC. 2219. CYBERSECURITY ADVISORY COMMITTEE.”;**

7 (vii) in section 2217 (6 U.S.C. 665f;  
8 relating to Cybersecurity Education and  
9 Training Programs), by amending the sec-  
10 tion enumerator and heading to read as  
11 follows:

12 **“SEC. 2220. CYBERSECURITY EDUCATION AND TRAINING**  
13 **PROGRAMS.”; and**

14 (viii) in section 2218 (6 U.S.C. 665g;  
15 relating to the State and Local Cybersecu-  
16 rity Grant Program), by amending the sec-  
17 tion enumerator and heading to read as  
18 follows:

19 **“SEC. 2220A. STATE AND LOCAL CYBERSECURITY GRANT**  
20 **PROGRAM.”.**

21 (B) CONSOLIDATED APPROPRIATIONS ACT,  
22 2021.—Paragraph (1) of section 904(b) of divi-  
23 sion U of the Consolidated Appropriations Act,  
24 2021 (Public Law 116–260) is amended, in the  
25 matter preceding subparagraph (A), by insert-  
26 ing “of 2002” after “Homeland Security Act”.

1           (2) CLERICAL AMENDMENT.—The table of con-  
2           tents in section 1(b) of the Homeland Security Act  
3           of 2002 is further amended by striking the items re-  
4           lating to sections 2214 through 2218 and inserting  
5           the following new items:

“Sec. 2214. National Asset Database.

“Sec. 2215. Duties and authorities relating to .gov internet domain.

“Sec. 2216. Joint cyber planning office.

“Sec. 2217. Cybersecurity State Coordinator.

“Sec. 2218. Sector Risk Management Agencies.

“Sec. 2219. Cybersecurity Advisory Committee.

“Sec. 2220. Cybersecurity Education and Training Programs.

“Sec. 2220A. State and Local Cybersecurity Grant Program.

“Sec. 2220B. National cyber exercise program.”.

6   **SEC. 1548. CYBERSENTRY PROGRAM OF THE CYBERSECU-**  
7                           **RITY AND INFRASTRUCTURE SECURITY**  
8                           **AGENCY.**

9           (a) IN GENERAL.—Title XXII of the Homeland Se-  
10          curity Act of 2002 (6 U.S.C. 651 et seq.) is further  
11          amended by adding at the end the following new section:

12   **“SEC. 2220C. CYBERSENTRY PROGRAM.**

13          “(a) ESTABLISHMENT.—There is established in the  
14          Agency a program, to be known as ‘CyberSentry’, to pro-  
15          vide continuous monitoring and detection of cybersecurity  
16          risks to critical infrastructure entities that own or operate  
17          industrial control systems that support national critical  
18          functions, upon request and subject to the consent of such  
19          owner or operator.

20          “(b) ACTIVITIES.—The Director, through  
21          CyberSentry, shall—

1           “(1) enter into strategic partnerships with crit-  
2           ical infrastructure owners and operators that, in the  
3           determination of the Director and subject to the  
4           availability of resources, own or operate regionally or  
5           nationally significant industrial control systems that  
6           support national critical functions, in order to pro-  
7           vide technical assistance in the form of continuous  
8           monitoring of industrial control systems and the in-  
9           formation systems that support such systems and  
10          detection of cybersecurity risks to such industrial  
11          control systems and other cybersecurity services, as  
12          appropriate, based on and subject to the agreement  
13          and consent of such owner or operator;

14          “(2) leverage sensitive or classified intelligence  
15          about cybersecurity risks regarding particular sec-  
16          tors, particular adversaries, and trends in tactics,  
17          techniques, and procedures to advise critical infra-  
18          structure owners and operators regarding mitigation  
19          measures and share information as appropriate;

20          “(3) identify cybersecurity risks in the informa-  
21          tion technology and information systems that sup-  
22          port industrial control systems which could be ex-  
23          ploited by adversaries attempting to gain access to  
24          such industrial control systems, and work with own-  
25          ers and operators to remediate such vulnerabilities;

1           “(4) produce aggregated, anonymized analytic  
2 products, based on threat hunting and continuous  
3 monitoring and detection activities and partnerships,  
4 with findings and recommendations that can be dis-  
5 seminated to critical infrastructure owners and oper-  
6 ators; and

7           “(5) support activities authorized in accordance  
8 with section 1501 of the National Defense Author-  
9 ization Act for Fiscal Year 2022.

10          “(c) PRIVACY REVIEW.—Not later than 180 days  
11 after the date of enactment of this section, the Privacy  
12 Officer of the Agency under section 2202(h) shall—

13           “(1) review the policies, guidelines, and activi-  
14 ties of CyberSentry for compliance with all applica-  
15 ble privacy laws, including such laws governing the  
16 acquisition, interception, retention, use, and disclo-  
17 sure of communities; and

18           “(2) submit to the Committee on Homeland Se-  
19 curity of the House of Representatives and the Com-  
20 mittee on Homeland Security and Governmental Af-  
21 fairs of the Senate a report certifying compliance  
22 with all applicable privacy laws as referred to in  
23 paragraph (1), or identifying any instances of non-  
24 compliance with such privacy laws.

1       “(d) REPORT TO CONGRESS.—Not later than one  
2 year after the date of the enactment of this section, the  
3 Director shall provide to the Committee on Homeland Se-  
4 curity of the House of Representatives and the Committee  
5 on Homeland Security and Governmental Affairs of the  
6 Senate a briefing and written report on implementation  
7 of this section.

8       “(e) SAVINGS.—Nothing in this section may be con-  
9 strued to permit the Federal Government to gain access  
10 to information of a remote computing service provider to  
11 the public or an electronic service provider to the public,  
12 the disclosure of which is not permitted under section  
13 2702 of title 18, United States Code.

14       “(f) DEFINITIONS.—In this section:

15               “(1) CYBERSECURITY RISK.—The term ‘cyber-  
16 security risk’ has the meaning given such term in  
17 section 2209(a).

18               “(2) INDUSTRIAL CONTROL SYSTEM.—The term  
19 ‘industrial control system’ means an information  
20 system used to monitor and/or control industrial  
21 processes such as manufacturing, product handling,  
22 production, and distribution, including supervisory  
23 control and data acquisition (SCADA) systems used  
24 to monitor and/or control geographically dispersed  
25 assets, distributed control systems (DCSs), Human-

1 Machine Interfaces (HMIs), and programmable logic  
2 controllers that control localized processes.

3 “(3) INFORMATION SYSTEM.—The term ‘infor-  
4 mation system’ has the meaning given such term in  
5 section 102 of the Cybersecurity Act of 2015 (en-  
6 acted as division N of the Consolidated Appropria-  
7 tions Act, 2016 (Public Law 114–113; 6 U.S.C.  
8 1501(9)).

9 “(g) TERMINATION.—The authority to carry out a  
10 program under this section shall terminate on the date  
11 that is seven years after the date of the enactment of this  
12 section.”.

13 (b) CLERICAL AMENDMENT.—The table of contents  
14 in section 1(b) of the Homeland Security Act of 2002 is  
15 further amended by adding after the item relating to sec-  
16 tion 2220B the following new item:

“Sec. 2220C. CyberSentry program.”.

17 (c) CONTINUOUS MONITORING AND DETECTION.—  
18 Section 2209(c)(6) of the Homeland Security Act of 2002  
19 (6 U.S.C. 659) is amended by inserting “, which may take  
20 the form of continuous monitoring and detection of cyber-  
21 security risks to critical infrastructure entities that own  
22 or operate industrial control systems that support national  
23 critical functions” after “mitigation, and remediation”.



1 **SEC. 1549. STRATEGIC ASSESSMENT RELATING TO INNOVA-**  
2 **TION OF INFORMATION SYSTEMS AND CY-**  
3 **BERSECURITY THREATS.**

4 (a) RESPONSIBILITIES OF DIRECTOR.—Section  
5 2202(c)(3) of the Homeland Security Act of 2002 (6  
6 U.S.C. 652) is amended by striking the semicolon at the  
7 end and adding the following: “, including by carrying out  
8 a periodic strategic assessment of the related programs  
9 and activities of the Agency to ensure such programs and  
10 activities contemplate the innovation of information sys-  
11 tems and changes in cybersecurity risks and cybersecurity  
12 threats;”

13 (b) REPORT.—

14 (1) IN GENERAL.—Not later than 240 days  
15 after the date of the enactment of this Act and not  
16 fewer than once every three years thereafter, the Di-  
17 rector of the Cybersecurity and Infrastructure Secu-  
18 rity Agency shall submit to the Committee on Home-  
19 land Security of the House of Representatives and  
20 the Committee on Homeland Security and Govern-  
21 mental Affairs of the Senate a strategic assessment  
22 for the purposes described in paragraph (2).

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

25 (A) A description of the existing programs  
26 and activities administered in furtherance of

1 section 2202(c)(3) of the Homeland Security  
2 Act of 2002 (6 U.S.C. 652).

3 (B) An assessment of the capability of ex-  
4 isting programs and activities administered by  
5 the Agency in furtherance of such section to  
6 monitor for, manage, mitigate, and defend  
7 against cybersecurity risks and cybersecurity  
8 threats.

9 (C) An assessment of past or anticipated  
10 technological trends or innovation of informa-  
11 tion systems or information technology that  
12 have the potential to affect the efficacy of the  
13 programs and activities administered by the  
14 Agency in furtherance of such section.

15 (D) A description of any changes in the  
16 practices of the Federal workforce, such as in-  
17 creased telework, affect the efficacy of the pro-  
18 grams and activities administered by the Agen-  
19 cy in furtherance of section 2202(c)(3).

20 (E) A plan to integrate innovative security  
21 tools, technologies, protocols, activities, or pro-  
22 grams to improve the programs and activities  
23 administered by the Agency in furtherance of  
24 such section.

1 (F) A description of any research and de-  
2 velopment activities necessary to enhance the  
3 programs and activities administered by the  
4 Agency in furtherance of such section.

5 (G) A description of proposed changes to  
6 existing programs and activities administered  
7 by the Agency in furtherance of such section,  
8 including corresponding milestones for imple-  
9 mentation.

10 (H) Information relating to any new re-  
11 sources or authorities necessary to improve the  
12 programs and activities administered by the  
13 Agency in furtherance of such section.

14 (c) DEFINITIONS.—In this section:

15 (1) The term “Agency” means the Cybersecu-  
16 rity and Infrastructure Security Agency.

17 (2) The term “cybersecurity purpose” has the  
18 meaning given such term in section 102(4) of the  
19 Cybersecurity Information Sharing Act of 2015 (6  
20 U.S.C. 1501(4)).

21 (3) The term “cybersecurity risk” has the  
22 meaning given such term in section 2209(a)(2) of  
23 the Homeland Security Act of 2002 (U.S.C.  
24 659(a)(2)).

1           (4) The term “information system” has the  
2           meaning given such term in section 3502(8) of title  
3           44, United States Code.

4           (5) The term “information technology” has the  
5           meaning given such term in 3502(9) of title 44,  
6           United States Code.

7           (6) The term “telework” has the meaning given  
8           the term in section 6501(3) of title 5, United States  
9           Code.

10 **SEC. 1550. PILOT PROGRAM ON PUBLIC-PRIVATE PARTNER-**  
11 **SHIPS WITH INTERNET ECOSYSTEM COMPA-**  
12 **NIES TO DETECT AND DISRUPT ADVERSARY**  
13 **CYBER OPERATIONS.**

14           (a) PILOT REQUIRED.—Not later than one year after  
15 the date of the enactment of this Act, the Secretary, acting  
16 through the Director of the Cybersecurity and Infrastruc-  
17 ture Security Agency of the Department of Homeland Se-  
18 curity and in coordination with the Secretary of Defense  
19 and the National Cyber Director, shall commence a pilot  
20 program to assess the feasibility and advisability of enter-  
21 ing into public-private partnerships with internet eco-  
22 system companies to facilitate, within the bounds of appli-  
23 cable provisions of law and such companies’ terms of serv-  
24 ice, policies, procedures, contracts, and other agreements,  
25 actions by such companies to discover and disrupt use by

1 malicious cyber actors of the platforms, systems, services,  
2 and infrastructure of such companies.

3 (b) PUBLIC-PRIVATE PARTNERSHIPS.—

4 (1) IN GENERAL.—In carrying out the pilot  
5 program under subsection (a), the Secretary shall  
6 seek to enter into one or more public-private part-  
7 nerships with internet ecosystem companies.

8 (2) VOLUNTARY PARTICIPATION.—

9 (A) IN GENERAL.—Participation by an  
10 internet ecosystem company in a public-private  
11 partnership under the pilot program, including  
12 in any activity described in subsection (c), shall  
13 be voluntary.

14 (B) PROHIBITION.—No funds appropriated  
15 by any Act may be used to direct, pressure, co-  
16 erce, or otherwise require that any internet eco-  
17 system company take any action on their plat-  
18 forms, systems, services, or infrastructure as  
19 part of the pilot program.

20 (c) AUTHORIZED ACTIVITIES.—In carrying out the  
21 pilot program under subsection (a), the Secretary may—

22 (1) provide assistance to a participating inter-  
23 net ecosystem company to develop effective know-  
24 your-customer processes and requirements;

1           (2) provide information, analytics, and technical  
2 assistance to improve the ability of participating  
3 companies to detect and prevent illicit or suspicious  
4 procurement, payment, and account creation on  
5 their own platforms, systems, services, or infrastruc-  
6 ture;

7           (3) develop and socialize best practices for the  
8 collection, retention, and sharing of data by partici-  
9 pating internet ecosystem companies to support dis-  
10 covery of malicious cyber activity, investigations, and  
11 attribution on the platforms, systems, services, or in-  
12 frastructure of such companies;

13           (4) provide to participating internet ecosystem  
14 companies actionable, timely, and relevant informa-  
15 tion, such as information about ongoing operations  
16 and infrastructure, threats, tactics, and procedures,  
17 and indicators of compromise, to enable such compa-  
18 nies to detect and disrupt the use by malicious cyber  
19 actors of the platforms, systems, services, or infra-  
20 structure of such companies;

21           (5) provide recommendations for (but not de-  
22 sign, develop, install, operate, or maintain) oper-  
23 ational workflows, assessment and compliance prac-  
24 tices, and training that participating internet eco-  
25 system companies can implement to reliably detect

1 and disrupt the use by malicious cyber actors of the  
2 platforms, systems, services, or infrastructure of  
3 such companies;

4 (6) provide recommendations for accelerating,  
5 to the greatest extent practicable, the automation of  
6 existing or implemented operational workflows to op-  
7 erate at line-rate in order to enable real-time mitiga-  
8 tion without the need for manual review or action;

9 (7) provide recommendations for (but not de-  
10 sign, develop, install, operate, or maintain) technical  
11 capabilities to enable participating internet eco-  
12 system companies to collect and analyze data on ma-  
13 licious activities occurring on the platforms, systems,  
14 services, or infrastructure of such companies to de-  
15 tect and disrupt operations of malicious cyber ac-  
16 tors; and

17 (8) provide recommendations regarding relevant  
18 mitigations for suspected or discovered malicious  
19 cyber activity and thresholds for action.

20 (d) COMPETITION CONCERNS.—Consistent with sec-  
21 tion 1905 of title 18, United States Code, the Secretary  
22 shall ensure that any trade secret or proprietary informa-  
23 tion of a participating internet ecosystem company made  
24 known to the Federal Government pursuant to a public-  
25 private partnership under the pilot program remains pri-

1 vate and protected unless explicitly authorized by such  
2 company.

3 (e) IMPARTIALITY.—In carrying out the pilot pro-  
4 gram under subsection (a), the Secretary may not take  
5 any action that is intended primarily to advance the par-  
6 ticular business interests of an internet ecosystem com-  
7 pany but is authorized to take actions that advance the  
8 interests of the United States, notwithstanding differential  
9 impact or benefit to a given company's or given compa-  
10 nies' business interests.

11 (f) RESPONSIBILITIES.—

12 (1) SECRETARY OF HOMELAND SECURITY.—  
13 The Secretary shall exercise primary responsibility  
14 for the pilot program under subsection (a), including  
15 organizing and directing authorized activities with  
16 participating Federal Government organizations and  
17 internet ecosystem companies to achieve the objec-  
18 tives of the pilot program.

19 (2) NATIONAL CYBER DIRECTOR.—The Na-  
20 tional Cyber Director shall support prioritization  
21 and cross-agency coordination for the pilot program,  
22 including ensuring appropriate participation by par-  
23 ticipating agencies and the identification and  
24 prioritization of key private sector entities and ini-  
25 tiatives for the pilot program.



1           (3) SECRETARY OF DEFENSE.—The Secretary  
2           of Defense shall provide support and resources to  
3           the pilot program, including the provision of tech-  
4           nical and operational expertise drawn from appro-  
5           priate and relevant officials and components of the  
6           Department of Defense, including the National Se-  
7           curity Agency, United States Cyber Command, the  
8           Chief Information Officer, the Office of the Sec-  
9           retary of Defense, military department Principal  
10          Cyber Advisors, and the Defense Advanced Research  
11          Projects Agency.

12          (g) PARTICIPATION OF OTHER FEDERAL GOVERN-  
13          MENT COMPONENTS.—The Secretary may invite to par-  
14          ticipate in the pilot program required under subsection (a)  
15          the heads of such departments or agencies as the Sec-  
16          retary considers appropriate.

17          (h) INTEGRATION WITH OTHER EFFORTS.—The  
18          Secretary shall ensure that the pilot program required  
19          under subsection (a) makes use of, builds upon, and, as  
20          appropriate, integrates with and does not duplicate other  
21          efforts of the Department of Homeland Security and the  
22          Department of Defense relating to cybersecurity, including  
23          the following:

1           (1) The Joint Cyber Defense Collaborative of  
2 the Cybersecurity and Infrastructure Security Agen-  
3 cy of the Department of Homeland Security.

4           (2) The Cybersecurity Collaboration Center and  
5 Enduring Security Framework of the National Secu-  
6 rity Agency.

7 (i) RULES OF CONSTRUCTION.—

8           (1) LIMITATION ON GOVERNMENT ACCESS TO  
9 DATA.—Nothing in this section authorizes sharing of  
10 information, including information relating to cus-  
11 tomers of internet ecosystem companies or private  
12 individuals, from an internet ecosystem company to  
13 an agency, officer, or employee of the Federal Gov-  
14 ernment unless otherwise authorized by another pro-  
15 vision of law.

16           (2) STORED COMMUNICATIONS ACT.—Nothing  
17 in this section may be construed to permit or require  
18 disclosure by a provider of a remote computing serv-  
19 ice or a provider of an electronic communication  
20 service to the public of information not otherwise  
21 permitted or required to be disclosed under chapter  
22 121 of title 18, United States Code (commonly  
23 known as the “Stored Communications Act”).

24           (3) THIRD PARTY CUSTOMERS.—Nothing in  
25 this section may be construed to require a third

1 party, such as a customer or managed service pro-  
2 vider of an internet ecosystem company, to partici-  
3 pate in the pilot program under subsection (a).

4 (j) BRIEFINGS.—

5 (1) INITIAL.—

6 (A) IN GENERAL.—Not later than one year  
7 after the date of the enactment of this Act, the  
8 Secretary, in coordination with the Secretary of  
9 Defense and the National Cyber Director, shall  
10 brief the appropriate committees of Congress on  
11 the pilot program required under subsection  
12 (a).

13 (B) ELEMENTS.—The briefing required  
14 under subparagraph (A) shall include the fol-  
15 lowing:

16 (i) The plans of the Secretary for the  
17 implementation of the pilot program.

18 (ii) Identification of key priorities for  
19 the pilot program.

20 (iii) Identification of any potential  
21 challenges in standing up the pilot pro-  
22 gram or impediments, such as a lack of li-  
23 ability protection, to private sector partici-  
24 pation in the pilot program.

1 (iv) A description of the roles and re-  
2 sponsibilities in the pilot program of each  
3 participating Federal entity.

4 (2) ANNUAL.—

5 (A) IN GENERAL.—Not later than two  
6 years after the date of the enactment of this  
7 Act and annually thereafter for three years, the  
8 Secretary, in coordination with the Secretary of  
9 Defense and the National Cyber Director, shall  
10 brief the appropriate committees of Congress on  
11 the progress of the pilot program required  
12 under subsection (a).

13 (B) ELEMENTS.—Each briefing required  
14 under subparagraph (A) shall include the fol-  
15 lowing:

16 (i) Recommendations for addressing  
17 relevant policy, budgetary, and legislative  
18 gaps to increase the effectiveness of the  
19 pilot program.

20 (ii) Recommendations, such as pro-  
21 viding liability protection, for increasing  
22 private sector participation in the pilot  
23 program.

24 (iii) A description of the challenges  
25 encountered in carrying out the pilot pro-

1                   gram, including any concerns expressed by  
2                   internet ecosystem companies regarding  
3                   participation in the pilot program.

4                   (iv) The findings of the Secretary with  
5                   respect to the feasibility and advisability of  
6                   extending or expanding the pilot program.

7                   (v) Such other matters as the Sec-  
8                   retary considers appropriate.

9           (k) TERMINATION.—The pilot program required  
10          under subsection (a) shall terminate on the date that is  
11          five years after the date of the enactment of this Act.

12          (l) DEFINITIONS.—In this section:

13                  (1) APPROPRIATE COMMITTEES OF CON-  
14                  GRESS.—The term “appropriate committees of Con-  
15                  gress” means—

16                          (A) the Committee on Homeland Security  
17                          and Governmental Affairs and the Committee  
18                          on Armed Services of the Senate; and

19                          (B) the Committee on Homeland Security  
20                          and the Committee on Armed Services of the  
21                          House of Representatives.

22                  (2) INTERNET ECOSYSTEM COMPANY.—The  
23                  term “internet ecosystem company” means a busi-  
24                  ness incorporated in the United States that provides  
25                  cybersecurity services, internet service, content deliv-

1       ery services, Domain Name Service, cloud services,  
2       mobile telecommunications services, email and mes-  
3       saging services, internet browser services, or such  
4       other services as the Secretary determines appro-  
5       priate for the purposes of the pilot program under  
6       subsection (a).

7               (3) SECRETARY.—The term “Secretary” means  
8       the Secretary of Homeland Security.

9       **SEC. 1551. UNITED STATES-ISRAEL CYBERSECURITY CO-**  
10       **OPERATION.**

11       (a) GRANT PROGRAM.—

12               (1) ESTABLISHMENT.—The Secretary, in ac-  
13       cordance with the agreement entitled the “Agree-  
14       ment between the Government of the United States  
15       of America and the Government of the State of  
16       Israel on Cooperation in Science and Technology for  
17       Homeland Security Matters”, dated May 29, 2008  
18       (or successor agreement), and the requirements  
19       specified in paragraph (2), shall establish a grant  
20       program at the Department to support—

21                       (A) cybersecurity research and develop-  
22                       ment; and

23                       (B) demonstration and commercialization  
24                       of cybersecurity technology.

25       (2) REQUIREMENTS.—

1 (A) APPLICABILITY.—Notwithstanding sec-  
2 tion 317 of the Homeland Security Act of 2002  
3 (6 U.S.C. 195c), in carrying out a research, de-  
4 velopment, demonstration, or commercial appli-  
5 cation program or activity that is authorized  
6 under this section, the Secretary shall require  
7 cost sharing in accordance with this paragraph.

8 (B) RESEARCH AND DEVELOPMENT.—

9 (i) IN GENERAL.—Except as provided  
10 in clause (ii), the Secretary shall require  
11 not less than 50 percent of the cost of a  
12 research, development, demonstration, or  
13 commercial application program or activity  
14 described in subparagraph (A) to be pro-  
15 vided by a non-Federal source.

16 (ii) REDUCTION.—The Secretary may  
17 reduce or eliminate, on a case-by-case  
18 basis, the percentage requirement specified  
19 in clause (i) if the Secretary determines  
20 that such reduction or elimination is nec-  
21 essary and appropriate.

22 (C) MERIT REVIEW.—In carrying out a re-  
23 search, development, demonstration, or com-  
24 mercial application program or activity that is  
25 authorized under this section, awards shall be

1 made only after an impartial review of the sci-  
2 entific and technical merit of the proposals for  
3 such awards has been carried out by or for the  
4 Department.

5 (D) REVIEW PROCESSES.—In carrying out  
6 a review under subparagraph (C), the Secretary  
7 may use merit review processes developed under  
8 section 302(14) of the Homeland Security Act  
9 of 2002 (6 U.S.C. 182(14)).

10 (3) ELIGIBLE APPLICANTS.—An applicant is el-  
11 igible to receive a grant under this subsection if—

12 (A) the project of such applicant—

13 (i) addresses a requirement in the  
14 area of cybersecurity research or cyberse-  
15 curity technology, as determined by the  
16 Secretary; and

17 (ii) is a joint venture between—

18 (I)(aa) a for-profit business enti-  
19 ty, academic institution, National  
20 Laboratory, or nonprofit entity in the  
21 United States; and

22 (bb) a for-profit business entity,  
23 academic institution, or nonprofit en-  
24 tity in Israel; or



1 (II)(aa) the Federal Government;

2 and

3 (bb) the Government of Israel;

4 and

5 (B) neither such applicant nor the project  
6 of such applicant pose a counterintelligence  
7 threat, as determined by the Director of Na-  
8 tional Intelligence.

9 (4) APPLICATIONS.—To be eligible to receive a  
10 grant under this subsection, an applicant shall sub-  
11 mit to the Secretary an application for such grant  
12 in accordance with procedures established by the  
13 Secretary, in consultation with the advisory board  
14 established under paragraph (5).

15 (5) ADVISORY BOARD.—

16 (A) ESTABLISHMENT.—The Secretary  
17 shall establish an advisory board to—

18 (i) monitor the method by which  
19 grants are awarded under this subsection;

20 and

21 (ii) provide to the Secretary periodic  
22 performance reviews of actions taken to  
23 carry out this subsection.

24 (B) COMPOSITION.—The advisory board  
25 established under subparagraph (A) shall be

1 composed of three members, to be appointed by  
2 the Secretary, of whom—

3 (i) one shall be a representative of the  
4 Federal Government;

5 (ii) one shall be selected from a list of  
6 nominees provided by the United States-  
7 Israel Binational Science Foundation; and

8 (iii) one shall be selected from a list  
9 of nominees provided by the United States-  
10 Israel Binational Industrial Research and  
11 Development Foundation.

12 (6) CONTRIBUTED FUNDS.—Notwithstanding  
13 section 3302 of title 31, United States Code, the  
14 Secretary may, only to the extent provided in ad-  
15 vance in appropriations Acts, accept or retain funds  
16 contributed by any person, government entity, or or-  
17 ganization for purposes of carrying out this sub-  
18 section. Such funds shall be available, subject to ap-  
19 propriation, without fiscal year limitation.

20 (7) REPORTS.—

21 (A) GRANT RECIPIENTS.—Not later than  
22 180 days after the date of completion of a  
23 project for which a grant is provided under this  
24 subsection, the grant recipient shall submit to  
25 the Secretary a report that contains—

1 (i) a description of how the grant  
2 funds were used by the recipient; and

3 (ii) an evaluation of the level of suc-  
4 cess of each project funded by the grant.

5 (B) SECRETARY.—Not later than one year  
6 after the date of the enactment of this Act and  
7 annually thereafter until the grant program es-  
8 tablished under this subsection terminates, the  
9 Secretary shall submit to the Committees on  
10 Homeland Security and Governmental Affairs  
11 and Foreign Relations of the Senate and the  
12 Committees on Homeland Security and Foreign  
13 Affairs of the House of Representatives a re-  
14 port on grants awarded and projects completed  
15 under such program.

16 (8) CLASSIFICATION.—Grants shall be awarded  
17 under this subsection only for projects that are con-  
18 sidered to be unclassified by both the United States  
19 and Israel.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
21 authorized to be appropriated to carry out this section not  
22 less than \$6,000,000 for each of fiscal years 2022 through  
23 2026.

24 (c) DEFINITIONS.—In this section—

1           (1) the term “cybersecurity research” means re-  
2           search, including social science research, into ways  
3           to identify, protect against, detect, respond to, and  
4           recover from cybersecurity threats;

5           (2) the term “cybersecurity technology” means  
6           technology intended to identify, protect against, de-  
7           tect, respond to, and recover from cybersecurity  
8           threats;

9           (3) the term “cybersecurity threat” has the  
10          meaning given such term in section 102 of the Cy-  
11          bersecurity Information Sharing Act of 2015 (6  
12          U.S.C. 1501; enacted as title I of the Cybersecurity  
13          Act of 2015 (division N of the Consolidated Appro-  
14          priations Act, 2016 (Public Law 114–113)));

15          (4) the term “Department” means the Depart-  
16          ment of Homeland Security;

17          (5) the term “National Laboratory” has the  
18          meaning given such term in section 2 of the Energy  
19          Policy Act of 2005 (42 U.S.C. 15801); and

20          (6) the term “Secretary” means the Secretary  
21          of Homeland Security.

1 **SEC. 1552. AUTHORITY FOR NATIONAL CYBER DIRECTOR**  
2 **TO ACCEPT DETAILS ON NONREIMBURSABLE**  
3 **BASIS.**

4 Section 1752(e) of the William M. (Mac) Thornberry  
5 National Defense Authorization Act for Fiscal Year 2021  
6 (Public Law 116–283) is amended—

7 (1) by redesignating paragraphs (1) through  
8 (8) as subparagraphs (A) through (H), respectively,  
9 and indenting such subparagraphs two ems to the  
10 right;

11 (2) in the matter preceding subparagraph (A),  
12 as redesignated by paragraph (1), by striking “The  
13 Director may” and inserting the following:

14 “(1) IN GENERAL.—The Director may”;

15 (3) in paragraph (1)—

16 (A) as redesignated by paragraph (2), by  
17 redesignating subparagraphs (C) through (H)  
18 as subparagraphs (D) through (I), respectively;  
19 and

20 (B) by inserting after subparagraph (B)  
21 the following new subparagraph:

22 “(C) accept officers or employees of the  
23 United States or members of the Armed Forces  
24 on a detail from an element of the intelligence  
25 community (as such term is defined in section  
26 3(4) of the National Security Act of 1947 (50

1 U.S.C. 3003(4)) or from another element of  
2 the Federal Government on a nonreimbursable  
3 basis, as jointly agreed to by the heads of the  
4 receiving and detailing elements, for a period  
5 not to exceed three years;” and

6 (4) by adding at the end the following new  
7 paragraph:

8 “(2) RULES OF CONSTRUCTION REGARDING DE-  
9 TAILS.—Nothing in paragraph (1)(C) may be con-  
10 strued as imposing any limitation on any other au-  
11 thority for reimbursable or nonreimbursable details.  
12 A nonreimbursable detail made pursuant to such  
13 paragraph shall not be considered an augmentation  
14 of the appropriations of the receiving element of the  
15 Office of the National Cyber Director.”.

16 **TITLE XVI—SPACE ACTIVITIES,**  
17 **STRATEGIC PROGRAMS, AND**  
18 **INTELLIGENCE MATTERS**

Subtitle A—Space Activities

- Sec. 1601. National security space launch program.
- Sec. 1602. Redesignation of Space Force Acquisition Council; modifications relating to Assistant Secretary of the Air Force for Space Acquisition and Integration.
- Sec. 1603. Delegation of Authorities to Space Development Agency.
- Sec. 1604. Extension and modification of Council on Oversight of the Department of Defense Positioning, Navigation, and Timing Enterprise.
- Sec. 1605. Improvements to tactically responsive space launch program.
- Sec. 1606. Clarification of domestic services and capabilities in leveraging commercial satellite remote sensing.
- Sec. 1607. Programs of record of Space Force and commercial capabilities.

- Sec. 1608. Extension and modification of certifications regarding integrated tactical warning and attack assessment mission of the Air Force.
- Sec. 1609. Classification review of programs of the Space Force.
- Sec. 1610. Report on Range of the Future initiative of the Space Force.
- Sec. 1611. Space policy review.
- Sec. 1612. Annual briefing on threats to space operations.
- Sec. 1613. National Security Council briefing on potential harmful interference to Global Positioning System.
- Sec. 1614. Non-geostationary orbit satellite constellations.
- Sec. 1615. Briefing on prototype program for multiglobal navigation satellite system receiver development.

#### Subtitle B—Defense Intelligence and Intelligence-Related Activities

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

#### Subtitle C—Nuclear Forces

- Sec. 1631. Participation in United States Strategic Command strategic deterrence exercises.
- Sec. 1632. Modification to requirements relating to nuclear force reductions.
- Sec. 1633. Modifications to requirements relating to unilateral changes in nuclear weapons stockpile of the United States.
- Sec. 1634. Deadline for reports on modification of force structure for strategic nuclear weapons delivery systems.
- Sec. 1635. Modification of deadline for notifications relating to reduction, consolidation, or withdrawal of nuclear forces based in Europe.
- Sec. 1636. Procurement authority for certain parts of the ground-based strategic deterrent cryptographic device.
- Sec. 1637. Capability of B-21 bomber aircraft with long-range standoff weapon.
- Sec. 1638. Mission-design series popular name for ground-based strategic deterrent.
- Sec. 1639. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
- Sec. 1640. Limitation on availability of certain funds until submission of information relating to proposed budget for nuclear-armed sea-launched cruise missile.
- Sec. 1641. Limitation on availability of certain funds until submission of information relating to nuclear-armed sea-launched cruise missile.
- Sec. 1642. Annual certification on readiness of Minuteman III intercontinental ballistic missiles.
- Sec. 1643. Revised nuclear posture review.
- Sec. 1644. Review of safety, security, and reliability of nuclear weapons and related systems.
- Sec. 1645. Long-range standoff weapon.
- Sec. 1646. Ground-based strategic deterrent development program accountability matrices.

- Sec. 1647. Information regarding review of Minuteman III service life extension program or options for the future of the intercontinental ballistic missile force.
- Sec. 1648. Notification regarding intercontinental ballistic missiles of China.
- Sec. 1649. Independent review of nuclear command, control, and communications system.
- Sec. 1650. Review of engineering and manufacturing development contract for ground-based strategic deterrent program.
- Sec. 1651. Report on re-alerting long-range bombers.
- Sec. 1652. Comptroller General study and updated report on nuclear weapons capabilities and force structure requirements.
- Sec. 1653. Briefing on consultations with United States allies regarding Nuclear Posture Review.

#### Subtitle D—Missile Defense Programs

- Sec. 1661. Notification of changes to non-standard acquisition and requirements processes and responsibilities of Missile Defense Agency.
- Sec. 1662. Limitation on Missile Defense Agency production of satellites and ground systems associated with operation of such satellites.
- Sec. 1663. Extension of period for transition of ballistic missile defense programs to military departments.
- Sec. 1664. Directed energy programs for ballistic and hypersonic missile defense.
- Sec. 1665. Guam integrated air and missile defense system.
- Sec. 1666. Missile defense radar in Hawaii.
- Sec. 1667. Certification required for Russia and China to tour certain missile defense sites.
- Sec. 1668. Next generation interceptors for missile defense of the United States homeland.
- Sec. 1669. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
- Sec. 1670. Update of study on discrimination capabilities of the ballistic missile defense system.
- Sec. 1671. Semiannual updates on meetings held by the Missile Defense Executive Board.
- Sec. 1672. Matters regarding Integrated Deterrence Review.
- Sec. 1673. Semiannual notifications regarding missile defense tests and costs.
- Sec. 1674. Report on senior leadership of Missile Defense Agency.
- Sec. 1675. Independent study of roles and responsibilities of Department of Defense components relating to missile defense.

#### Subtitle E—Other Matters

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



1           **Subtitle A—Space Activities**

2   **SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

3           (a) DISCLOSURE OF NATIONAL SECURITY SPACE  
4 LAUNCH PROGRAM CONTRACT PRICING TERMS.—

5           (1) IN GENERAL.—Chapter 135 of title 10,  
6 United States Code, is amended by inserting after  
7 section 2276 the following new section 2277:

8   **“§ 2277. Disclosure of National Security Space**  
9           **Launch program contract pricing terms**

10          “(a) IN GENERAL.—With respect to any contract  
11 awarded by the Secretary of the Air Force for the launch  
12 of a national security payload under the National Security  
13 Space Launch program, not later than 30 days after en-  
14 tering into such a contract, the Secretary shall submit to  
15 the congressional defense committees a description of the  
16 pricing terms of the contract. For those contracts that in-  
17 clude the launch of assets of the National Reconnaissance  
18 Office, the Secretary shall also submit the pricing terms  
19 to the congressional intelligence committees (as defined by  
20 section 3 of the National Security Act of 1947 (50 U.S.C.  
21 3003)).

22          “(b) COMPETITIVELY SENSITIVE TRADE SECRET  
23 DATA.—The congressional defense committees and the  
24 congressional intelligence committees shall—

1           “(1) treat a description of pricing terms sub-  
2           mitted under subsection (a) as competitively sen-  
3           sitive trade secret data; and

4           “(2) use the description solely for committee  
5           purposes, subject to appropriate restrictions to  
6           maintain the confidentiality of the description.

7           “(c) RULE OF CONSTRUCTION.—For purposes of sec-  
8           tion 1905 of title 18, a disclosure of contract pricing terms  
9           under subsection (a) shall be construed as a disclosure au-  
10          thorized by law.”.

11          (2) CONFORMING AMENDMENT.—The table of  
12          sections at the beginning of such chapter is amended  
13          by inserting after the item relating to section 2276  
14          the following new item:

          “2277. Disclosure of National Security Space Launch program contract pricing  
          terms.”.

15          (b) POLICY.—With respect to entering into contracts  
16          for launch services during the period beginning on the date  
17          of the enactment of this Act and ending September 30,  
18          2024, it shall be the policy of the Department of Defense  
19          and the National Reconnaissance Office to—

20                 (1) use the National Security Space Launch  
21                 program to the extent practical to procure launch  
22                 services only from launch service providers that can  
23                 meet Federal requirements with respect to delivering

1 required payloads to reference orbits covered under  
2 the requirements of phase two; and

3 (2) maximize continuous competition for launch  
4 services as the Space Force initiates planning for  
5 phase three, specifically for those technology areas  
6 that are unique to existing and emerging national  
7 security requirements.

8 (c) NOTIFICATION.—If the Secretary of Defense or  
9 the Director of the National Reconnaissance Office deter-  
10 mines that a program requiring launch services that could  
11 be met using phase two contracts will instead use an alter-  
12 native launch procurement approach, not later than seven  
13 days after the date of such determination, the Secretary  
14 of Defense or, as appropriate, the Director of National  
15 Intelligence, shall submit to the appropriate congressional  
16 committees—

17 (1) a notification of such determination;

18 (2) a certification that the alternative launch  
19 procurement approach is in the national security in-  
20 terest of the United States; and

21 (3) an outline of the cost analysis and any  
22 other rationale for such determination.

23 (d) REPORT.—

24 (1) REQUIREMENT.—Not later than 90 days  
25 after the date of the enactment of this Act, the Sec-

1       retary of Defense, in coordination with the Chief of  
2       Space Operations and the Director of the Space De-  
3       velopment Agency, and in consultation with the Di-  
4       rector of National Intelligence (including with re-  
5       spect to the views of the Director of the National  
6       Reconnaissance Office), shall submit to the appro-  
7       priate congressional committees a report on the  
8       emerging launch requirements in the areas of space  
9       access, mobility, and logistics that will not be met by  
10      phase two capabilities.

11           (2) ELEMENTS.—The report under paragraph  
12      (1) shall include the following:

13           (A) An examination of potential benefits of  
14      competing one or more launches that are out-  
15      side of phase two capabilities, focused on accel-  
16      erating the rapid development and on-orbit de-  
17      ployment of enabling and transformational tech-  
18      nologies required to address any emerging re-  
19      quirements, including with respect to—

20           (i) delivery of in-space transportation,  
21      logistics, and on-orbit servicing capabilities  
22      to enhance the persistence, sensitivity, and  
23      resiliency of national security space mis-  
24      sions in a contested space environment;

- 1 (ii) routine access to extended orbits  
2 beyond geostationary orbits, including  
3 cislunar orbits;
- 4 (iii) greater cislunar awareness capa-  
5 bilities;
- 6 (iv) vertical integration and standard-  
7 ized payload mating;
- 8 (v) increased responsiveness for heavy  
9 lift capability;
- 10 (vi) the ability to transfer orbits, in-  
11 cluding point-to-point orbital transfers;
- 12 (vii) capacity and capability to execute  
13 secondary deployments;
- 14 (viii) high-performance upper stages;  
15 and
- 16 (ix) other new missions that are out-  
17 side the parameters of the nine design ref-  
18 erence missions that exist as of the date of  
19 the enactment of this Act.
- 20 (B) A description of how competing space  
21 access, mobility, and logistics launches could  
22 aid in establishing a new acquisition framework  
23 to—

1 (i) promote the potential for addi-  
2 tional open and sustainable competition for  
3 phase three; and

4 (ii) re-examine the balance of mission  
5 assurance versus risk tolerance to reflect  
6 new resilient spacecraft architectures and  
7 reduce workload on the Federal Govern-  
8 ment and industry to perform mission as-  
9 surance where appropriate.

10 (C) An analysis of how the matters under  
11 subparagraphs (A) and (B) may help continue  
12 to reduce the cost per launch of national secu-  
13 rity payloads.

14 (D) An examination of the effects to the  
15 National Security Space Launch program if  
16 contracted launch providers cannot meet all  
17 phase two requirements, including with respect  
18 to—

19 (i) the effects to national security  
20 launch resiliency; and

21 (ii) the cost effects of a launch market  
22 that lacks full competition.

23 (3) FORM.—The report under paragraph (1)  
24 shall be submitted in unclassified form, but may in-  
25 clude a classified appendix.

1           (4) BRIEFING.—Not later than 30 days after  
2           the date of the enactment of this Act, the Secretary,  
3           in consultation with the Director of National Intel-  
4           ligence, shall provide to the appropriate congres-  
5           sional committees a briefing on the report under  
6           paragraph (1).

7           (e) DEFINITIONS.—In this section:

8           (1) The term “appropriate congressional com-  
9           mittees” means—

10           (A) the congressional defense committees;

11           and

12           (B) the Permanent Select Committee on  
13           Intelligence of the House of Representatives  
14           and the Select Committee on Intelligence of the  
15           Senate.

16           (2) The term “phase three” means, with re-  
17           spect to the National Security Space Launch pro-  
18           gram, launch missions ordered under the program  
19           after fiscal year 2024.

20           (3) The term “phase two” means, with respect  
21           to the National Security Space Launch program,  
22           launch missions ordered under the program during  
23           fiscal years 2020 through 2024.

1 **SEC. 1602. REDESIGNATION OF SPACE FORCE ACQUISITION**  
2 **COUNCIL; MODIFICATIONS RELATING TO AS-**  
3 **SISTANT SECRETARY OF THE AIR FORCE FOR**  
4 **SPACE ACQUISITION AND INTEGRATION.**

5 (a) MODIFICATIONS TO SPACE FORCE ACQUISITION  
6 COUNCIL.—

7 (1) DESIGNATION.—Section 9021 of title 10,  
8 United States Code, is amended—

9 (A) in the section heading, by striking  
10 “**FORCE**”;

11 (B) in subsection (a), by striking “Space  
12 Force Acquisition Council” and inserting  
13 “Space Acquisition Council”; and

14 (C) in subsection (c), by striking “of the  
15 Air Force for space systems and programs” and  
16 inserting “space systems and programs of the  
17 armed forces”.

18 (2) CONFORMING AMENDMENT.—Section  
19 9016(b)(6)(B)(ii) of title 10, United States Code, is  
20 amended by striking “Space Force Acquisition  
21 Council” and inserting “Space Acquisition Council”.

22 (3) CLERICAL AMENDMENT.—The table of sec-  
23 tions for chapter 903 of title 10, United States  
24 Code, is amended by striking the item relating to  
25 section 9021 and inserting the following new item:

“9021. Space Acquisition Council.”.



1           (4) REFERENCES.—Any reference to the Space  
2 Force Acquisition Council in any law, regulation,  
3 map, document, record, or other paper of the United  
4 States shall be deemed to be a reference to the  
5 Space Acquisition Council.

6           (b) MODIFICATIONS RELATING TO THE ASSISTANT  
7 SECRETARY OF THE AIR FORCE FOR SPACE ACQUISITION  
8 AND INTEGRATION.—

9           (1) SPACE FORCE ACQUISITION COUNCIL RE-  
10 VIEW AND CERTIFICATION OF DETERMINATIONS OF  
11 THE ASSISTANT SECRETARY OF THE AIR FORCE FOR  
12 SPACE ACQUISITION AND INTEGRATION.—Section  
13 9021(e) of title 10, United States Code, as amended  
14 by subsection (a), is further amended—

15                   (A) by striking “The Council” and insert-  
16 ing “(1) The Council”; and

17                   (B) by adding at the end the following new  
18 paragraph:

19           “(2)(A) The Council shall promptly—

20                   “(i) review any determination made by the As-  
21 sistant Secretary of the Air Force for Space Acquisi-  
22 tion and Integration with respect to architecture for  
23 the space systems and programs of the armed forces  
24 under section 9016(b)(6)(B)(i) of this title, includ-

1       ing the requirements for operating such space sys-  
2       tems or programs; and

3           “(ii) either—

4               “(I) if the Council finds such a determina-  
5               tion to be warranted, certify the determination;  
6               or

7               “(II) if the Council finds such a deter-  
8               mination not to be warranted, decline to certify  
9               the determination.

10       “(B) Not later than 10 business days after the date  
11       on which the Council makes a finding with respect to a  
12       certification under subparagraph (A), the Council shall  
13       submit to the congressional defense committees a notifica-  
14       tion of the finding, including a detailed justification for  
15       the finding.

16       “(C) Except as provided in subparagraph (D), the  
17       Assistant Secretary of the Air Force for Space Acquisition  
18       and Integration may not take any action to implement a  
19       determination referred to in subparagraph (A)(i) until 30  
20       days has elapsed following the date on which the Council  
21       submits the notification under subparagraph (B).

22       “(D)(i) The Secretary of Defense may waive subpara-  
23       graph (C) in the event of an urgent national security re-  
24       quirement.

1       “(ii) The Secretary of Defense shall submit to the  
2 congressional defense committees a notification of any  
3 waiver granted under clause (i), including a justification  
4 for the waiver.”.

5           (2) DEPARTMENT OF DEFENSE SPACE SYSTEMS  
6 AND PROGRAMS.—Clause (i) of section  
7 9016(b)(6)(B) of title 10, United States Code, is  
8 amended to read as follows:

9           “(i) Be responsible for and oversee all architec-  
10 ture and integration with respect to the acquisition  
11 of the space systems and programs of the armed  
12 forces, including in support of the Chief of Space  
13 Operations under section 9082 of this title.”.

14           (3) TRANSFER OF ACQUISITION PROJECTS FOR  
15 SPACE SYSTEMS AND PROGRAMS.—Section 956(b)(3)  
16 of the National Defense Authorization Act for Fiscal  
17 Year 2020 (Public Law 116–92; 133 Stat. 1566; 10  
18 U.S.C. 9016 note) is amended by striking “of the  
19 Air Force” and inserting “of the Armed Forces”.

20           (4) DESIGNATION OF FORCE DESIGN ARCHI-  
21 TECT FOR DEPARTMENT OF DEFENSE SPACE SYS-  
22 TEMS.—Not later than 90 days after the date of the  
23 enactment of this Act, the Secretary of Defense  
24 shall—

1 (A) designate the Chief of Space Oper-  
2 ations the force design architect for space sys-  
3 tems of the Armed Forces; and

4 (B) submit to the congressional defense  
5 committees a certification of such designation.

6 **SEC. 1603. DELEGATION OF AUTHORITIES TO SPACE DE-**  
7 **VELOPMENT AGENCY.**

8 Section 9086 of title 10, United States Code, as re-  
9 designated by section 1081, is amended by adding at the  
10 end the following new subsection:

11 “(d) DELEGATION OF AUTHORITIES.—(1) With re-  
12 spect to tranche 0 capabilities and tranche 1 capabilities,  
13 to the extent practicable, the Secretary of the Air Force,  
14 acting through the Service Acquisition Executive for Space  
15 Systems and Programs, shall ensure the delegation to the  
16 Agency of—

17 “(A) head of contracting authority; and

18 “(B) milestone decision authority for the middle  
19 tier of acquisition programs.

20 “(2)(A) The Service Acquisition Executive for Space  
21 Systems and Programs may rescind the delegation of au-  
22 thority under paragraph (1) for cause or on a case-by-  
23 case basis.

24 “(B) Not later than 30 days after the date of a rescis-  
25 sion under subparagraph (A), the Secretary of the Air

1 Force shall notify the congressional defense committees of  
2 such rescission.

3 “(3) In this subsection:

4 “(A) The term ‘tranche 0 capabilities’ means  
5 capabilities relating to transport, battle manage-  
6 ment, tracking, custody, navigation, deterrence, and  
7 support, that are intended to be achieved by Sep-  
8 tember 30, 2022.

9 “(B) The term ‘tranche 1 capabilities’ means  
10 capabilities relating to transport, battle manage-  
11 ment, tracking, custody, navigation, deterrence, and  
12 support, that are intended to be achieved by Sep-  
13 tember 30, 2024.”.

14 **SEC. 1604. EXTENSION AND MODIFICATION OF COUNCIL ON**  
15 **OVERSIGHT OF THE DEPARTMENT OF DE-**  
16 **FENSE POSITIONING, NAVIGATION, AND TIM-**  
17 **ING ENTERPRISE.**

18 Section 2279b of title 10, United States Code, is  
19 amended—

20 (1) in subsection (d)(2)—

21 (A) by redesignating subparagraphs (D)  
22 and (E) as subparagraphs (E) and (F), respec-  
23 tively; and

24 (B) by inserting after subparagraph (C)  
25 the following new subparagraph (D):

1           “(D) Alternative methods to perform position  
2 navigation and timing.”; and

3           (2) in subsection (h), by striking “National De-  
4 fense Authorization Act for Fiscal Year 2016” and  
5 inserting “National Defense Authorization Act for  
6 Fiscal Year 2022”.

7 **SEC. 1605. IMPROVEMENTS TO TACTICALLY RESPONSIVE**  
8 **SPACE LAUNCH PROGRAM.**

9           Section 1609 of the William M. (Mac) Thornberry  
10 National Defense Authorization Act for Fiscal Year 2021  
11 (Public Law 116–283; 134 Stat. 4048) is amended—

12           (1) by striking “The Secretary” and inserting  
13 “(a) PROGRAM.—The Secretary”; and

14           (2) by adding at the end the following new sub-  
15 section:

16           “(b) SUPPORT.—

17           “(1) ELEMENTS.—The Secretary of Defense, in  
18 consultation with the Director of National Intel-  
19 ligence, shall support the tactically responsive launch  
20 program under subsection (a) during the period cov-  
21 ered by the future-years defense program submitted  
22 to Congress under section 221 of title 10, United  
23 States Code, in 2022 to ensure that the program ad-  
24 dresses the following:

1           “(A) The ability to rapidly place on-orbit  
2 systems to respond to urgent needs of the com-  
3 manders of the combatant commands or to re-  
4 constitute space assets and capabilities to sup-  
5 port national security priorities if such assets  
6 and capabilities are degraded, attacked, or oth-  
7 erwise impaired, including such assets and ca-  
8 pabilities relating to protected communications  
9 and intelligence, surveillance, and reconnais-  
10 sance.

11           “(B) The entire launch process, including  
12 with respect to launch services, satellite bus and  
13 payload availability, and operations and  
14 sustainment on-orbit.

15           “(2) PLAN.—As a part of the defense budget  
16 materials (as defined in section 239 of title 10,  
17 United States Code) for fiscal year 2023, the Sec-  
18 retary of Defense, in consultation with the Director  
19 of National Intelligence, shall submit to Congress a  
20 plan for the tactically responsive launch program to  
21 address the elements under paragraph (1). Such  
22 plan shall include the following:

23           “(A) Lessons learned from the Space Sa-  
24 fari tactically responsive launch-2 mission of  
25 the Space Systems Command of the Space

1 Force, and how to incorporate such lessons into  
2 future efforts regarding tactically responsive  
3 launches.

4 “(B) How to achieve responsive acquisition  
5 timelines within the adaptive acquisition frame-  
6 work for space acquisition pursuant to section  
7 807.

8 “(C) Plans to address supply chain issues  
9 and leverage commercial capabilities to support  
10 future reconstitution and urgent space require-  
11 ments leveraging the tactically responsive  
12 launch program under subsection (a).”.

13 **SEC. 1606. CLARIFICATION OF DOMESTIC SERVICES AND**  
14 **CAPABILITIES IN LEVERAGING COMMERCIAL**  
15 **SATELLITE REMOTE SENSING.**

16 Section 1612(c) of the William M. (Mac) Thornberry  
17 National Defense Authorization Act for Fiscal Year 2021  
18 (Public Law 116–283; 10 U.S.C. 441 note) is amended—

19 (1) by redesignating paragraph (4) as para-  
20 graph (5); and

21 (2) by inserting after paragraph (3) the fol-  
22 lowing new paragraph (4):

23 “(4) The term ‘domestic’ includes, with respect  
24 to commercial capabilities or services covered by this  
25 section, capabilities or services provided by compa-



1       nies that operate in the United States and have ac-  
2       tive mitigation agreements pursuant to the National  
3       Industrial Security Program, unless the Director of  
4       the National Reconnaissance Office or the Director  
5       of the National Geospatial-Intelligence Agency sub-  
6       mits to the appropriate congressional committees a  
7       written determination that excluding such companies  
8       is warranted on the basis of national security or  
9       strategic policy needs.”.

10 **SEC. 1607. PROGRAMS OF RECORD OF SPACE FORCE AND**  
11 **COMMERCIAL CAPABILITIES.**

12       (a) SERVICE ACQUISITION EXECUTIVE FOR SPACE  
13 SYSTEMS AND PROGRAMS.—Section 957(c) of the Na-  
14 tional Defense Authorization Act for Fiscal Year 2020  
15 (Public Law 116–92; 10 U.S.C. 9016 note) is amended  
16 by adding at the end the following new paragraph:

17               “(5) PROGRAMS OF RECORD AND COMMERCIAL  
18 CAPABILITIES.—Prior to establishing a program of  
19 record, the Service Acquisition Executive for Space  
20 Systems and Programs shall determine whether ex-  
21 isting or planned commercially available capabilities  
22 could meet all or a portion of the requirements for  
23 that proposed program. Not later than 30 days after  
24 the date on which the Service Acquisition Executive  
25 makes such a positive determination, the Service Ac-

1       quisition Executive shall submit to the congressional  
2       defense committees a notification of the results of  
3       the determination.”.

4       (b) LIMITATION.—

5           (1) IN GENERAL.—Except as provided by para-  
6       graph (2), the Secretary of Defense may not rely  
7       solely on the use of commercial satellite services and  
8       associated systems to carry out operational require-  
9       ments, including command and control require-  
10      ments, targeting requirements, or other require-  
11      ments that are necessary to execute strategic and  
12      tactical operations.

13          (2) MITIGATION MEASURES.—The Secretary  
14      may rely solely on the use of commercial satellite  
15      services and associated systems to carry out an oper-  
16      ational requirement described in paragraph (1) if the  
17      Secretary has taken measures to mitigate the vulner-  
18      ability of any such requirement.

19      (c) BRIEFINGS.—

20          (1) REQUIREMENT.—Not less frequently than  
21      quarterly through fiscal year 2025, the Secretary  
22      shall provide to the congressional defense commit-  
23      tees a briefing on the use and extent of the reliance  
24      of the Department of Defense on commercial sat-  
25      ellite services and associated systems to provide ca-

1 pability and additional capacity across the Depart-  
2 ment.

3 (2) ELEMENTS.—Each briefing under para-  
4 graph (1) shall include the following for the pre-  
5 ceding quarter:

6 (A) A summary of commercial data and  
7 services used to fulfill requirements of the De-  
8 partment or to augment the systems and capa-  
9 bilities of the Department.

10 (B) An assessment of any reliance on, and  
11 the resulting vulnerabilities of, such data and  
12 services.

13 (C) An analysis of potential measures to  
14 mitigate such vulnerabilities.

15 (D) A description of mitigation measures  
16 taken by the Secretary under subsection (b)(2).

17 (d) STUDY.—The Secretary of the Air Force shall  
18 seek to enter into an agreement with a federally funded  
19 research and development center that is not closely affili-  
20 ated with the Air Force or the Space Force to conduct  
21 a study on—

22 (1) the extent of commercial support of, and in-  
23 tegration into, the space operations of the Armed  
24 Forces; and

1           (2) measures to ensure that such operations,  
2           particularly operations that are mission critical, con-  
3           tinue to be carried out in the most effective manner  
4           possible during a time of conflict.

5 **SEC. 1608. EXTENSION AND MODIFICATION OF CERTIFI-**  
6                                   **CATIONS REGARDING INTEGRATED TAC-**  
7                                   **TICAL WARNING AND ATTACK ASSESSMENT**  
8                                   **MISSION OF THE AIR FORCE.**

9           Section 1666 of the National Defense Authorization  
10 Act for Fiscal Year 2017 (Public Law 114–328; 113 Stat.  
11 2617), as amended by section 1604 of the William M.  
12 (Mac) Thornberry National Defense Authorization Act for  
13 Fiscal Year 2021 (Public Law 116–283), is further  
14 amended—

15           (1) in the section heading, by striking “**THE**  
16           **AIR FORCE**” and inserting “**THE DEPARTMENT**  
17           **OF THE AIR FORCE**”;

18           (2) in subsection (a)—

19                   (A) in the matter preceding paragraph

20                   (1)—

21                                   (i) by striking “each year thereafter  
22                                   through 2020” and inserting “each year  
23                                   thereafter through 2026”; and

24                                   (ii) by inserting “, in consultation  
25                                   with the Commander of the United States

1 Strategic Command and the Commander  
2 of the United States Northern Command,”  
3 after “the Commander of the United  
4 States Space Command”;

5 (B) in paragraph (1)—

6 (i) by striking “the Air Force is” and  
7 inserting “the Department of the Air  
8 Force is”; and

9 (ii) by inserting “and the Space  
10 Force” after “to the Air Force”; and

11 (C) in paragraph (2), by striking “the Air  
12 Force” and inserting “the Department of the  
13 Air Force”; and

14 (3) in subsection (b)—

15 (A) by inserting “of the United States  
16 Space Command” after “Commander”;

17 (B) by striking “system of the Air Force”  
18 and inserting “system of the Department of the  
19 Air Force”;

20 (C) by striking “command of the Air  
21 Force” and inserting “command of the Depart-  
22 ment of the Air Force”; and

23 (D) by striking “aspects of the Air Force”  
24 and inserting “aspects of the Department of the  
25 Air Force”.

1 **SEC. 1609. CLASSIFICATION REVIEW OF PROGRAMS OF THE**  
2 **SPACE FORCE.**

3 (a) CLASSIFICATION REVIEW.—The Secretary of De-  
4 fense shall—

5 (1) not later than 120 days after the date of  
6 the enactment of this Act, conduct a review of each  
7 classified program managed under the authority of  
8 the Space Force to determine whether—

9 (A) the level of classification of the pro-  
10 gram could be changed to a lower level; or

11 (B) the program could be declassified; and

12 (2) not later than 90 days after the date on  
13 which the Secretary completes such review, com-  
14 mence the change to the classification level or the  
15 declassification as determined in such review.

16 (b) COORDINATION.—The Secretary shall carry out  
17 the review under subsection (a)(1) in coordination with the  
18 Assistant Secretary of Defense for Space Policy and, as  
19 the Secretary determines appropriate, the heads of other  
20 elements of the Department of Defense.

21 (c) REPORT.—Not later than 60 days after the date  
22 on which the Secretary completes the review under sub-  
23 section (a)(1), the Secretary, in coordination with the As-  
24 sistant Secretary of Defense for Space Policy, shall submit  
25 to the congressional defense committees a report identi-  
26 fying each program managed under the authority of the

1 Space Force covered by a determination regarding chang-  
2 ing the classification level of the program or declassifying  
3 the program, including—

4 (1) the timeline for implementing such change  
5 or declassification; and

6 (2) any risks that exist in implementing such  
7 change or declassification.

8 **SEC. 1610. REPORT ON RANGE OF THE FUTURE INITIATIVE**  
9 **OF THE SPACE FORCE.**

10 Not later than 90 days after the date of the enact-  
11 ment of this Act, the Chief of Space Operations shall sub-  
12 mit to the congressional defense committees a report con-  
13 taining the following:

14 (1) A detailed plan to carry out the Space  
15 Force “Range of the Future” initiative, including  
16 the estimated funding required to implement the  
17 plan.

18 (2) Identification of any specific authorities the  
19 Chief determines need to be modified by law to im-  
20 prove the ability of the Space Force to address long-  
21 term challenges to the physical infrastructure at the  
22 launch ranges of the Space Force, and an expla-  
23 nation for why such modified authorities are needed.

24 (3) Any additional proposals that would support  
25 improved infrastructure at the launch ranges of the

1 Space Force, including recommendations for legisla-  
2 tive action to carry out such proposals.

3 **SEC. 1611. SPACE POLICY REVIEW.**

4 (a) IN GENERAL.—The Secretary of Defense, in con-  
5 sultation with the Director of National Intelligence, shall  
6 carry out a review of the space policy of the Department  
7 of Defense.

8 (b) ELEMENTS.—The review under subsection (a)  
9 shall include the following:

10 (1) With respect to the five-year period fol-  
11 lowing the date of the review, an assessment of the  
12 threat to the space operations of the United States  
13 and the allies of the United States.

14 (2) An assessment of the national security ob-  
15 jectives of the Department relating to space.

16 (3) An evaluation of the policy changes and  
17 funding necessary to accomplish such objectives dur-  
18 ing such five-year period.

19 (4) An assessment of the policy of the Depart-  
20 ment with respect to deterring, responding to, and  
21 countering threats to the space operations of the  
22 United States and the allies of the United States.

23 (5) An analysis of such policy with respect to  
24 normative behaviors in space, including the commer-  
25 cial use of space.



1           (6) An analysis of the extent to which such pol-  
2           icy is coordinated with other ongoing policy reviews,  
3           including reviews regarding nuclear, missile defense,  
4           and cyber operations.

5           (7) A description of the organization and space  
6           doctrine of the Department to carry out the space  
7           policy of the Department.

8           (8) An assessment of the space systems and ar-  
9           chitectures to implement such space policy.

10          (9) Any other matters the Secretary considers  
11          appropriate.

12          (c) REPORT.—

13           (1) REQUIREMENT.—Not later than 180 days  
14           after the date of the enactment of this Act, the Sec-  
15           retary, in consultation with the Director, shall sub-  
16           mit to the appropriate congressional committees a  
17           report on the results of the review under subsection  
18           (a).

19           (2) ANNUAL UPDATES.—Concurrent with the  
20           submission to Congress of the budget of the Presi-  
21           dent for each of fiscal years 2024 through 2026 pur-  
22           suant to section 1105(a) of title 31, United States  
23           Code, and more frequently during such period as the  
24           Secretary determines appropriate, the Secretary, in  
25           consultation with the Director, shall submit to the

1 appropriate congressional committees a report de-  
2 scribing any update to the assessments, analyses,  
3 and evaluations carried out pursuant to such review.

4 (3) FORM.—Each report under this subsection  
5 shall be submitted in unclassified form, but may in-  
6 clude a classified annex.

7 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
8 DEFINED.—In this section, the term “appropriate con-  
9 gressional committees” means the following:

10 (1) The congressional defense committees.

11 (2) The Committee on Science, Space, and  
12 Technology and the Permanent Select Committee on  
13 Intelligence of the House of Representatives.

14 (3) The Committee on Commerce, Science, and  
15 Transportation and the Select Committee on Intel-  
16 ligence of the Senate.

17 **SEC. 1612. ANNUAL BRIEFING ON THREATS TO SPACE OP-**  
18 **ERATIONS.**

19 (a) REQUIREMENT.—Not later than February 28  
20 each year through 2026, the Chief of Space Operations,  
21 in consultation with the Commander of the United States  
22 Space Command and the Director of National Intelligence,  
23 shall provide to the appropriate congressional committees  
24 a briefing on the threats to the space operations of the

1 United States posed by Russia, China, and any other  
2 country relevant to the conduct of such operations.

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

5 (1) A review of the current posture of threats  
6 described in such subsection and anticipated ad-  
7 vances in such threats over the subsequent five-year  
8 period.

9 (2) A description of potential measures to  
10 counter such threats.

11 (c) DISTRIBUTION OF BRIEFING.—On or about the  
12 same day as the Chief of Space Operations provides to  
13 the appropriate congressional committees a briefing under  
14 subsection (a), the Chief shall also provide to the National  
15 Space Council, the Secretary of Commerce, the Secretary  
16 of Transportation, and the Administrator of the National  
17 Aeronautics and Space Administration the briefing at the  
18 highest level of classification possible.

19 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
20 DEFINED.—In this section, the term “appropriate con-  
21 gressional committees” means—

22 (1) the Committees on Armed Services, Energy  
23 and Commerce, Transportation and Infrastructure,  
24 and Science, Space, and Technology, and the Perma-

1           nent Select Committee on Intelligence of the House  
2           of Representatives; and

3           (2) the Committees on Armed Services and  
4           Commerce, Science, and Transportation, and the Se-  
5           lect Committee on Intelligence of the Senate.

6   **SEC. 1613. NATIONAL SECURITY COUNCIL BRIEFING ON PO-**  
7                   **TENTIAL HARMFUL INTERFERENCE TO**  
8                   **GLOBAL POSITIONING SYSTEM.**

9           (a) REQUIREMENT.—Not later than 30 days after the  
10          date of the enactment of this Act, the Secretary of Defense  
11          shall provide to the National Security Council, the Sec-  
12          retary of Commerce, and the Commissioners of the Fed-  
13          eral Communications Commission a briefing at the highest  
14          level of classification on the current assessment of the De-  
15          partment of Defense, as of the date of the briefing, regard-  
16          ing the potential for harmful interference to the Global  
17          Positioning System, mobile satellite services, or other tac-  
18          tical or strategic systems of the Department of Defense,  
19          from commercial terrestrial operations and mobile satellite  
20          services using the 1525–1559 megahertz band and the  
21          1626.5–1660.5 megahertz band.

22          (b) MATTERS INCLUDED.—The briefing under sub-  
23          section (a) shall include—

1           (1) potential operational impacts that have been  
2           studied within the megahertz bands specified in such  
3           subsection; and

4           (2) impacts that could be mitigated, if any, in-  
5           cluding how such mitigations could be implemented.

6           (c) CONGRESSIONAL BRIEFING.—Not later than  
7           seven days after the date on which the Secretary provides  
8           the briefing under subsection (a), the Secretary shall pro-  
9           vide to the appropriate congressional committees such  
10          briefing.

11          (d) INDEPENDENT TECHNICAL REVIEW.—The Sec-  
12          retary shall carry out subsections (a) and (c) regardless  
13          of whether the independent technical review conducted  
14          pursuant to section 1663 of the William M. (Mac) Thorn-  
15          berry National Defense Authorization Act for Fiscal Year  
16          2021 (Public Law 116–283) has been completed.

17          (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
18          FINED.—In this section, the term “appropriate congres-  
19          sional committees” means—

20                 (1) the congressional defense committees; and

21                 (2) the Committee on Energy and Commerce of  
22                 the House of Representatives and the Committee on  
23                 Commerce, Science, and Transportation of the Sen-  
24                 ate.

1 **SEC. 1614. NON-GEOSTATIONARY ORBIT SATELLITE CON-**  
2 **STELLATIONS.**

3 (a) REPORT.—Not later than 180 days after the date  
4 of the enactment of this Act, the Secretary of Defense,  
5 in consultation with the Secretaries of the military depart-  
6 ments and the heads of the Defense Agencies, shall submit  
7 to the congressional defense committees a report on cur-  
8 rent commercial satellite communication initiatives, in-  
9 cluding with respect to new non-geostationary orbit sat-  
10 ellite technologies that the Department of Defense has em-  
11 ployed to increase satellite communication throughput to  
12 existing platforms of the military departments currently  
13 constrained by legacy capabilities.

14 (b) MATTERS INCLUDED.—The report under sub-  
15 section (a) shall include the following:

16 (1) A potential investment strategy concerning  
17 how to operationalize commercial satellite commu-  
18 nication capabilities using non-geostationary orbit  
19 satellites across each of the military departments, in-  
20 cluding—

21 (A) requisite funding required to ade-  
22 quately prioritize and accelerate the integration  
23 of such capabilities into the warfighting systems  
24 of the departments; and

25 (B) future-year spending projections for  
26 such efforts that align with other satellite com-

1           munication investments of the Department of  
2           Defense.

3           (2) An integrated satellite communications ref-  
4           erence architecture roadmap for the Department of  
5           Defense to achieve a resilient, secure network for  
6           operationalizing commercial satellite communication  
7           capabilities, including through the use of non-geo-  
8           stationary orbit satellites, across the Department  
9           that is capable of leveraging multi-band and multi-  
10          orbit architectures, including requirements that en-  
11          able maximum use of commercially available tech-  
12          nologies.

13 **SEC. 1615. BRIEFING ON PROTOTYPE PROGRAM FOR**  
14                   **MULTIGLOBAL NAVIGATION SATELLITE SYS-**  
15                   **TEM RECEIVER DEVELOPMENT.**

16          Not later than 90 days after the date of the enact-  
17          ment of this Act, the Secretary of the Air Force shall pro-  
18          vide to the congressional defense committees a briefing on  
19          the implementation of the program required under section  
20          1607 of the National Defense Authorization Act for Fiscal  
21          Year 2020 (Public Law 116–92; 133 Stat. 1724), includ-  
22          ing with respect to addressing each element specified in  
23          subsection (b) of such section.

1     **Subtitle B—Defense Intelligence**  
2     **and Intelligence-Related Activities**

3     **SEC. 1621. NOTIFICATION OF CERTAIN THREATS TO**  
4                     **UNITED STATES ARMED FORCES BY FOREIGN**  
5                     **GOVERNMENTS.**

6             (a) DETERMINATION THAT FOREIGN GOVERNMENT  
7 INTENDS TO CAUSE THE DEATH OF OR SERIOUS BODILY  
8 INJURY TO MEMBERS OF THE ARMED FORCES.—The  
9 Secretary of Defense shall carry out the notification re-  
10 quirement under subsection (b) whenever the Secretary,  
11 in consultation with the Director of National Intelligence,  
12 determines with high confidence that, on or after the date  
13 of the enactment of this Act, an official of a foreign gov-  
14 ernment has taken a substantial step that is intended to  
15 cause the death of, or serious bodily injury to, any member  
16 of the United States Armed Forces, whether through di-  
17 rect means or indirect means, including through a promise  
18 or agreement by the foreign government to pay anything  
19 of pecuniary value to an individual or organization in ex-  
20 change for causing such death or serious bodily injury.

21             (b) NOTICE TO CONGRESS.—

22                     (1) NOTIFICATION.—Except as provided by  
23 paragraph (2), not later than 14 days after making  
24 a determination under subsection (a), the Secretary  
25 shall notify the congressional defense committees of



1       such determination. Such notification shall include,  
2       at a minimum, the following:

3               (A) A description of the nature and extent  
4               of the effort by the foreign government to tar-  
5               get members of the United States Armed  
6               Forces.

7               (B) An assessment of what specific offi-  
8               cials, agents, entities, and departments within  
9               the foreign government authorized the effort.

10              (C) An assessment of the motivations of  
11              the foreign government for undertaking such an  
12              effort.

13              (D) An assessment of whether the effort of  
14              the foreign government was a substantial factor  
15              in the death or serious bodily injury of any  
16              member of the United States Armed Forces.

17              (E) Any other information the Secretary  
18              determines appropriate.

19              (2) WAIVER.—On a case-by-case basis, the Sec-  
20              retary may waive the notification requirement under  
21              paragraph (1) if the Secretary—

22                      (A) determines that the waiver is in the  
23                      national security interests of the United States;  
24                      and

1 (B) submits to the congressional defense  
2 committees a written justification of such deter-  
3 mination.

4 (c) DEFINITIONS.—In this section:

5 (1) The term “anything of pecuniary value” has  
6 the meaning given that term in section 1958(b)(1)  
7 of title 18, United States Code.

8 (2) The term “determines with high con-  
9 fidence”—

10 (A) means that the official making the de-  
11 termination—

12 (i) has concluded that the judgments  
13 in the determination are based on sound  
14 analytic argumentation and high-quality,  
15 consistent reporting from multiple sources,  
16 including through clandestinely obtained  
17 documents, clandestine and open source re-  
18 porting, and in-depth expertise;

19 (ii) with respect to such judgments,  
20 has concluded that the intelligence commu-  
21 nity has few intelligence gaps and few as-  
22 sumptions underlying the analytic line and  
23 that the intelligence community has con-  
24 cluded that the potential for deception is  
25 low; and

1 (iii) has examined long-standing ana-  
2 lytic judgments and considered alternatives  
3 in making the determination; but

4 (B) does not mean that the official making  
5 the determination has concluded that the judg-  
6 ments in the determination are fact or cer-  
7 tainty.

8 (3) The term “direct means” means without the  
9 use of intermediaries.

10 (4) The term “foreign government” means the  
11 government of a foreign country with which the  
12 United States is at peace.

13 (5) The term “indirect means” means through,  
14 or with the assistance of, intermediaries.

15 **SEC. 1622. STRATEGY AND PLAN TO IMPLEMENT CERTAIN**  
16 **DEFENSE INTELLIGENCE REFORMS.**

17 (a) STRATEGY AND PLAN.—The Secretary of De-  
18 fense, in coordination with the Director of National Intel-  
19 ligence, shall develop and implement a strategy and plan  
20 to enable the Defense Intelligence Enterprise to more ef-  
21 fectively fulfill the intelligence and information require-  
22 ments of the commanders of the combatant commands  
23 with respect to efforts by the combatant commands to ex-  
24 pose and counter foreign malign influence, coercion, and  
25 subversion activities undertaken by, or at the direction,

1 on behalf, or with substantial support of the governments  
2 of, covered foreign countries.

3 (b) MATTERS INCLUDED IN PLAN.—The plan under  
4 subsection (a) shall include the following:

5 (1) A plan to improve policies and procedures  
6 of the Defense Intelligence Enterprise to assemble  
7 and release facts about the foreign malign influence,  
8 coercion, and subversion activities of a covered for-  
9 eign country described in such subsection in a timely  
10 way and in forms that allow for greater distribution  
11 and release.

12 (2) A plan to develop and publish validated pri-  
13 ority intelligence requirements of the commanders of  
14 the combatant commands.

15 (3) A plan to better leverage open-source and  
16 commercially available information and independent  
17 analyses to support the efforts by the combatant  
18 commands described in such subsection.

19 (4) A review by each element of the Defense In-  
20 telligence Enterprise of the approaches used by that  
21 element—

22 (A) with respect to intelligence that has  
23 not been processed or analyzed, to separate out  
24 data from the sources and methods by which

1 the data is obtained (commonly known as  
2 “tearlining”); and

3 (B) with respect to finished intelligence  
4 products that relate to foreign malign influence,  
5 coercion, and subversion activities of a covered  
6 foreign country described in such subsection, to  
7 downgrade the classification level of the prod-  
8 uct.

9 (6) An identification of any additional resources  
10 or legislative authority necessary to better meet the  
11 intelligence and information requirements described  
12 in such subsection.

13 (7) An assignment of responsibilities and  
14 timelines for the implementation of the plans de-  
15 scribed in paragraphs (1), (2), and (3).

16 (8) Any other matters the Secretary determines  
17 relevant.

18 (c) SUBMISSION.—Not later than 90 days after the  
19 date of the enactment of this Act, the Secretary of De-  
20 fense, in coordination with the Director of National Intel-  
21 ligence, shall submit to the appropriate congressional com-  
22 mittees and the Comptroller General of the United States  
23 the plan developed under subsection (a).

24 (d) COMPTROLLER GENERAL REVIEW.—

1           (1) REQUIREMENT.—The Comptroller General  
2 shall conduct a review of—

3           (A) the plan submitted under subsection  
4 (c); and

5           (B) the activities and future plans of the  
6 Defense Intelligence Enterprise for meeting the  
7 intelligence and information requirements de-  
8 scribed in subsection (a).

9           (2) ELEMENTS.—The review under paragraph  
10 (1) shall include the following:

11           (A) The extent to which the plan sub-  
12 mitted under subsection (c) includes the ele-  
13 ments identified in subsection (b).

14           (B) The extent to which the Defense Intel-  
15 ligence Enterprise has clearly assigned roles, re-  
16 sponsibilities, and processes for fulfilling the in-  
17 telligence and information requirements de-  
18 scribed in subsection (a).

19           (C) The extent to which the Defense Intel-  
20 ligence Enterprise is planning to obtain addi-  
21 tional capabilities and resources to improve the  
22 quality and timeliness of intelligence and infor-  
23 mation provided to the commanders of the com-  
24 batant commands to aid in the efforts described  
25 in subsection (a).

1           (D) The extent to which the Defense Intel-  
2           ligence Enterprise is identifying, obtaining, and  
3           using commercial and publicly available infor-  
4           mation to aid in such efforts.

5           (E) Any other related issues that the  
6           Comptroller General determines appropriate.

7           (3) BRIEFING AND REPORT.—Not later than  
8           120 days after the date on which the Comptroller  
9           General receives the plan under subsection (c), the  
10          Comptroller General shall provide to the appropriate  
11          congressional committees a briefing on any initial  
12          findings about the plan. After such briefing, the  
13          Comptroller General shall submit to the committees  
14          a report on the plan at a date mutually agreed upon  
15          by the Comptroller General and the committees.

16          (e) CONGRESSIONAL BRIEFING.—Not later than 90  
17          days after the date of the enactment of this Act, and annu-  
18          ally thereafter through December 31, 2026, the Secretary,  
19          in coordination with the Director of National Intelligence,  
20          shall provide to the appropriate congressional committees  
21          a briefing on the strategy and plan under subsection (a).

22          (f) DEFINITIONS.—In this section:

23                 (1) The term “appropriate congressional com-  
24                 mittees” means the following:

25                         (A) The congressional defense committees.

1 (B) The Permanent Select Committee on  
2 Intelligence of the House of Representatives  
3 and the Select Committee on Intelligence of the  
4 Senate.

5 (2) The term “covered foreign country” means  
6 any of the following:

7 (A) The People’s Republic of China.

8 (B) The Russian Federation.

9 (C) The Islamic Republic of Iran.

10 (D) The Democratic People’s Republic of  
11 Korea.

12 (E) Any other foreign country the Sec-  
13 retary of Defense and the Director of National  
14 Intelligence determine appropriate.

15 (3) The term “Defense Intelligence Enterprise”  
16 has the meaning given that term in section  
17 426(b)(4) of title 10, United States Code.

18 **SEC. 1623. ANNUAL BRIEFING BY DIRECTOR OF THE DE-**  
19 **FENSE INTELLIGENCE AGENCY ON ELEC-**  
20 **TRONIC WARFARE THREAT TO OPERATIONS**  
21 **OF THE DEPARTMENT OF DEFENSE.**

22 (a) REQUIREMENT.—Not later than March 31, 2022,  
23 and annually thereafter through 2026, the Director of the  
24 Defense Intelligence Agency shall provide the congres-  
25 sional defense committees, the Select Committee on Intel-



1 ligenge of the Senate, and the Permanent Select Com-  
2 mittee on Intelligence of the House of Representatives a  
3 briefing on the electronic warfare threat to operations of  
4 the Department of Defense by Russia, China, and other  
5 countries relevant to the conduct of such operations.

6 (b) CONTENTS.—Each briefing provided under sub-  
7 section (a) shall include a review of the following:

8 (1) Current electronic warfare capabilities of  
9 the armed forces of Russia, the armed forces of  
10 China, and the armed forces of such other countries  
11 as the Director considers appropriate.

12 (2) With respect to the five-year period begin-  
13 ning after the date of the briefing, an estimate of—

14 (A) advances in electronic warfare threats  
15 to the operations of the Department from the  
16 countries referred to in paragraph (1); and

17 (B) the order of battle for Russia, China,  
18 and each other country the Secretary considers  
19 appropriate.

20 **SEC. 1624. REPORT ON EXPLOSIVE ORDNANCE INTEL-**  
21 **LIGENCE MATTERS.**

22 Not later than 180 days after the date of the enact-  
23 ment of this Act, the Secretary of Defense shall submit  
24 to the congressional defense committees a report on the  
25 feasibility and advisability of—

1 (1) designating the Director of the Defense In-  
2 telligence Agency as the executive agent for explosive  
3 ordnance intelligence; and

4 (2) including in the responsibilities of the Di-  
5 rector of the Defense Intelligence Agency pursuant  
6 to section 105 of the National Security Act of 1947  
7 (50 U.S.C. 3038) explosive ordnance intelligence, in-  
8 cluding with respect to the processing, production,  
9 dissemination, integration, exploitation, evaluation,  
10 feedback, and analysis of explosive ordnance using  
11 the skills, techniques, principles, and knowledge of  
12 explosive ordnance disposal personnel regarding  
13 fuzing, firing systems, ordnance disassembly, and  
14 development of render safe techniques, procedures  
15 and tools, publications, and applied technologies.

## 16 **Subtitle C—Nuclear Forces**

### 17 **SEC. 1631. PARTICIPATION IN UNITED STATES STRATEGIC** 18 **COMMAND STRATEGIC DETERRENCE EXER-** 19 **CISES.**

20 Chapter 24 of title 10, United States Code, is amend-  
21 ed by adding at the end the following new section (and  
22 conforming the table of sections at the beginning of such  
23 chapter accordingly):

1 **“SEC. 499b. PARTICIPATION IN UNITED STATES STRATEGIC**  
2 **COMMAND STRATEGIC DETERRENCE EXER-**  
3 **CISES.**

4 “(a) PARTICIPATION.—In the case of annual stra-  
5 tegic deterrence exercises held by the United States Stra-  
6 tegic Command during fiscal years 2022 through 2032—

7 “(1) the Assistant to the President for National  
8 Security Affairs is encouraged to participate in each  
9 such exercise that occurs during an even-numbered  
10 year;

11 “(2) the Deputy Assistant to the President for  
12 National Security Affairs is encouraged to partici-  
13 pate in each such exercise that occurs during an  
14 odd-numbered year;

15 “(3) the Under Secretary of Defense for Policy  
16 shall participate, in whole or in part, in each such  
17 exercise;

18 “(4) the Vice Chairman of the Joint Chiefs of  
19 Staff shall participate, in whole or in part, in each  
20 such exercise;

21 “(5) appropriate senior staff of the Executive  
22 Office of the President or appropriate organizations  
23 supporting the White House relating to continuity of  
24 government activities are encouraged to participate  
25 in each such exercise;

1           “(6) appropriate general or flag officers of the  
2           military departments, and appropriate employees of  
3           Federal agencies in Senior Executive Service posi-  
4           tions (as defined in section 3132 of title 5), shall  
5           participate, in whole or in part, in each such exer-  
6           cise, to provide relevant expertise to the Assistant to  
7           the President for National Security Affairs and the  
8           Deputy Assistant to the President for National Se-  
9           curity Affairs; and

10           “(7) in the case of such an exercise for which  
11           a unified combatant command has a geographic area  
12           of responsibility relevant to the scenario planned to  
13           be used for the exercise, not fewer than two of the  
14           following individuals from that command shall par-  
15           ticipate, in whole or in part, in the exercise:

16                   “(A) The Commander.

17                   “(B) The Deputy Commander.

18                   “(C) The Director of the Joint Staff for  
19           Operations.

20                   “(D) The Director of the Joint Staff for  
21           Strategic Plans and Policy.

22           “(b) BRIEFING.—Not fewer than once every four  
23           years (or more frequently if appropriate) during the period  
24           specified in subsection (a), the President shall be provided  
25           a briefing on the annual strategic deterrence exercise held

1 by the United States Strategic Command during the year  
2 in which the briefing is provided, including the principal  
3 findings resulting from the exercise.

4 “(c) REPORTS.—(1) Not later than 30 days after the  
5 completion of an annual strategic deterrence exercise de-  
6 scribed in subsection (a), the Commander of the United  
7 States Strategic Command shall submit to the Chairman  
8 of the Joint Chiefs of Staff and the Secretary of Defense  
9 a report on the exercise, which, at a minimum, shall in-  
10 clude the following:

11 “(A) A description of the purpose and  
12 scope of the exercise.

13 “(B) An identification of the principal per-  
14 sonnel participating in the exercise.

15 “(C) A statement of the principal findings  
16 resulting from the exercise that specifically re-  
17 late to the nuclear command, control, and com-  
18 munications or senior leader decision-making  
19 process and a description of any deficiencies in  
20 that process identified a result of the exercise.

21 “(D) Whether the President was briefed on  
22 the exercise and the principal findings resulting  
23 from the exercise.

24 “(2) Not later than 60 days after the completion of  
25 an annual strategic deterrence exercise described in sub-

1 section (a), the Secretary shall submit to the congressional  
2 defense committees—

3 “(A) an unedited copy of the report of the  
4 Commander submitted under paragraph (1); and

5 “(B) any additional recommendations or other  
6 matters the Secretary considers appropriate.”.

7 **SEC. 1632. MODIFICATION TO REQUIREMENTS RELATING**  
8 **TO NUCLEAR FORCE REDUCTIONS.**

9 Section 494(c) of title 10, United States Code, is  
10 amended—

11 (1) by striking “December 31, 2011” each  
12 place it appears and inserting “December 31,  
13 2021”; and

14 (2) in paragraph (3), by striking “December  
15 31, 2017” and inserting “February 1, 2025”.

16 **SEC. 1633. MODIFICATIONS TO REQUIREMENTS RELATING**  
17 **TO UNILATERAL CHANGES IN NUCLEAR**  
18 **WEAPONS STOCKPILE OF THE UNITED**  
19 **STATES.**

20 Section 498 of title 10, United States Code, is  
21 amended—

22 (1) by striking subsection (a) and inserting the  
23 following new subsection (a):

24 “(a) IN GENERAL.—Other than pursuant to a treaty  
25 to which the Senate has provided advice and consent pur-

1 suant to section 2 of article II of the Constitution of the  
2 United States, if the President has under consideration  
3 to unilaterally change the size of the total stockpile of nu-  
4 clear weapons of the United States, or the total number  
5 of deployed nuclear weapons (as defined under the New  
6 START Treaty), by more than 20 percent, prior to doing  
7 so the President shall initiate a Nuclear Posture Review.”;

8 (2) in subsection (c), by striking “in the nuclear  
9 weapons stockpile by more than 25 percent” and in-  
10 serting “described in subsection (a)”;

11 (3) in subsection (d), by striking “treaty obliga-  
12 tions” and inserting “obligations pursuant to a trea-  
13 ty to which the Senate has provided advice and con-  
14 sent pursuant to section 2 of article II of the Con-  
15 stitution”; and

16 (4) by adding at the end the following:

17 “(f) NEW START TREATY DEFINED.—In this sec-  
18 tion, the term ‘New START Treaty’ means the Treaty be-  
19 tween the United States of America and the Russian Fed-  
20 eration on Measures for the Further Reduction and Limi-  
21 tation of Strategic Offensive Arms, signed on April 8,  
22 2010, and entered into force on February 5, 2011.”.

1 **SEC. 1634. DEADLINE FOR REPORTS ON MODIFICATION OF**  
2 **FORCE STRUCTURE FOR STRATEGIC NU-**  
3 **CLEAR WEAPONS DELIVERY SYSTEMS.**

4 Section 493 of title 10, United States Code, is  
5 amended in the first sentence by inserting after “report  
6 on the modification” the following: “not less than 180  
7 days before the intended effective date of the modifica-  
8 tion”.

9 **SEC. 1635. MODIFICATION OF DEADLINE FOR NOTIFICA-**  
10 **TIONS RELATING TO REDUCTION, CONSOLI-**  
11 **DATION, OR WITHDRAWAL OF NUCLEAR**  
12 **FORCES BASED IN EUROPE.**

13 Section 497(b) of title 10, United States Code, is  
14 amended by striking “60 days” and inserting “120 days”.

15 **SEC. 1636. PROCUREMENT AUTHORITY FOR CERTAIN**  
16 **PARTS OF THE GROUND-BASED STRATEGIC**  
17 **DETERRENT CRYPTOGRAPHIC DEVICE.**

18 (a) IN GENERAL.—The Secretary of the Air Force  
19 may enter into contracts for the life-of-type procurement  
20 of covered parts supporting the KS-75 cryptographic de-  
21 vice under the ground-based strategic deterrent program.

22 (b) AVAILABILITY OF FUNDS.—Notwithstanding sec-  
23 tion 1502(a) of title 31, United States Code, of the  
24 amount authorized to be appropriated for fiscal year 2022  
25 by section 101 and available for missile procurement, Air  
26 Force, as specified in the corresponding funding table in



1 section 4101, \$10,900,000 shall be available for the pro-  
2 curement of covered parts pursuant to contracts entered  
3 into under subsection (a).

4 (c) COVERED PARTS DEFINED.—In this section, the  
5 term “covered parts” means commercially available off-  
6 the-shelf items as defined in section 104 of title 41, United  
7 States Code.

8 **SEC. 1637. CAPABILITY OF B-21 BOMBER AIRCRAFT WITH**  
9 **LONG-RANGE STANDOFF WEAPON.**

10 The Secretary of the Air Force shall ensure that the  
11 B-21 bomber aircraft is capable of employing the long-  
12 range standoff weapon.

13 **SEC. 1638. MISSION-DESIGN SERIES POPULAR NAME FOR**  
14 **GROUND-BASED STRATEGIC DETERRENT.**

15 (a) REQUIREMENT.—Not later than 90 days after the  
16 date of the enactment of this Act, the Secretary of the  
17 Air Force, in coordination with the Under Secretary of  
18 Defense for Acquisition and Sustainment, shall establish  
19 a mission-design series popular name for the ground-based  
20 strategic deterrent, consistent with the procedures set  
21 forth in Department of Defense Directive 4120.15 (relat-  
22 ing to designating and naming military aerospace vehi-  
23 cles).

24 (b) NOTIFICATION.—Not later than 10 days after  
25 completing the requirement under subsection (a), the Sec-

1 retary of the Air Force shall notify the congressional de-  
2 fense committees of the completion of the requirement.

3 **SEC. 1639. PROHIBITION ON REDUCTION OF THE INTER-**  
4 **CONTINENTAL BALLISTIC MISSILES OF THE**  
5 **UNITED STATES.**

6 (a) PROHIBITION.—Except as provided in subsection  
7 (b), none of the funds authorized to be appropriated by  
8 this Act or otherwise made available for fiscal year 2022  
9 for the Department of Defense may be obligated or ex-  
10 pended for the following, and the Department may not  
11 otherwise take any action to do the following:

12 (1) Reduce, or prepare to reduce, the respon-  
13 siveness or alert level of the intercontinental ballistic  
14 missiles of the United States.

15 (2) Reduce, or prepare to reduce, the quantity  
16 of deployed intercontinental ballistic missiles of the  
17 United States to a number less than 400.

18 (b) EXCEPTION.—The prohibition in subsection (a)  
19 shall not apply to any of the following activities:

20 (1) The maintenance or sustainment of inter-  
21 continental ballistic missiles.

22 (2) Ensuring the safety, security, or reliability  
23 of intercontinental ballistic missiles.

1 **SEC. 1640. LIMITATION ON AVAILABILITY OF CERTAIN**  
2 **FUNDS UNTIL SUBMISSION OF INFORMATION**  
3 **RELATING TO PROPOSED BUDGET FOR NU-**  
4 **CLEAR-ARMED SEA-LAUNCHED CRUISE MIS-**  
5 **SILE.**

6 Of the funds authorized to be appropriated by this  
7 Act or otherwise made available for fiscal year 2022 for  
8 the Department of Defense for travel by any personnel  
9 of the Office of the Secretary of the Navy, not more than  
10 75 percent may be obligated or expended until the Sec-  
11 retary of the Navy submits to the congressional defense  
12 committees all written communications from or to per-  
13 sonnel of the Department of the Navy regarding the pro-  
14 posed budget amount or limitation for the nuclear-armed  
15 sea-launched cruise missile contained in the defense budg-  
16 et materials (as defined by section 231(f) of title 10,  
17 United States Code) relating to the Navy for fiscal year  
18 2023.

19 **SEC. 1641. LIMITATION ON AVAILABILITY OF CERTAIN**  
20 **FUNDS UNTIL SUBMISSION OF INFORMATION**  
21 **RELATING TO NUCLEAR-ARMED SEA-**  
22 **LAUNCHED CRUISE MISSILE.**

23 Of the funds authorized to be appropriated by this  
24 Act or otherwise made available for fiscal year 2022 for  
25 the Department of Defense for travel by any personnel  
26 of the Office of the Secretary of Defense (other than travel

1 by the Secretary of Defense or the Deputy Secretary of  
2 Defense), not more than 75 percent may be obligated or  
3 expended until the Secretary—

4 (1) submits to the congressional defense com-  
5 mittees the analysis of alternatives for the nuclear-  
6 armed sea-launched cruise missile; and

7 (2) provides to such committees a briefing on  
8 such analysis of alternatives.

9 **SEC. 1642. ANNUAL CERTIFICATION ON READINESS OF MIN-**  
10 **UTEMAN III INTERCONTINENTAL BALLISTIC**  
11 **MISSILES.**

12 Not later than March 1, 2022, and annually there-  
13 after until the date on which the ground-based strategic  
14 deterrent weapon achieves initial operating capability, the  
15 Chairman of the Joint Chiefs of Staff shall certify to the  
16 congressional defense committees whether the state of the  
17 readiness of Minuteman III intercontinental ballistic mis-  
18 siles requires placing heavy bombers equipped with nuclear  
19 gravity bombs or air-launched nuclear cruise missiles, and  
20 associated refueling tanker aircraft, on alert status.

21 **SEC. 1643. REVISED NUCLEAR POSTURE REVIEW.**

22 (a) REQUIREMENT FOR COMPREHENSIVE REVIEW.—  
23 In order to clarify the nuclear deterrence policy and strat-  
24 egy of the United States for the near term, the Secretary  
25 of Defense, acting through the Under Secretary of De-

1 fense for Policy and the Vice Chairman of the Joint Chiefs  
2 of Staff, shall conduct a comprehensive review of the nu-  
3 clear posture of the United States for the five- and 10-  
4 year periods following the date of the review. The Sec-  
5 retary shall conduct the review in consultation with the  
6 Secretary of Energy, the Secretary of State, and the Di-  
7 rector of National Intelligence.

8 (b) ELEMENTS OF REVIEW.—The nuclear posture re-  
9 view under subsection (a) shall include the following ele-  
10 ments:

11 (1) An assessment of the current and projected  
12 nuclear capabilities of Russia and China, and such  
13 other potential threats as the Secretary considers  
14 appropriate.

15 (2) The role of nuclear forces in military strat-  
16 egy, planning, and programming of the United  
17 States.

18 (3) The policy requirements and objectives for  
19 the United States to maintain a safe, reliable, and  
20 credible nuclear deterrence posture.

21 (4) The relationship among United States nu-  
22 clear deterrence policy, targeting strategy, and arms  
23 control objectives.

1           (5) The role that missile defenses, conventional  
2           strike forces, and other capabilities play in deter-  
3           mining the role and size of nuclear forces.

4           (6) The levels and composition of the nuclear  
5           delivery systems that will be required for imple-  
6           menting the national and military strategy of the  
7           United States, including ongoing plans for replacing  
8           existing systems.

9           (7) The nuclear weapons complex that will be  
10          required for implementing such national and mili-  
11          tary strategy, including ongoing plans to modernize  
12          the complex.

13          (8) The active and inactive nuclear weapons  
14          stockpile that will be required for implementing the  
15          such national and military strategy, including ongo-  
16          ing plans for replacing or modifying warheads.

17          (c) REPORT.—Concurrent with the national defense  
18          strategy required to be submitted under section 113(g) of  
19          title 10, United States Code, in 2022, the Secretary shall  
20          submit to the congressional defense committees a report  
21          on the results of the nuclear posture review conducted  
22          under subsection (a). The report shall be submitted in un-  
23          classified and classified forms as necessary.

1 **SEC. 1644. REVIEW OF SAFETY, SECURITY, AND RELI-**  
2 **ABILITY OF NUCLEAR WEAPONS AND RE-**  
3 **LATED SYSTEMS.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On December 20, 1990, Secretary of De-  
6 fense Cheney chartered a five-person independent  
7 committee known as the Federal Advisory Com-  
8 mittee on Nuclear Failsafe and Risk Reduction to  
9 assess the capability of the nuclear weapon com-  
10 mand and control system to meet the dual require-  
11 ments of assurance against unauthorized use of nu-  
12 clear weapons and assurance of timely, reliable exe-  
13 cution when authorized, and to identify opportunities  
14 for positive measures to enhance failsafe features.

15 (2) The Federal Advisory Committee, chaired  
16 by Ambassador Jeane J. Kirkpatrick, recommended  
17 changes in the nuclear enterprise, as well as policy  
18 proposals to reduce the risks posed by unauthorized  
19 launches and miscalculation.

20 (3) The Federal Advisory Committee found, un-  
21 ambiguously, that “failsafe and oversight enhance-  
22 ments are possible”.

23 (4) Since 1990, new threats to the nuclear en-  
24 terprise have arisen in the cyber, space, and infor-  
25 mation warfare domains.

1           (5) Ensuring the continued assurance of the  
2           nuclear command, control, and communications in-  
3           frastructure is essential to the national security of  
4           the United States.

5           (b) REVIEW.—The Secretary of Defense shall provide  
6           for the conduct of an independent review of the safety,  
7           security, and reliability of covered nuclear systems. The  
8           Secretary shall ensure that such review is conducted in  
9           a manner similar to the review conducted by the Federal  
10          Advisory Committee on Nuclear Failsafe and Risk Reduc-  
11          tion.

12          (c) MATTERS INCLUDED.—The review conducted  
13          pursuant to subsection (b) shall include the following:

14               (1) Plans for modernizing the covered nuclear  
15               systems, including options and recommendations for  
16               technical, procedural, and policy measures that could  
17               strengthen safeguards, improve the security and reli-  
18               ability of digital technologies, and prevent cyber-re-  
19               lated and other risks that could lead to the unau-  
20               thorized or inadvertent use of nuclear weapons as  
21               the result of an accident, misinterpretation, mis-  
22               calculation, terrorism, unexpected technological  
23               breakthrough, or deliberate act.

24               (2) Options and recommendations for nuclear  
25               risk reduction measures, focusing on confidence



1 building and predictability, that the United States  
2 could carry out alone or with near-peer adversaries  
3 to strengthen safeguards against the unauthorized  
4 or inadvertent use of a nuclear weapon and to re-  
5 duce nuclear risks.

6 (d) SUBMISSION.—Not later than one year after the  
7 date of the enactment of this Act, the Secretary shall sub-  
8 mit to the congressional defense committees the review  
9 conducted pursuant to subsection (b).

10 (e) PREVIOUS REVIEW.—Not later than 30 days after  
11 the date of the enactment of this Act, the Secretary shall  
12 submit to the congressional defense committees the final  
13 report of the Federal Advisory Committee on Nuclear  
14 Failsafe and Risk Reduction.

15 (f) COVERED NUCLEAR SYSTEMS DEFINED.—In this  
16 section, the term “covered nuclear systems” means the fol-  
17 lowing systems of the United States:

18 (1) The nuclear weapons systems.

19 (2) The nuclear command, control, and commu-  
20 nications system.

21 (3) The integrated tactical warning/attack as-  
22 sessment system.

23 **SEC. 1645. LONG-RANGE STANDOFF WEAPON.**

24 (a) REQUIREMENT.—In addition to the requirements  
25 under section 2366c of title 10, United States Code, prior

1 to awarding a procurement contract for the long-range  
2 standoff weapon, the Secretary of the Air Force, in coordi-  
3 nation with the Under Secretary of Defense for Acquisi-  
4 tion and Sustainment, shall submit to the congressional  
5 defense committees each of the following:

6           (1) A certification that the future-years defense  
7 program submitted to Congress under section 221 of  
8 title 10, United States Code, includes, or will in-  
9 clude, estimated funding for the program in the  
10 amounts specified in the independent estimated cost  
11 submitted to the congressional defense committees  
12 under subsection (a)(2) of such section 2366c.

13           (2) A copy of the justification and approval  
14 documentation regarding the determination by the  
15 Secretary to award a sole-source contract for the  
16 program, including with respect to how the Sec-  
17 retary will manage the cost of the program in the  
18 absence of competition.

19           (b) BRIEFING.—Not later than 90 days after the date  
20 of the enactment of this Act, the Secretary of the Air  
21 Force shall provide to the congressional defense commit-  
22 tees a briefing on the execution of the engineering and  
23 manufacturing development contract for the long-range  
24 standoff weapon, including with respect to—

1 (1) how the timely development of the long-  
2 range standoff weapon may serve as a hedge to  
3 delays in other nuclear modernization efforts;

4 (2) the effects of potential delays in the W80-  
5 4 warhead program on the ability of the long-range  
6 standoff weapon to achieve the initial operational ca-  
7 pability schedule under section 217 of the National  
8 Defense Authorization Act for Fiscal Year 2014  
9 (Public Law 113-66; 127 Stat. 706), as most re-  
10 cently amended by section 1668 of the National De-  
11 fense Authorization Act for Fiscal Year 2020 (Pub-  
12 lic Law 116-92; 133 Stat. 1774);

13 (3) options to adjust the budget profile of the  
14 long-range standoff weapon program to ensure the  
15 program remains on schedule; and

16 (4) a plan to ensure best value to the United  
17 States once the programs enter into procurement.

18 **SEC. 1646. GROUND-BASED STRATEGIC DETERRENT DEVEL-**  
19 **OPMENT PROGRAM ACCOUNTABILITY MAT-**  
20 **RICES.**

21 (a) IN GENERAL.—Concurrent with the submission  
22 to Congress of the budget of the President for fiscal year  
23 2023 and each fiscal year thereafter pursuant to section  
24 1105(a) of title 31, United States Code, the Secretary of  
25 the Air Force shall submit to the congressional defense

1 committees and the Comptroller General of the United  
2 States the matrices described in subsection (b) relating to  
3 the ground-based strategic deterrent weapon system.

4 (b) MATRICES DESCRIBED.—The matrices described  
5 in this subsection are the following:

6 (1) ENGINEERING AND MANUFACTURING DE-  
7 VELOPMENT GOALS.—A matrix that identifies, in  
8 six-month increments, key milestones, development  
9 events, and specific performance goals for the engi-  
10 neering and manufacturing development phase of  
11 the ground-based strategic deterrent weapon system,  
12 which shall be subdivided, at a minimum, according  
13 to the following:

14 (A) Technology maturity, including tech-  
15 nology readiness levels of major components  
16 and key demonstration events leading to tech-  
17 nology readiness level 7 full maturity.

18 (B) Design maturity for the missile, weap-  
19 on system command and control, and ground  
20 systems.

21 (C) Software maturity, including key  
22 events and metrics.

23 (D) Manufacturing maturity, including  
24 manufacturing readiness levels for critical man-

1 manufacturing operations and key demonstration  
2 events.

3 (E) The schedule with respect to the fol-  
4 lowing:

5 (i) Ground-based strategic deterrent  
6 weapon system level critical path events  
7 and margins.

8 (ii) Separate individual critical path  
9 events and margins for each of the fol-  
10 lowing major events:

11 (I) First flight.

12 (II) First functional test.

13 (III) Weapon system qualifica-  
14 tion.

15 (IV) Combined certifications.

16 (V) Operational weapon system  
17 article.

18 (VI) Initial operational capa-  
19 bility.

20 (VII) Wing A completion.

21 (F) Personnel, including planned and ac-  
22 tual staffing for the program office and for con-  
23 tractor and supporting organizations, including  
24 for testing, nuclear certification, and civil engi-  
25 neering by the Air Force.

1 (G) Reliability, including growth plans and  
2 key milestones.

3 (2) COST.—

4 (A) IN GENERAL.—The following matrices  
5 relating to the cost of the ground-based stra-  
6 tegic deterrent weapon system:

7 (i) A matrix expressing, in six-month  
8 increments, the total cost for the engineer-  
9 ing and manufacturing development phase  
10 and low-rate initial production lots of the  
11 ground-based strategic deterrent weapon  
12 system.

13 (ii) A matrix expressing the total cost  
14 for the prime contractor's estimate for the  
15 engineering and manufacturing develop-  
16 ment phase and production lots.

17 (B) PHASING AND SUBDIVISION OF MAT-  
18 RICES.—The matrices described in clauses (i)  
19 and (ii) of subparagraph (A) shall be—

20 (i) phased over the entire engineering  
21 and manufacturing development period;  
22 and

23 (ii) subdivided according to the costs  
24 of the primary subsystems in the ground-

1 based strategic deterrent weapon system  
2 work breakdown structure.

3 (c) SEMI-ANNUAL UPDATES OF MATRICES.—Not  
4 later than 180 days after the date on which the Secretary  
5 submits the matrices described in subsection (b) for a year  
6 as required by subsection (a), the Secretary shall submit  
7 to the congressional defense committees and the Comp-  
8 troller General updates to the matrices.

9 (d) TREATMENT OF THE FIRST MATRICES AS BASE-  
10 LINE.—

11 (1) IN GENERAL.—The first set of matrices  
12 submitted under subsection (a) shall be treated as  
13 the baseline for the full engineering and manufac-  
14 turing development phase and low-rate initial pro-  
15 duction of the ground-based strategic deterrent  
16 weapon system program for purposes of updates  
17 submitted under subsection (c) and subsequent mat-  
18 rices submitted under subsection (a).

19 (2) ELEMENTS.—After the submission of the  
20 first set of matrices required by subsection (a), each  
21 update submitted under subsection (c) and each sub-  
22 sequent set of matrices submitted under subsection  
23 (a) shall—

24 (A) clearly identify changes in key mile-  
25 stones, development events, and specific per-

1 formance goals identified in the first set of mat-  
2 rices; and

3 (B) provide updated cost estimates.

4 (e) ASSESSMENT BY COMPTROLLER GENERAL OF  
5 THE UNITED STATES.—Not later than 60 days after re-  
6 ceiving the matrices described in subsection (b) for a year  
7 as required by subsection (a), the Comptroller General  
8 shall assess the acquisition progress made with respect to  
9 the ground-based strategic deterrent weapon system and  
10 brief the congressional defense committees on the results  
11 of that assessment.

12 (f) TERMINATION.—The requirements of this section  
13 shall terminate on the date that is one year after the  
14 ground-based strategic deterrent weapon system achieves  
15 initial operational capability.

16 **SEC. 1647. INFORMATION REGARDING REVIEW OF MINUTE-**  
17 **MAN III SERVICE LIFE EXTENSION PROGRAM**  
18 **OR OPTIONS FOR THE FUTURE OF THE**  
19 **INTERCONTINENTAL BALLISTIC MISSILE**  
20 **FORCE.**

21 (a) REQUIREMENT.—The Secretary of Defense shall  
22 submit to the congressional defense committees all—

23 (1) scoping documents relating to any covered  
24 review; and



1           (2) reports or other documents relating to any  
2           such review.

3           (b) **TIMING.**—The Secretary shall submit the docu-  
4           ments and reports under subsection (a) by the date that  
5           is the later of the following:

6           (1) 15 days after the date on which the docu-  
7           ments or reports are produced.

8           (2) 15 days after the date of the enactment of  
9           this Act.

10          (c) **COVERED REVIEW.**—In this section, the term  
11          “covered review” means any review initiated in 2021 or  
12          2022 by any entity pursuant to an agreement or contract  
13          with the Federal Government regarding—

14                 (1) a service life extension program for Minute-  
15                 man III intercontinental ballistic missiles; or

16                 (2) the future of the intercontinental ballistic  
17                 missile force.

18          **SEC. 1648. NOTIFICATION REGARDING INTERCONTINENTAL**  
19                         **BALLISTIC MISSILES OF CHINA.**

20          (a) **REQUIREMENT.**—If the Commander of the  
21          United States Strategic Command determines that the  
22          number of intercontinental ballistic missiles in the active  
23          inventory of China exceeds the number of intercontinental  
24          ballistic missiles in the active inventory of the United  
25          States, the number of nuclear warheads equipped on such

1 missiles of China exceeds the number of nuclear warheads  
2 equipped on such missiles of the United States, or the  
3 number of intercontinental ballistic missile launchers in  
4 China exceeds the number of intercontinental ballistic mis-  
5 sile launchers in the United States, the Commander shall  
6 submit to the congressional defense committees—

7 (1) a notification of such determination;

8 (2) an assessment of the composition of the  
9 intercontinental ballistic missiles of China, including  
10 the types of nuclear warheads equipped on such mis-  
11 siles; and

12 (3) a strategy for deterring China.

13 (b) FORM.—The notification under paragraph (1) of  
14 subsection (a) shall be submitted in unclassified form, and  
15 the assessment and strategy under paragraphs (2) and (3)  
16 of such subsection may be submitted in classified form.

17 (c) TERMINATION.—The requirement under sub-  
18 section (a) shall terminate on the date that is four years  
19 after the date of the enactment of this Act.

20 **SEC. 1649. INDEPENDENT REVIEW OF NUCLEAR COMMAND,**  
21 **CONTROL, AND COMMUNICATIONS SYSTEM.**

22 (a) REVIEW.—Not later than 30 days after the date  
23 of the enactment of this Act, the Secretary of Defense  
24 shall seek to enter into an agreement with a federally  
25 funded research and development center to conduct a re-

1 view of the current plans, policies, and programs of the  
2 nuclear command, control, and communications system of  
3 the Department of Defense, and such plans, policies, and  
4 programs that are planned for the 10- and 30-year periods  
5 following such date of enactment.

6 (b) MATTERS INCLUDED.—The review under sub-  
7 section (a) shall include a review of each of the following:

8 (1) The plans, policies, and programs described  
9 in such subsection.

10 (2) The operational, organizational, pro-  
11 grammatic, and acquisition challenges and risks with  
12 respect to—

13 (A) maintaining the existing nuclear com-  
14 mand, control, and communications system; and

15 (B) the nuclear command, control, and  
16 communications system to be fielded during the  
17 10-year period following the date of the enact-  
18 ment of this Act.

19 (3) Emerging technologies and how such tech-  
20 nologies may be applied to the next generation of the  
21 nuclear command, control, and communications sys-  
22 tem during the 30-year period following the date of  
23 the enactment of this Act to ensure—

24 (A) the survivability of the system; and

1 (B) the capability of the system with re-  
2 spect to—

- 3 (i) decisionmaking;  
4 (ii) situation monitoring;  
5 (iii) planning;  
6 (iv) force direction; and  
7 (v) force management.

8 (4) The security and surety of the nuclear com-  
9 mand, control, and communications system.

10 (5) Threats to the nuclear command, control,  
11 and communications system that may occur and the  
12 ability to detect and mitigate such threats during  
13 the 10- and 30-year periods following the date of the  
14 enactment of this Act.

15 (c) BRIEFING.—Not later than September 1, 2022,  
16 the federally funded research and development center that  
17 conducts the review under subsection (a) shall provide the  
18 congressional defense committees an interim briefing on  
19 the review under subsection (a).

20 (d) REPORT.—Not later than March 1, 2023, the fed-  
21 erally funded research and development center that con-  
22 ducts the review under subsection (a) shall submit to the  
23 Secretary and the congressional defense committees a re-  
24 port containing the review under such subsection.

1 **SEC. 1650. REVIEW OF ENGINEERING AND MANUFAC-**  
2 **TURING DEVELOPMENT CONTRACT FOR**  
3 **GROUND-BASED STRATEGIC DETERRENT**  
4 **PROGRAM.**

5 (a) REVIEW.—

6 (1) REQUIREMENT.—Not later than 90 days  
7 after the date of the enactment of this Act, the Sec-  
8 retary of the Air Force, in coordination with the  
9 Under Secretary of Defense for Acquisition and  
10 Sustainment, shall seek to enter into a contract with  
11 a federally funded research and development center  
12 to conduct a review of the implementation and the  
13 execution of the engineering and manufacturing de-  
14 velopment phase for the ground-based strategic de-  
15 terrent program.

16 (2) MATTERS INCLUDED.—The review under  
17 paragraph (1) shall include the following:

18 (A) An analysis of the ability of the Air  
19 Force to implement industry best practices re-  
20 garding digital engineering during the engineer-  
21 ing and manufacturing development phase of  
22 the ground-based strategic deterrent program.

23 (B) An assessment of the opportunities of-  
24 fered by the adoption by the Air Force of dig-  
25 ital engineering processes and of the challenges

1 the Air Force faces in implementing such indus-  
2 try best practices.

3 (C) A review of the ability of the Air Force  
4 to leverage digital engineering during such engi-  
5 neering and manufacturing development phase.

6 (D) A review of any options that may be  
7 available to the Air Force during the engineer-  
8 ing and manufacturing development phase of  
9 the ground-based strategic deterrent program  
10 to—

11 (i) reduce cost and introduce long-  
12 term sustainment efficiencies; and

13 (ii) stimulate competition within the  
14 operations and maintenance phase of the  
15 program.

16 (E) Recommendations to improve the cost,  
17 schedule, and program management of the engi-  
18 neering and manufacturing development phase  
19 for the ground-based strategic deterrent pro-  
20 gram.

21 (3) PROVISION OF INFORMATION.—The Sec-  
22 retary shall provide to the individuals conducting the  
23 review under paragraph (1) all information nec-  
24 essary for the review.

1           (4) SECURITY CLEARANCES.—The Secretary  
2           shall ensure that each individual who conducts the  
3           review under paragraph (1) holds a security clear-  
4           ance at the appropriate level for such review.

5           (b) REPORT.—Not later than 270 days after the date  
6           of the enactment of this Act, the Secretary shall submit  
7           to the congressional defense committees a report con-  
8           taining the review under subsection (a)(1). The report  
9           shall be submitted in unclassified form and shall include  
10          a classified annex.

11          (c) BRIEFING.—Not later than 90 days after the date  
12          on which the Secretary submits the report under sub-  
13          section (b), the Secretary shall provide to the congres-  
14          sional defense committees a briefing on—

15                 (1) plans of the Air Force for implementing any  
16                 of the recommendations contained in the review  
17                 under subsection (a)(1); and

18                 (2) an explanation for rejecting any rec-  
19                 ommendations contained in the review that the Sec-  
20                 retary elects not to implement.

21   **SEC. 1651. REPORT ON RE-ALERTING LONG-RANGE BOMB-**  
22                           **ERS.**

23          Not later than 90 days after the date of the enact-  
24          ment of this Act, the Secretary of the Air Force shall sub-

1 mit to the congressional defense committees a report con-  
2 taining—

3 (1) a cost estimate with respect to re-alerting  
4 long-range bombers and air refueling tanker aircraft  
5 in the absence of a ground-based leg of the nuclear  
6 triad; and

7 (2) an assessment of the impact of such re-  
8 alerting on force readiness.

9 **SEC. 1652. COMPTROLLER GENERAL STUDY AND UPDATED**  
10 **REPORT ON NUCLEAR WEAPONS CAPABILI-**  
11 **TIES AND FORCE STRUCTURE REQUIRE-**  
12 **MENTS.**

13 (a) **COMPTROLLER GENERAL STUDY REQUIRED.**—  
14 The Comptroller General of the United States shall con-  
15 duct a study on the strategic nuclear weapons capabilities,  
16 force structure, employment policy, and targeting require-  
17 ments of the Department of Defense.

18 (b) **MATTERS COVERED.**—The study conducted  
19 under subsection (a) shall, at minimum, consist of an up-  
20 date to the report of the Comptroller General titled “Stra-  
21 tegic Weapons: Changes in the Nuclear Weapons Tar-  
22 geting Process Since 1991” (GAO–12–786R) and dated  
23 July 31, 2012, including covering any changes to—



1           (1) how the Department of Defense has as-  
2           sessed threats and modified its nuclear deterrence  
3           policy;

4           (2) targeting and employment guidance from  
5           the President, the Secretary of Defense, the Chair-  
6           man of the Joint Chiefs of Staff, and the Com-  
7           mander of United States Strategic Command;

8           (3) nuclear weapons planning and targeting, in-  
9           cluding categories and types of targets;

10          (4) strategic nuclear forces, including the stock-  
11          pile, force posture, and modernization;

12          (5) the level of civilian oversight;

13          (6) the relationship between targeting and re-  
14          quirements; and

15          (7) any other matters considered appropriate by  
16          the Comptroller General.

17          (c) REPORTING.—

18           (1) BRIEFING ON PRELIMINARY FINDINGS.—

19           Not later than March 31, 2022, the Comptroller  
20           General shall provide to the congressional defense  
21           committees a briefing on the preliminary findings of  
22           the study conducted under subsection (a).

23           (2) FINAL REPORT.—The Comptroller General  
24           shall submit to the congressional defense committees  
25           a final report on the findings of the study conducted

1 under subsection (a) at a time agreed to by the  
2 Comptroller General and the congressional defense  
3 committees at the briefing required by paragraph  
4 (1).

5 (3) FORM.—The briefing required by paragraph  
6 (1) may be provided, and the report required by  
7 paragraph (2) may be submitted, in classified form.

8 (d) COOPERATION.—The Secretary of Defense and  
9 the Secretary of Energy shall provide the Comptroller  
10 General with full cooperation and access to appropriate  
11 officials, guidance, and documentation for the purposes of  
12 conducting the study required by subsection (a).

13 **SEC. 1653. BRIEFING ON CONSULTATIONS WITH UNITED**  
14 **STATES ALLIES REGARDING NUCLEAR POS-**  
15 **TURE REVIEW.**

16 (a) IN GENERAL.—Not later than the date on which  
17 the Secretary of Defense issues the first Nuclear Posture  
18 Review after the date of the enactment of this Act, the  
19 Secretary of Defense, in coordination with the Secretary  
20 of State, shall provide to the appropriate congressional  
21 committees, the Majority and Minority Leaders of the  
22 Senate, and the Speaker and Minority Leader of the  
23 House of Representatives a briefing on all consultations  
24 with allies of the United States regarding the Nuclear Pos-  
25 ture Review.

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

3 (1) A listing of all countries consulted with re-  
4 spect to the Nuclear Posture Review, including the  
5 dates and circumstances of each such consultation  
6 and the countries present.

7 (2) An overview of the topics and concepts dis-  
8 cussed with each such country during such consulta-  
9 tions, including any discussion of potential changes  
10 to the nuclear declaratory policy of the United  
11 States.

12 (3) An opportunity for the committees and offi-  
13 cials referred to in subsection (a) to view documents  
14 relating to such consultations.

15 (4) A summary of any feedback provided during  
16 such consultations.

17 (c) FORM.—The briefing required by subsection (a)  
18 shall be conducted in both in an unclassified and classified  
19 format.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
21 DEFINED.—In this section, the term “appropriate con-  
22 gressional committees” means—

23 (1) the Committee on Armed Services and the  
24 Committee on Foreign Relations of the Senate; and

1           (2) the Committee on Armed Services and the  
2           Committee on Foreign Affairs of the House of Rep-  
3           resentatives.

4           **Subtitle D—Missile Defense**  
5           **Programs**

6           **SEC. 1661. NOTIFICATION OF CHANGES TO NON-STANDARD**  
7                           **ACQUISITION AND REQUIREMENTS PROC-**  
8                           **ESSES AND RESPONSIBILITIES OF MISSILE**  
9                           **DEFENSE AGENCY.**

10          (a) NOTICE AND WAIT REQUIREMENT.—Section 205  
11 of title 10, United States Code, is amended—

12           (1) by striking “The Director” and inserting  
13           “(a) APPOINTMENT OF DIRECTOR.—The Director”;  
14           and

15           (2) by adding at the end the following new sub-  
16           section:

17           “(b) NOTIFICATION OF CHANGES TO NON-STANDARD  
18 ACQUISITION AND REQUIREMENTS PROCESSES AND RE-  
19 SPONSIBILITIES.—(1) The Secretary of Defense may not  
20 make any changes to the missile defense non-standard ac-  
21 quisition and requirements processes and responsibilities  
22 unless, with respect to those proposed changes—

23           “(A) the Secretary, without delegation, has  
24           taken each of the actions specified in paragraph (2);  
25           and

1           “(B) a period of 120 days has elapsed following  
2           the date on which the Secretary submits the report  
3           under subparagraph (C) of such paragraph.

4           “(2) If the Secretary proposes to make changes to  
5           the missile defense non-standard acquisition and require-  
6           ments processes and responsibilities, the Secretary shall—

7           “(A) consult with the Under Secretary of De-  
8           fense for Research and Engineering, the Under Sec-  
9           retary of Defense for Acquisition and Sustainment,  
10          the Under Secretary of Defense for Policy, the Sec-  
11          retaries of the military departments, the Chairman  
12          of the Joint Chiefs of Staff, the Commander of the  
13          United States Strategic Command, the Commander  
14          of the United States Northern Command, and the  
15          Director of the Missile Defense Agency, regarding  
16          the changes;

17          “(B) certify to the congressional defense com-  
18          mittees that the Secretary has coordinated the  
19          changes with, and received the views of, the individ-  
20          uals referred to in subparagraph (A);

21          “(C) submit to the congressional defense com-  
22          mittees a report that contains—

23                  “(i) a description of the changes, the ra-  
24                  tionale for the changes, and the views of the in-

1 individuals referred to in subparagraph (A) with  
2 respect to the changes;

3 “(ii) a certification that the changes will  
4 not impair the missile defense capabilities of the  
5 United States nor degrade the unique special  
6 acquisition authorities of the Missile Defense  
7 Agency; and

8 “(iii) with respect to any such changes to  
9 Department of Defense Directive 5134.09, or  
10 successor directive issued in accordance with  
11 this subsection, a final draft of the proposed  
12 modified directive, both in an electronic format  
13 and in a hard copy format; and

14 “(D) with respect to any such changes to De-  
15 partment of Defense Directive 5134.09, or successor  
16 directive issued in accordance with this subsection,  
17 provide to such committees a briefing on the pro-  
18 posed modified directive described in subparagraph  
19 (C)(iii).

20 “(3) In this subsection, the term ‘non-standard acqui-  
21 sition and requirements processes and responsibilities’  
22 means the processes and responsibilities described in—

23 “(A) the memorandum of the Secretary of De-  
24 fense titled ‘Missile Defense Program Direction’  
25 signed on January 2, 2002, as in effect on the date

1 of the enactment of this subsection or as modified  
2 in accordance with this subsection, or any successor  
3 memorandum issued in accordance with this sub-  
4 section;

5 “(B) Department of Defense Directive 5134.09,  
6 as in effect on the date of the enactment of this sub-  
7 section (without regard to any modifications de-  
8 scribed in Directive-type Memorandum 20–002 of  
9 the Deputy Secretary of Defense, or any amend-  
10 ments or extensions thereto made before the date of  
11 such enactment), or as modified in accordance with  
12 this subsection, or any successor directive issued in  
13 accordance with this subsection; and

14 “(C) United States Strategic Command In-  
15 struction 538–3 titled ‘MD Warfighter Involvement  
16 Process’, as in effect on the date of the enactment  
17 of this subsection or as modified in accordance with  
18 this subsection, or any successor instruction issued  
19 in accordance with this subsection.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) FY20 NDAA.—Section 1688 of the National  
22 Defense Authorization Act for Fiscal Year 2020  
23 (Public Law 116–92; 133 Stat. 1787) is amended—

24 (A) by striking subsection (b); and

1 (B) by redesignating subsection (c) as sub-  
2 section (b).

3 (2) FY21 NDAA.—Section 1641 of the William  
4 M. (Mac) Thornberry National Defense Authoriza-  
5 tion Act for Fiscal Year 2021 (Public Law 116–283;  
6 134 Stat. 4061) is amended—

7 (A) by striking subsection (c); and

8 (B) by redesignating subsection (d) as sub-  
9 section (c).

10 **SEC. 1662. LIMITATION ON MISSILE DEFENSE AGENCY PRO-**  
11 **DUCTION OF SATELLITES AND GROUND SYS-**  
12 **TEMS ASSOCIATED WITH OPERATION OF**  
13 **SUCH SATELLITES.**

14 (a) LIMITATION.—

15 (1) PRODUCTION OF SATELLITES AND GROUND  
16 SYSTEMS.—The Director of the Missile Defense  
17 Agency may not authorize or obligate funding for a  
18 program of record for the production of satellites or  
19 ground systems associated with the operation of  
20 such satellites.

21 (2) PROTOTYPE SATELLITES.—

22 (A) AUTHORITY.—The Director, with the  
23 concurrence of the Space Acquisition Council  
24 established by section 9021 of title 10, United  
25 States Code, may authorize the production of



1 one or more prototype satellites, consistent with  
2 the requirements of the Missile Defense Agency.

3 (B) REPORT.—Not later than 30 days  
4 after the date on which the Space Acquisition  
5 Council concurs with the Director with respect  
6 to authorizing the production of a prototype  
7 satellite under subparagraph (A), the chair of  
8 the Council shall submit to the congressional  
9 defense committees a report explaining the rea-  
10 sons for such concurrence.

11 (C) OBLIGATION OF FUNDS.—The Direc-  
12 tor may not obligate funds for the production of  
13 a prototype satellite under subparagraph (A)  
14 before the date on which the Space Acquisition  
15 Council submits the report for such prototype  
16 satellite under subparagraph (B).

17 (b) HYPERSONIC AND BALLISTIC MISSILE TRACKING  
18 SPACE SENSOR.—Section 1645 of the William M. (Mac)  
19 Thornberry National Defense Authorization Act for Fiscal  
20 Year 2021 (Public Law 116–283) is amended—

21 (1) by redesignating subsections (f) and (g) as  
22 subsections (g) and (h), respectively; and

23 (2) by inserting after subsection (e) the fol-  
24 lowing new subsection (f):

1           “(f) WAIVER OF CERTAIN LIMITATION.—The Assist-  
2 ant Secretary of the Air Force for Space Acquisition and  
3 Integration, acting as the chair of the Space Acquisition  
4 Council, may waive the limitation in section 1662 of the  
5 National Defense Authorization Act for Fiscal Year 2022,  
6 with respect to the hypersonic and ballistic missile track-  
7 ing space sensor program if the Assistant Secretary—

8           “(1) determines that such limitation would  
9 delay the delivery of an operational hypersonic and  
10 ballistic missile tracking space sensor because of  
11 technical, cost, or schedule factors; and

12           “(2) submits to the congressional defense com-  
13 mittees—

14           “(A) the technical, schedule, or cost ration-  
15 ale for the waiver;

16           “(B) an acquisition strategy for the  
17 hypersonic and ballistic missile tracking space  
18 sensor program that is signed by both the Di-  
19 rector and the Assistant Secretary; and

20           “(C) a lead service agreement entered into  
21 by the Director and the Chief of Space Oper-  
22 ations regarding the operation and sustainment  
23 of the hypersonic and ballistic missile tracking  
24 space sensor and the integration of the sensor  
25 into the architecture of the Space Force.”.

1 **SEC. 1663. EXTENSION OF PERIOD FOR TRANSITION OF**  
2 **BALLISTIC MISSILE DEFENSE PROGRAMS TO**  
3 **MILITARY DEPARTMENTS.**

4 Section 1676(b)(1) of the National Defense Author-  
5 ization Act for Fiscal Year 2018 (Public Law 115–91; 10  
6 U.S.C. 2431 note) is amended by striking “the date on  
7 which the budget of the President for fiscal year 2023 is  
8 submitted under section 1105 of title 31, United States  
9 Code,” and inserting, “October 1, 2023,”.

10 **SEC. 1664. DIRECTED ENERGY PROGRAMS FOR BALLISTIC**  
11 **AND HYPERSONIC MISSILE DEFENSE.**

12 (a) **AUTHORITY OF THE MISSILE DEFENSE AGEN-**  
13 **CY.**—The Secretary of Defense shall delegate to the Direc-  
14 tor of the Missile Defense Agency the authority to budget  
15 for, direct, and manage directed energy programs applica-  
16 ble for ballistic and hypersonic missile defense missions,  
17 in coordination with other directed energy efforts of the  
18 Department of Defense.

19 (b) **PRIORITIZATION.**—In budgeting for and directing  
20 directed energy programs applicable for ballistic and  
21 hypersonic defensive missions pursuant to subsection (a),  
22 the Director of the Missile Defense Agency shall—

23 (1) prioritize the early research and develop-  
24 ment of technologies; and

1           (2) address the transition of such technologies  
2           to industry to support future operationally relevant  
3           capabilities.

4 **SEC. 1665. GUAM INTEGRATED AIR AND MISSILE DEFENSE**  
5 **SYSTEM.**

6           (a) ARCHITECTURE AND ACQUISITION.—The Sec-  
7           retary of Defense, acting through the Director of the Mis-  
8           sile Defense Agency, and in coordination with the Com-  
9           mander of the United States Indo-Pacific Command, shall  
10          identify the architecture and acquisition approach for im-  
11          plementing a 360-degree integrated air and missile de-  
12          fense capability to defend the people, infrastructure, and  
13          territory of Guam from the scope and scale of advanced  
14          cruise, ballistic, and hypersonic missile threats that are  
15          expected to be fielded during the 10-year period beginning  
16          on the date of the enactment of this Act.

17          (b) REQUIREMENTS.—The architecture identified  
18          under subsection (a) shall have the ability to—

19                 (1) integrate, while maintaining high kill chain  
20                 performance against advanced threats, all applica-  
21                 ble—

22                         (A) multi-domain sensors that contribute  
23                         substantively to track quality and track cus-  
24                         tody;

25                         (B) interceptors; and

- 1 (C) command and control systems;
- 2 (2) address robust discrimination and electro-
- 3 magnetic compatibility with other sensors;
- 4 (3) engage directly, or coordinate engagements
- 5 with other integrated air and missile defense sys-
- 6 tems, to defeat the spectrum of cruise, ballistic, and
- 7 hypersonic threats expected to be fielded during the
- 8 10-year period beginning on the date of the enact-
- 9 ment of this Act;
- 10 (4) leverage existing programs of record to ex-
- 11 pedite the development and deployment of the archi-
- 12 tecture during the five-year period beginning on the
- 13 date of the enactment of this Act, with an objective
- 14 of achieving initial operating capability in 2025, in-
- 15 cluding with respect to—
- 16 (A) the Aegis ballistic missile defense sys-
- 17 tem;
- 18 (B) standard missile-3 and -6 variants;
- 19 (C) the terminal high altitude area defense
- 20 system;
- 21 (D) the Patriot air and missile defense sys-
- 22 tem;
- 23 (E) the integrated battle control system;
- 24 and

1 (F) the lower tier air and missile defense  
2 sensor and other lower tier capabilities, as ap-  
3 plicable;

4 (5) integrate future systems and interceptors,  
5 including directed energy-based kill systems, that  
6 will also have the capability to detect, track, and de-  
7 feat hypersonic missiles in the glide and terminal  
8 phases, including integration of passive measures to  
9 protect assets in Guam; and

10 (6) incentivize competition within the acquisi-  
11 tion of the architecture and rapid procurement and  
12 deployment wherever possible.

13 (c) REPORT.—Not later than 60 days after the date  
14 of the enactment of this Act, the Secretary shall submit  
15 to the congressional defense committees a report on the  
16 architecture and acquisition approach identified under  
17 subsection (a), including—

18 (1) an assessment of the development and im-  
19 plementation risks associated with each of the ele-  
20 ments identified under subsection (b); and

21 (2) a plan for expending funds authorized to be  
22 appropriated by this Act or otherwise made available  
23 for fiscal year 2022 for such architecture.

24 (d) LIMITATION.—Of the funds authorized to be ap-  
25 propriated by this Act or otherwise made available for fis-

1 cal year 2022 for the Department of Defense for the Of-  
2 fice of Cost Assessment and Program Evaluation, not  
3 more than 80 percent may be obligated or expended until  
4 the date on which the Secretary of Defense submits to  
5 the congressional defense committees the report under  
6 subsection (c).

7 **SEC. 1666. MISSILE DEFENSE RADAR IN HAWAII.**

8 As a part of the defense budget materials (as defined  
9 in section 239 of title 10, United States Code) for fiscal  
10 year 2023, the Director of the Missile Defense Agency  
11 shall certify to the congressional defense committees  
12 that—

13 (1) the future-years defense program submitted  
14 to Congress under section 221 of title 10, United  
15 States Code, in 2022 includes adequate amounts of  
16 estimated funding to develop, construct, test, and in-  
17 tegrate into the missile defense system the discrimi-  
18 nation radar for homeland defense planned to be lo-  
19 cated in Hawaii; and

20 (2) such radar and associated in-flight inter-  
21 ceptor communications system data terminal will be  
22 operational by not later than December 31, 2028.

1 **SEC. 1667. CERTIFICATION REQUIRED FOR RUSSIA AND**  
2 **CHINA TO TOUR CERTAIN MISSILE DEFENSE**  
3 **SITES.**

4 (a) **CERTIFICATION.**—Before the Secretary of De-  
5 fense makes a determination with respect to allowing a  
6 foreign national of Russia or China to tour a covered site,  
7 the Secretary shall submit to the congressional defense  
8 committees a certification that—

9 (1) the Secretary has determined that such tour  
10 is in the national security interest of the United  
11 States, including the justifications for such deter-  
12 mination; and

13 (2) the Secretary will not share any technical  
14 data relating to the covered site with the foreign na-  
15 tionals.

16 (b) **TIMING.**—The Secretary may not conduct a tour  
17 described in subsection (a) until a period of 45 days has  
18 elapsed following the date on which the Secretary submits  
19 the certification for that tour under such subsection.

20 (c) **CONSTRUCTION WITH OTHER REQUIREMENTS.**—  
21 Nothing in this section shall be construed to supersede or  
22 otherwise affect section 130h of title 10, United States  
23 Code.

24 (d) **COVERED SITE.**—In this section, the term “cov-  
25 ered site” means any of the following:



1           (1) The combat information center of a naval  
2 ship equipped with the Aegis ballistic missile defense  
3 system.

4           (2) An Aegis Ashore site.

5           (3) A terminal high altitude area defense bat-  
6 tery.

7           (4) A ground-based midcourse defense inter-  
8 ceptor silo.

9 **SEC. 1668. NEXT GENERATION INTERCEPTORS FOR MIS-**  
10 **SILE DEFENSE OF THE UNITED STATES**  
11 **HOMELAND.**

12       (a) **FUNDING PLAN.**—The Director of the Missile De-  
13 fense Agency shall develop a funding plan that includes  
14 funding lines across the future-years defense program  
15 under section 221 of title 10, United States Code, for the  
16 next generation interceptor that—

17           (1) while applying lessons learned from the re-  
18 designed kill vehicle program, incorporating rec-  
19 ommendations from the Comptroller General of the  
20 United States, and implementing “fly-before-you-  
21 buy” principles, produces and begins deployment of  
22 the next generation interceptor as early as prac-  
23 ticable;

24           (2) includes acquiring at least 20 operational  
25 next generation interceptors; and

1           (3) includes transition plans to replace the cur-  
2           rent inventory of silo-based boosters with follow-on  
3           systems prior to the end of the useful lifecycle of the  
4           boosters.

5           (b) REPORT ON FUNDING PROFILE.—The Director  
6           shall include with the budget justification materials sub-  
7           mitted to Congress in support of the budget of the Depart-  
8           ment of Defense for fiscal year 2023 (as submitted with  
9           the budget of the President under section 1105(a) of title  
10          31, United States Code) a report on the funding profile  
11          necessary for the next generation interceptor program  
12          through the date on which the program achieves full oper-  
13          ational capability.

14          (c) CONGRESSIONAL NOTIFICATION OF CANCELLA-  
15          TION REQUIREMENT.—Not later than 30 days prior to  
16          any final decision to cancel the next generation interceptor  
17          program, the Director shall provide to the congressional  
18          defense committees a briefing on such decision, includ-  
19          ing—

20                 (1) a justification for the decision; and

21                 (2) an analysis of the national security risk that  
22          the Director accepts by reason of cancelling such  
23          program.

24          (d) INCLUSION IN REQUIRED FLIGHT TESTS.—Sec-  
25          tion 1689(a) of the National Defense Authorization Act

1 for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.  
2 2431 note) is amended by adding after the period at the  
3 end the following new sentence: “Beginning not later than  
4 five years after the date on which the next generation in-  
5 terceptor achieves initial operational capability, the Direc-  
6 tor shall ensure that such flight tests include the next gen-  
7 eration interceptor.”.

8 (e) REPORT.—Not later than the date of on which  
9 the Director approves the next generation interceptor pro-  
10 gram to enter the initial production phase of the acquisi-  
11 tion process, the Director shall submit to the congressional  
12 defense committees a report outlining estimated annual  
13 costs for conducting annual, operationally relevant flight  
14 testing to evaluate the reliability of the system developed  
15 under such program, including associated production costs  
16 for procuring sufficient flight systems to support such  
17 testing for the projected life of the system.

18 (f) PROGRAM ACCOUNTABILITY MATRICES.—

19 (1) REQUIREMENT.—Concurrent with the sub-  
20 mission to Congress of the budget of the President  
21 for fiscal year 2023 and each fiscal year thereafter  
22 pursuant to section 1105(a) of title 31, United  
23 States Code, the Director shall submit to the con-  
24 gressional defense committees and the Comptroller  
25 General of the United States the matrices described

1 in paragraph (2) relating to the next generation in-  
2 terceptor program.

3 (2) MATRICES DESCRIBED.—The matrices de-  
4 scribed in this subsection are the following:

5 (A) TECHNOLOGY AND PRODUCT DEVEL-  
6 OPMENT GOALS.—A matrix that identifies, in  
7 six-month increments, key milestones, develop-  
8 ment events, and specific performance goals for  
9 the technology development phase of the next  
10 generation interceptor program, which shall be  
11 subdivided, at a minimum, according to the fol-  
12 lowing:

13 (i) Technology maturity, including  
14 technology readiness levels of major inter-  
15 ceptor components and key demonstration  
16 events leading to full maturity.

17 (ii) Design maturity, including key  
18 events and metrics, at the interceptor all  
19 up round level and major interceptor com-  
20 ponent level.

21 (iii) Parts testing, including key  
22 events and metrics for vetting parts and  
23 components through a parts, materials,  
24 and processes mission assurance plan.

1 (iv) Software maturity, including key  
2 events and metrics, at the all up round  
3 level and major interceptor component level  
4 for the interceptor.

5 (v) Manufacturing maturity, including  
6 manufacturing readiness levels for critical  
7 manufacturing operations and key dem-  
8 onstration events.

9 (vi) Schedule, with respect to key pro-  
10 gram milestones, critical path events, and  
11 margins.

12 (vii) Reliability, including growth  
13 plans and key milestones.

14 (viii) Developmental testing and cy-  
15 bersecurity.

16 (ix) Any other technology and product  
17 development goals the Director determines  
18 to be appropriate.

19 (B) COST.—

20 (i) IN GENERAL.—The following mat-  
21 rices relating to the cost of the next gen-  
22 eration interceptor program:

23 (I) A matrix expressing, in six-  
24 month increments, the total cost for  
25 the technology development phase.

1 (II) A matrix expressing the total  
2 cost for each of the contractors' esti-  
3 mates for the technology development  
4 phase.

5 (ii) PHASING AND SUBDIVISION OF  
6 MATRICES.—The matrices described in  
7 clauses (i) and (ii) of subparagraph (B)  
8 shall be—

9 (I) phased over the entire tech-  
10 nology development phase; and

11 (II) subdivided according to the  
12 costs major interceptor component of  
13 each next generation interceptor con-  
14 figuration.

15 (C) STAKEHOLDER AND INDEPENDENT  
16 REVIEWS.—A matrix that identifies, in six-  
17 month increments, plans and status for coordi-  
18 nating products and obtaining independent re-  
19 views for the next generation interceptor pro-  
20 gram for the technology development phase,  
21 which shall be subdivided according to the fol-  
22 lowing:

23 (i) Performance requirements, includ-  
24 ing coordinating, updating, and obtaining

1 approval of the top-level requirements doc-  
2 ument.

3 (ii) Intelligence inputs, processes, and  
4 products, including—

5 (I) coordinating, updating, and  
6 validating the homeland ballistic mis-  
7 sile defense validated online lifecycle  
8 threat with the Director of the De-  
9 fense Intelligence Agency; and

10 (II) coordinating and obtaining  
11 approval of a lifecycle mission data  
12 plan.

13 (iii) Independent assessments, includ-  
14 ing obtaining an initial and updated—

15 (I) technical risk assessment; and

16 (II) cost estimate.

17 (iv) Models and simulations, includ-  
18 ing—

19 (I) obtaining accreditation of in-  
20 terceptor models and simulations at  
21 both the all up round level and sub-  
22 system level from the Ballistic Missile  
23 Defense Operational Test Agency;

24 (II) obtaining certification of  
25 threat models used for interceptor

1 ground test from the Ballistic Missile  
2 Defense Operational Test Agency; and  
3 (III) obtaining accreditation from  
4 the Director of the Defense Intel-  
5 ligence Agency on all threat models,  
6 simulations, and associated data used  
7 to support interceptor development.

8 (v) Sustainability and obsolescence,  
9 including coordinating and obtaining ap-  
10 proval of a lifecycle sustainment plan.

11 (vi) Cybersecurity, including coordi-  
12 nating and obtaining approval of a cyber-  
13 security strategy.

14 (3) FORM.—The matrices submitted under  
15 paragraph (2) shall be in unclassified form, but may  
16 contain a classified annex.

17 (4) SEMIANNUAL UPDATES OF MATRICES.—Not  
18 later than 180 days after the date on which the Di-  
19 rector submits the matrices described in paragraph  
20 (2) for a year as required by paragraph (1), the Di-  
21 rector shall submit to the congressional defense com-  
22 mittees and the Comptroller General updates to the  
23 matrices.

24 (5) TREATMENT OF THE FIRST MATRICES AS  
25 BASELINE.—



1 (A) IN GENERAL.—The first set of mat-  
2 rices submitted under paragraph (1) shall be  
3 treated as the baseline for the technology devel-  
4 opment phase of the next generation interceptor  
5 program for purposes of updates submitted  
6 under subsection (i) and subsequent matrices  
7 submitted under paragraph (1).

8 (B) ELEMENTS.—After the submission of  
9 the first set of matrices required by paragraph  
10 (1), each update submitted under paragraph (4)  
11 and each subsequent set of matrices submitted  
12 under paragraph (1) shall—

13 (i) clearly identify changes in key  
14 milestones, development events, and spe-  
15 cific performance goals identified in the  
16 first set of matrices under subparagraph  
17 (A) of paragraph (2);

18 (ii) provide updated cost estimates  
19 under subparagraph (B) of such para-  
20 graph; and

21 (iii) provide updated plans and status  
22 under subparagraph (C) of such para-  
23 graph.

24 (6) ASSESSMENT BY COMPTROLLER GENERAL  
25 OF THE UNITED STATES.—Not later than 60 days

1 after receiving the matrices described in paragraph  
2 (2) for a year as required by paragraph (1), the  
3 Comptroller General shall—

4 (A) assess the acquisition progress made  
5 with respect to the next generation interceptor  
6 program; and

7 (B) provide to the congressional defense  
8 committees a briefing on the results of that as-  
9 sessment.

10 (7) **TERMINATION.**—The requirements of this  
11 subsection shall terminate on the date that is one  
12 year after the date on which the next generation in-  
13 terceptor program is approved to enter the product  
14 development phase.

15 **SEC. 1669. IRON DOME SHORT-RANGE ROCKET DEFENSE**  
16 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**  
17 **DEFENSE PROGRAM CO-DEVELOPMENT AND**  
18 **CO-PRODUCTION.**

19 (a) **IRON DOME SHORT-RANGE ROCKET DEFENSE**  
20 **SYSTEM.**—

21 (1) **AVAILABILITY OF FUNDS.**—Of the funds  
22 authorized to be appropriated by this Act for fiscal  
23 year 2022 for procurement, Defense-wide, and avail-  
24 able for the Missile Defense Agency, not more than  
25 \$108,000,000 may be provided to the Government of

1 Israel to procure components for the Iron Dome  
2 short-range rocket defense system through co-pro-  
3 duction of such components in the United States by  
4 industry of the United States.

5 (2) CONDITIONS.—

6 (A) AGREEMENT.—Funds described in  
7 paragraph (1) for the Iron Dome short-range  
8 rocket defense program shall be available sub-  
9 ject to the terms and conditions in the Agree-  
10 ment Between the Department of Defense of  
11 the United States of America and the Ministry  
12 of Defense of the State of Israel Concerning  
13 Iron Dome Defense System Procurement,  
14 signed on March 5, 2014, as amended to in-  
15 clude co-production for Tamir interceptors.

16 (B) CERTIFICATION.—Not later than 30  
17 days prior to the initial obligation of funds de-  
18 scribed in paragraph (1), the Under Secretary  
19 of Defense for Acquisition and Sustainment  
20 shall submit to the appropriate congressional  
21 committees—

22 (i) a certification that the amended bi-  
23 lateral international agreement specified in  
24 subparagraph (A) is being implemented as  
25 provided in such agreement;

1 (ii) an assessment detailing any risks  
2 relating to the implementation of such  
3 agreement; and

4 (iii) for system improvements result-  
5 ing in modified Iron Dome components  
6 and Tamir interceptor sub-components, a  
7 certification that the Government of Israel  
8 has demonstrated successful completion of  
9 Production Readiness Reviews, including  
10 the validation of production lines, the  
11 verification of component conformance,  
12 and the verification of performance to  
13 specification as defined in the Iron Dome  
14 Defense System Procurement Agreement,  
15 as further amended.

16 (b) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-  
17 GRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUC-  
18 TION.—

19 (1) IN GENERAL.—Subject to paragraph (3), of  
20 the funds authorized to be appropriated for fiscal  
21 year 2022 for procurement, Defense-wide, and avail-  
22 able for the Missile Defense Agency, not more than  
23 \$30,000,000 may be provided to the Government of  
24 Israel to procure the David's Sling Weapon System,

1 including for co-production of parts and components  
2 in the United States by United States industry.

3 (2) AGREEMENT.—Provision of funds specified  
4 in paragraph (1) shall be subject to the terms and  
5 conditions in the bilateral co-production agreement,  
6 including—

7 (A) a one-for-one cash match is made by  
8 Israel or in another matching amount that oth-  
9 erwise meets best efforts (as mutually agreed to  
10 by the United States and Israel); and

11 (B) co-production of parts, components,  
12 and all-up rounds (if appropriate) in the United  
13 States by United States industry for the Da-  
14 vid's Sling Weapon System is not less than 50  
15 percent.

16 (3) CERTIFICATION AND ASSESSMENT.—The  
17 Under Secretary of Defense for Acquisition and  
18 Sustainment shall submit to the appropriate con-  
19 gressional committees—

20 (A) a certification that the Government of  
21 Israel has demonstrated the successful comple-  
22 tion of the knowledge points, technical mile-  
23 stones, and production readiness reviews re-  
24 quired by the research, development, and tech-  
25 nology agreement and the bilateral co-produce-

1           tion agreement for the David's Sling Weapon  
2           System; and

3                   (B) an assessment detailing any risks re-  
4           lating to the implementation of such agreement.

5           (c) ISRAELI COOPERATIVE MISSILE DEFENSE PRO-  
6   GRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM  
7   CO-PRODUCTION.—

8                   (1) IN GENERAL.—Subject to paragraph (2), of  
9           the funds authorized to be appropriated for fiscal  
10          year 2022 for procurement, Defense-wide, and avail-  
11          able for the Missile Defense Agency not more than  
12          \$62,000,000 may be provided to the Government of  
13          Israel for the Arrow 3 Upper Tier Interceptor Pro-  
14          gram, including for co-production of parts and com-  
15          ponents in the United States by United States in-  
16          dustry.

17                   (2) CERTIFICATION.—The Under Secretary of  
18          Defense for Acquisition and Sustainment shall sub-  
19          mit to the appropriate congressional committees a  
20          certification that—

21                           (A) the Government of Israel has dem-  
22                           onstrated the successful completion of the  
23                           knowledge points, technical milestones, and pro-  
24                           duction readiness reviews required by the re-  
25                           search, development, and technology agreement

1 for the Arrow 3 Upper Tier Interceptor Pro-  
2 gram;

3 (B) funds specified in paragraph (1) will  
4 be provided on the basis of a one-for-one cash  
5 match made by Israel or in another matching  
6 amount that otherwise meets best efforts (as  
7 mutually agreed to by the United States and  
8 Israel);

9 (C) the United States has entered into a  
10 bilateral international agreement with Israel  
11 that establishes, with respect to the use of such  
12 funds—

13 (i) in accordance with subparagraph  
14 (D), the terms of co-production of parts  
15 and components on the basis of the great-  
16 est practicable co-production of parts, com-  
17 ponents, and all-up rounds (if appropriate)  
18 by United States industry and minimizes  
19 nonrecurring engineering and facilitization  
20 expenses to the costs needed for co-produc-  
21 tion;

22 (ii) complete transparency on the re-  
23 quirement of Israel for the number of  
24 interceptors and batteries that will be pro-  
25 cured, including with respect to the pro-

1           curement plans, acquisition strategy, and  
2           funding profiles of Israel;

3           (iii) technical milestones for co-pro-  
4           duction of parts and components and pro-  
5           curement;

6           (iv) a joint affordability working  
7           group to consider cost reduction initiatives;  
8           and

9           (v) joint approval processes for third-  
10          party sales; and

11          (D) the level of co-production described in  
12          subparagraph (C)(i) for the Arrow 3 Upper  
13          Tier Interceptor Program is not less than 50  
14          percent.

15          (d) NUMBER.—In carrying out paragraph (2) of sub-  
16          section (b) and paragraph (2) of subsection (c), the Under  
17          Secretary may submit—

18               (1) one certification covering both the David’s  
19               Sling Weapon System and the Arrow 3 Upper Tier  
20               Interceptor Program; or

21               (2) separate certifications for each respective  
22               system.

23          (e) TIMING.—The Under Secretary shall submit to  
24          the congressional defense committees the certification and  
25          assessment under subsection (b)(3) and the certification



1 under subsection (c)(2) no later than 30 days before the  
2 funds specified in paragraph (1) of subsections (b) and  
3 (c) for the respective system covered by the certification  
4 are provided to the Government of Israel.

5 (f) WORKSHARE FOR IRON DOME REPLENISHMENT  
6 EFFORTS.—

7 (1) MAINTENANCE OF AGREEMENT.—With re-  
8 spect to replenishment efforts for the Iron Dome  
9 short-range rocket defense system carried out during  
10 fiscal year 2022, the Secretary of Defense may seek  
11 to maintain a workshare agreement for the United  
12 States production of systems that are covered, as of  
13 the date of the enactment of this Act, under the  
14 memorandum of understanding regarding United  
15 States and Israeli cooperation on missile defense.

16 (2) BRIEFING.—The Secretary of Defense shall  
17 provide to the appropriate congressional committees  
18 a briefing detailing the terms of any workshare  
19 agreements described by paragraph (1).

20 (g) APPROPRIATE CONGRESSIONAL COMMITTEES  
21 DEFINED.—In this section, the term “appropriate con-  
22 gressional committees” means the following:

23 (1) The congressional defense committees.

1           (2) The Committee on Foreign Relations of the  
2       Senate and the Committee on Foreign Affairs of the  
3       House of Representatives.

4   **SEC. 1670. UPDATE OF STUDY ON DISCRIMINATION CAPA-**  
5                   **BILITIES OF THE BALLISTIC MISSILE DE-**  
6                   **FENSE SYSTEM.**

7       (a) UPDATE.—The Secretary of Defense shall enter  
8       into an arrangement with the private scientific advisory  
9       group known as JASON under which JASON shall carry  
10      out an update to the study conducted pursuant to section  
11      237 of the National Defense Authorization Act for Fiscal  
12      Year 2010 (Public Law 111–84; 123 Stat. 2236) on the  
13      discrimination capabilities and limitations of the missile  
14      defense system of the United States, including such dis-  
15      crimination capabilities that exist or are planned as of the  
16      date of the update.

17      (b) REPORT.—Not later than one year after the date  
18      of the enactment of this Act, the Secretary shall submit  
19      to the congressional defense committees a report con-  
20      taining the study.

21      (c) FORM.—The report under subsection (b) may be  
22      submitted in classified form, but shall contain an unclassi-  
23      fied summary.

1 **SEC. 1671. SEMIANNUAL UPDATES ON MEETINGS HELD BY**  
2 **THE MISSILE DEFENSE EXECUTIVE BOARD.**

3 (a) SEMIANNUAL UPDATES.—Not later than March  
4 1 and September 1 of each year, the Under Secretary of  
5 Defense for Research and Engineering and the Under Sec-  
6 retary of Defense for Acquisition and Sustainment, acting  
7 in their capacities as co-chairs of the Missile Defense Ex-  
8 ecutive Board pursuant to section 1681(c) of the John S.  
9 McCain National Defense Authorization Act for Fiscal  
10 Year 2019 (Public Law 115–232; 132 Stat. 2162), shall  
11 provide to the congressional defense committees a semi-  
12 annual update including, with respect to the six-month pe-  
13 riod preceding the update—

14 (1) the dates on which the Board met; and

15 (2) except as provided by subsection (b), a sum-  
16 mary of any decisions made by the Board at each  
17 meeting of the Board and the rationale for and op-  
18 tions that informed such decisions.

19 (b) EXCEPTION FOR CERTAIN BUDGETARY MAT-  
20 TERS.—The co-chairs shall not be required to include in  
21 a semiannual update under subsection (a) the matters de-  
22 scribed in paragraph (2) of such subsection with respect  
23 to decisions of the Board relating to the budget of the  
24 President for a fiscal year if the budget for that fiscal  
25 year has not been submitted to Congress under section

1 1105 of title 31, United States Code, as of the date of  
2 the semiannual update.

3 (c) FORM OF UPDATE.—The co-chairs may provide  
4 a semiannual update under subsection (a) either in the  
5 form of a briefing or a written report.

6 (d) TECHNICAL AMENDMENTS.—

7 (1) FY18 NDAA.—Section 1676(e)(3)(B) of the  
8 National Defense Authorization Act for Fiscal Year  
9 2018 (Public Law 115–91; 10 U.S.C. 205 note) is  
10 amended by striking “chairman” and inserting  
11 “chair”.

12 (2) FY19 NDAA.—Section 1681(e) of the John  
13 S. McCain National Defense Authorization Act for  
14 Fiscal Year 2019 (Public Law 115–232; 132 Stat.  
15 2162) is amended—

16 (A) in the matter preceding paragraph (1),  
17 by striking “chairman” and inserting “chair”;  
18 and

19 (B) in paragraph (2), by striking “co-  
20 chairman” and inserting “co-chair”.

21 **SEC. 1672. MATTERS REGARDING INTEGRATED DETER-**  
22 **RENCE REVIEW.**

23 (a) REPORTS.—Not later than 30 days after the date  
24 on which the Integrated Deterrence Review that com-  
25 menced during 2021 is submitted to the congressional de-

1 fense committees, the Secretary of Defense shall submit  
2 to the congressional defense committees the following:

3           (1) Each final report, assessment, and guidance  
4 document produced by the Department of Defense  
5 pursuant to the Integrated Deterrence Review or  
6 during subsequent actions taken to implement the  
7 conclusions of the Integrated Deterrence Review, in-  
8 cluding with respect to each covered review.

9           (2) A report explaining how each such covered  
10 review differs from the previous such review.

11       (b) CERTIFICATIONS.—Not later than 30 days after  
12 the date on which a covered review is submitted to the  
13 congressional defense committees, the Chairman of the  
14 Joint Chiefs of Staff, the Vice Chairman of the Joint  
15 Chiefs of Staff, and the Commander of the United States  
16 Strategic Command shall each directly submit to such  
17 committees—

18           (1) a certification regarding whether the Chair-  
19 man, Vice Chairman, or Commander, as the case  
20 may be, had the opportunity to provide input into  
21 the covered review; and

22           (2) a description of the degree to which the cov-  
23 ered reviews differ from the military advice con-  
24 tained in such input (or, if there was no opportunity

1 to provide such input, would have been contained in  
2 the input if so provided).

3 (c) COVERED REVIEW DEFINED.—In this section,  
4 the term “covered review” means—

5 (1) the Missile Defense Review that commenced  
6 during 2021; and

7 (2) the Nuclear Posture Review that com-  
8 menced during 2021.

9 **SEC. 1673. SEMIANNUAL NOTIFICATIONS REGARDING MIS-**  
10 **SILE DEFENSE TESTS AND COSTS.**

11 (a) SEMIANNUAL NOTIFICATIONS REQUIRED.—For  
12 each period described in subsection (b), the Director of  
13 the Missile Defense Agency shall submit to the congres-  
14 sional defense committees a notification of all—

15 (1) flight tests (intercept and non-intercept)  
16 planned to occur during the period covered by the  
17 notification based on the Integrated Master Test  
18 Plan the Director used to support the President’s  
19 budget submission under section 1105 of title 31,  
20 United States Code, for the fiscal year of the period  
21 covered; and

22 (2) ground tests planned to occur during such  
23 period based on such plan.

24 (b) PERIODS DESCRIBED.—The periods described in  
25 this subsection are—

1           (1) the first 180-calendar-day period beginning  
2           on the date that is 90 days after the date of the en-  
3           actment of this Act; and

4           (2) each subsequent, sequential 180-calendar-  
5           day period beginning thereafter until the date that  
6           is five years and 90 calendar days after the date of  
7           the enactment of this Act.

8           (c) TIMING OF NOTIFICATION.—Each notification  
9           submitted under subsection (a) for a period described in  
10          subsection (b) shall be submitted—

11          (1) not earlier than 30 calendar days before the  
12          last day of the period; and

13          (2) not later than the last day of the period.

14          (d) CONTENTS.—Each notification submitted under  
15          subsection (a) shall include the following:

16          (1) For the period covered by the notification:

17                  (A) With respect to each flight test de-  
18                  scribed in subsection (a)(1), the following:

19                          (i) The entity responsible for leading  
20                          the flight test (such as the Missile Defense  
21                          Agency, the Army, or the Navy) and the  
22                          classification level of the flight test.

23                          (ii) The planned cost (the most recent  
24                          flight test cost estimate, including intercep-  
25                          tors and targets), the actual costs and ex-

1                   penditures to-date, and an estimate of any  
2                   remaining costs and expenditures.

3                   (iii) All funding (including any appro-  
4                   priated, transferred, or reprogrammed  
5                   funding) the Agency has received to-date  
6                   for the flight test.

7                   (iv) All changes made to the scope  
8                   and objectives of the flight test and an ex-  
9                   planation for such changes.

10                  (v) The status of the flight test, such  
11                  as conducted-objectives achieved, con-  
12                  ducted-objectives not achieved (failure or  
13                  no-test), delayed, or canceled.

14                  (vi) In the event of a flight test status  
15                  of conducted-objectives not achieved (fail-  
16                  ure or no-test), delayed, or canceled—

17                         (I) the reasons the flight test did  
18                         not succeed or occur;

19                         (II) in the event of a flight test  
20                         status of failure or no-test, the plan  
21                         and cost estimate to retest, if nec-  
22                         essary, and any contractor liability, if  
23                         appropriate;

24                         (III) in the event of a flight test  
25                         delay, the fiscal year and quarter the



1 objectives were first planned to be  
2 met, the names of the flight tests the  
3 objectives have been moved to, the ag-  
4 gregate duration of the delay to-date,  
5 and, if applicable, any risks to the  
6 warfighter from the delay; and

7 (IV) in the event of a flight test  
8 cancellation, the fiscal year and quar-  
9 ter the objectives were first planned to  
10 be met, whether the objectives from  
11 the canceled test were met by other  
12 means, moved to a different flight  
13 test, or removed, a revised spend plan  
14 for the remaining funding the agency  
15 received for the flight test to-date,  
16 and, if applicable, any risks to the  
17 warfighter from the cancellation; and

18 (vii) the status of any decisions  
19 reached by failure review boards open or  
20 completed during the period covered by the  
21 notification.

22 (B) With respect to each ground test de-  
23 scribed in subsection (a)(2), the following:

24 (i) The planned cost (the most recent  
25 ground test cost estimate), the actual costs

1 and expenditures to-date, and an estimate  
2 of any remaining costs and expenditures.

3 (ii) The designation of the ground  
4 test, whether developmental, operational,  
5 or both.

6 (iii) All changes made to the scope  
7 and objectives of the ground test and an  
8 explanation for such changes.

9 (iv) The status of the ground test,  
10 such as conducted-objectives achieved, con-  
11 ducted-objectives not achieved (failure or  
12 no-test), delayed, or canceled.

13 (v) In the case of a ground test status  
14 of conducted-objectives not achieved (fail-  
15 ure or no-test), delayed, or canceled—

16 (I) the reasons the ground test  
17 did not succeed or occur; and

18 (II) if applicable, any risks to the  
19 warfighter from the ground test not  
20 succeeding or occurring;

21 (vi) The participating system and ele-  
22 ment models used for conducting ground  
23 tests and the accreditation status of the  
24 participating system and element models.

1 (vii) Identification of any cybersecu-  
2 rity tests conducted or planned to be con-  
3 ducted as part of the ground test.

4 (viii) For each cybersecurity test iden-  
5 tified under subparagraph (G), the status  
6 of the cybersecurity test, such as con-  
7 ducted-objectives achieved, conducted-ob-  
8 jectives not achieved (failure or no-test),  
9 delayed, or canceled.

10 (ix) In the case of a cybersecurity test  
11 identified under subparagraph (G) with a  
12 status of conducted-objectives, not  
13 achieved, delayed, or canceled—

14 (I) the reasons for such status;  
15 and

16 (II) any risks, if applicable, to  
17 the warfighter from the cybersecurity  
18 test not succeeding or occurring.

19 (2) To the degree applicable and known, the  
20 matters covered by paragraph (1) but for the period  
21 subsequent to the covered period.

22 (e) EVENTS SPANNING MULTIPLE NOTIFICATION  
23 PERIODS.—Events that span from one period described  
24 in subsection (b) into another period described in such  
25 subsection, such as a the case of a failure review board

1 convening in one period and reaching a decision in the  
2 following period, shall be covered by notifications under  
3 subsection (a) for both periods.

4 (f) FORM.—Each notification submitted under sub-  
5 section (a) shall be submitted in unclassified form, but  
6 may include a classified annex.

7 **SEC. 1674. REPORT ON SENIOR LEADERSHIP OF MISSILE**  
8 **DEFENSE AGENCY.**

9 Not later than 60 days after the date of the enact-  
10 ment of this Act, the Director of the Missile Defense  
11 Agency shall submit to the congressional defense commit-  
12 tees a report detailing the following:

13 (1) The responsibilities of the positions of the  
14 Director, Sea-based Weapons Systems, and the Dep-  
15 uty Director of the Missile Defense Agency.

16 (2) The role of the officials who occupy these  
17 positions with respect to the functional combatant  
18 commands with missile defense requirements.

19 (3) The rationale and benefit of having an offi-  
20 cial in these positions who is a general officer or flag  
21 officer versus a civilian.

1 **SEC. 1675. INDEPENDENT STUDY OF ROLES AND RESPON-**  
2 **SIBILITIES OF DEPARTMENT OF DEFENSE**  
3 **COMPONENTS RELATING TO MISSILE DE-**  
4 **FENSE.**

5 (a) INDEPENDENT STUDY AND REPORT.—

6 (1) CONTRACT.—Not later than 30 days after  
7 the date of the enactment of this Act, the Secretary  
8 of Defense shall seek to enter into a contract with  
9 the National Academy of Public Administration (in  
10 this section referred to as the “Academy”) for the  
11 Academy to perform the services covered by this  
12 subsection.

13 (2) STUDY AND REPORT.—

14 (A) ROLES AND RESPONSIBILITIES.—

15 Under an agreement between the Secretary and  
16 the Academy under this subsection, the Acad-  
17 emy shall carry out an study regarding the  
18 roles and responsibilities of the various compo-  
19 nents of the Department of Defense as they  
20 pertain to missile defense.

21 (B) MATTERS INCLUDED.—The study re-  
22 quired by subparagraph (A) shall include the  
23 following:

24 (i) A comprehensive assessment and  
25 analysis of existing Department component  
26 roles and responsibilities for the full range

1 of missile defense activities, including es-  
2 tablishment of requirements, research and  
3 development, system acquisition, and oper-  
4 ations.

5 (ii) Identification of gaps in compo-  
6 nent capability of each applicability compo-  
7 nent for performing its assigned missile de-  
8 fense roles and responsibilities.

9 (iii) Identification of opportunities for  
10 deconflicting mission sets, eliminating  
11 areas of unnecessary duplication, reducing  
12 waste, and improving efficiency across the  
13 full range of missile defense activities.

14 (iv) Development of a timetable for  
15 the implementation of the opportunities  
16 identified under clause (iii).

17 (v) Development of recommendations  
18 for such legislative or administrative action  
19 as the Academy considers appropriate pur-  
20 suant to carrying out clauses (i) through  
21 (iv).

22 (vi) Such other matters as the Sec-  
23 retary may require.

24 (C) REPORT.—

1 (i) REQUIREMENT.—Not later than  
2 one year after the date on which the Sec-  
3 retary and the Academy enter into a con-  
4 tract under paragraph (1), the Academy  
5 shall submit to the Secretary and the con-  
6 gressional defense committees a report on  
7 the study conducted under subparagraph  
8 (A).

9 (ii) ELEMENTS.—The report sub-  
10 mitted under clause (i) shall include the  
11 findings of the Academy with respect to  
12 the study carried out under subparagraph  
13 (A) and any recommendations the Acad-  
14 emy may have for legislative or administra-  
15 tive action pursuant to such study.

16 (3) ALTERNATE CONTRACT ORGANIZATION.—

17 (A) AGREEMENT.—If the Secretary is un-  
18 able within the time period prescribed in para-  
19 graph (1) to enter into an agreement described  
20 in such paragraph with the Academy on terms  
21 acceptable to the Secretary, the Secretary shall  
22 seek to enter into such an agreement with an-  
23 other appropriate organization that—

24 (i) is not part of the Government;

1 (ii) operates as a not-for-profit entity;  
2 and  
3 (iii) has expertise and objectivity com-  
4 parable to that of the Academy.

5 (B) REFERENCES.—If the Secretary enters  
6 into an agreement with another organization as  
7 described in subparagraph (A), any reference in  
8 this subsection to the Academy shall be treated  
9 as a reference to the other organization.

10 (b) REPORT BY SECRETARY OF DEFENSE.—Not  
11 later than 120 days after the date on which the report  
12 is submitted pursuant to subsection (a)(2)(C), the Sec-  
13 retary shall submit to the congressional defense commit-  
14 tees a report on the views of the Secretary on the findings  
15 and recommendations set forth in the report submitted  
16 under such subsection, together with such recommenda-  
17 tions as the Secretary may have for changes in the struc-  
18 ture, functions, responsibilities, and authorities of the De-  
19 partment.

## 20 **Subtitle E—Other Matters**

### 21 **SEC. 1681. COOPERATIVE THREAT REDUCTION FUNDS.**

22 (a) FUNDING ALLOCATION.—Of the \$344,849,000  
23 authorized to be appropriated to the Department of De-  
24 fense for fiscal year 2022 in section 301 and made avail-  
25 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 \$2,997,000.

8 (2) For chemical weapons destruction,  
9 \$13,250,000.

10 (3) For global nuclear security, \$17,767,000.

11 (4) For cooperative biological engagement,  
12 \$229,022,000.

13 (5) For proliferation prevention, \$58,754,000.

14 (6) For activities designated as Other Assess-  
15 ments/Administrative Costs, \$23,059,000.

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 2022,  
22 2023, and 2024.

1 **SEC. 1682. MODIFICATION TO ESTIMATE OF DAMAGES**  
2 **FROM FEDERAL COMMUNICATIONS COMMIS-**  
3 **SION ORDER 20–48.**

4 Section 1664 of the William M. (Mac) Thornberry  
5 National Defense Authorization Act for Fiscal Year 2021  
6 (Public Law 116–283) is amended—

7 (1) in subsection (a), in the matter preceding  
8 paragraph (1), by inserting “or any subsequent fis-  
9 cal year” after “fiscal year 2021”; and

10 (2) by adding at the end the following new sub-  
11 sections:

12 “(d) DISTRIBUTION OF ESTIMATE.—As soon as prac-  
13 ticable after submitting an estimate as described in para-  
14 graph (1) of subsection (a) and making the certification  
15 described in paragraph (2) of such subsection, the Sec-  
16 retary shall make such estimate available to any licensee  
17 operating under the Order and Authorization described in  
18 such subsection.

19 “(e) AUTHORITY OF SECRETARY OF DEFENSE TO  
20 SEEK RECOVERY OF COSTS.—The Secretary may work di-  
21 rectly with any licensee (or any future assignee, successor,  
22 or purchaser) affected by the Order and Authorization de-  
23 scribed in subsection (a) to seek recovery of costs incurred  
24 by the Department as a result of the effect of such order  
25 and authorization.

26 “(f) REIMBURSEMENT.—

1           “(1) IN GENERAL.—The Secretary shall estab-  
2           lish and facilitate a process for any licensee (or any  
3           future assignee, successor, or purchaser) subject to  
4           the Order and Authorization described in subsection  
5           (a) to provide reimbursement to the Department,  
6           only to the extent provided in appropriation Acts, for  
7           the covered costs and eligible reimbursable costs  
8           submitted and certified to the congressional defense  
9           committees under such subsection.

10           “(2) USE OF FUNDS.—The Secretary shall use  
11           any funds received under this subsection, to the ex-  
12           tent and in such amounts as are provided in advance  
13           in appropriation Acts, for covered costs described in  
14           subsection (b) and the range of eligible reimbursable  
15           costs identified under subsection (a)(1).

16           “(3) REPORT.—Not later than 90 days after  
17           the date on which the Secretary establishes the proc-  
18           ess required by paragraph (1), the Secretary shall  
19           submit to the congressional defense committees a re-  
20           port on such process.”.

21   **SEC. 1683. ESTABLISHMENT OF OFFICE, ORGANIZATIONAL**  
22                           **STRUCTURE, AND AUTHORITIES TO ADDRESS**  
23                           **UNIDENTIFIED AERIAL PHENOMENA.**

24           (a) ESTABLISHMENT OF OFFICE.—Not later than  
25   180 days after the date of the enactment of this Act, the

1 Secretary of Defense, in coordination with the Director of  
2 National Intelligence, shall establish an office within a  
3 component of the Office of the Secretary of Defense, or  
4 within a joint organization of the Department of Defense  
5 and the Office of the Director of National Intelligence, to  
6 carry out the duties of the Unidentified Aerial Phenomena  
7 Task Force, as in effect on the day before the date of  
8 enactment of this Act, and such other duties as are re-  
9 quired by this section.

10 (b) DUTIES.—The duties of the Office established  
11 under subsection (a) shall include the following:

12 (1) Developing procedures to synchronize and  
13 standardize the collection, reporting, and analysis of  
14 incidents, including adverse physiological effects, re-  
15 garding unidentified aerial phenomena across the  
16 Department of Defense and the intelligence commu-  
17 nity.

18 (2) Developing processes and procedures to en-  
19 sure that such incidents from each component of the  
20 Department and each element of the intelligence  
21 community are reported and incorporated in a cen-  
22 tralized repository.

23 (3) Establishing procedures to require the time-  
24 ly and consistent reporting of such incidents.

1           (4) Evaluating links between unidentified aerial  
2           phenomena and adversarial foreign governments,  
3           other foreign governments, or nonstate actors.

4           (5) Evaluating the threat that such incidents  
5           present to the United States.

6           (6) Coordinating with other departments and  
7           agencies of the Federal Government, as appropriate,  
8           including the Federal Aviation Administration, the  
9           National Aeronautics and Space Administration, the  
10          Department of Homeland Security, the National  
11          Oceanic and Atmospheric Administration, and the  
12          Department of Energy.

13          (7) Coordinating with allies and partners of the  
14          United States, as appropriate, to better assess the  
15          nature and extent of unidentified aerial phenomena.

16          (8) Preparing reports for Congress, in both  
17          classified and unclassified form, including under  
18          subsection (i).

19          (c) RESPONSE TO AND FIELD INVESTIGATIONS OF  
20          UNIDENTIFIED AERIAL PHENOMENA.—

21                 (1) DESIGNATION.—The Secretary, in coordina-  
22                 tion with the Director, shall designate one or more  
23                 line organizations within the Department of Defense  
24                 and the intelligence community that possess appro-  
25                 priate expertise, authorities, accesses, data, systems,

1 platforms, and capabilities to rapidly respond to, and  
2 conduct field investigations of, incidents involving  
3 unidentified aerial phenomena under the direction of  
4 the head of the Office established under subsection  
5 (a).

6 (2) ABILITY TO RESPOND.—The Secretary, in  
7 coordination with the Director, shall ensure that  
8 each line organization designated under paragraph  
9 (1) has adequate personnel with the requisite exper-  
10 tise, equipment, transportation, and other resources  
11 necessary to respond rapidly to incidents or patterns  
12 of observations involving unidentified aerial phe-  
13 nomena of which the Office becomes aware.

14 (d) SCIENTIFIC, TECHNOLOGICAL, AND OPER-  
15 ATIONAL ANALYSES OF DATA ON UNIDENTIFIED AERIAL  
16 PHENOMENA.—

17 (1) DESIGNATION.—The Secretary, in coordina-  
18 tion with the Director, shall designate one or more  
19 line organizations that will be primarily responsible  
20 for scientific, technical, and operational analysis of  
21 data gathered by field investigations conducted pur-  
22 suant to subsection (c) and data from other sources,  
23 including with respect to the testing of materials,  
24 medical studies, and development of theoretical mod-

1       els, to better understand and explain unidentified  
2       aerial phenomena.

3           (2) AUTHORITY.—The Secretary and the Direc-  
4       tor shall each issue such directives as are necessary  
5       to ensure that the each line organization designated  
6       under paragraph (1) has authority to draw on the  
7       special expertise of persons outside the Federal Gov-  
8       ernment with appropriate security clearances.

9       (e) DATA; INTELLIGENCE COLLECTION.—

10           (1) AVAILABILITY OF DATA AND REPORTING ON  
11       UNIDENTIFIED AERIAL PHENOMENA.—The Director  
12       and the Secretary shall each, in coordination with  
13       one another, ensure that—

14           (A) each element of the intelligence com-  
15       munity with data relating to unidentified aerial  
16       phenomena makes such data available imme-  
17       diately to the Office established under sub-  
18       section (a) or to an entity designated by the  
19       Secretary and the Director to receive such data;  
20       and

21           (B) military and civilian personnel of the  
22       Department of Defense or an element of the in-  
23       telligence community, and contractor personnel  
24       of the Department or such an element, have ac-  
25       cess to procedures by which the personnel shall

1 report incidents or information, including ad-  
2 verse physiological effects, involving or associ-  
3 ated with unidentified aerial phenomena directly  
4 to the Office or to an entity designated by the  
5 Secretary and the Director to receive such in-  
6 formation.

7 (2) INTELLIGENCE COLLECTION AND ANALYSIS  
8 PLAN.—The head of the Office established under  
9 subsection (a), acting on behalf of the Secretary of  
10 Defense and the Director of National Intelligence,  
11 shall supervise the development and execution of an  
12 intelligence collection and analysis plan to gain as  
13 much knowledge as possible regarding the technical  
14 and operational characteristics, origins, and inten-  
15 tions of unidentified aerial phenomena, including  
16 with respect to the development, acquisition, deploy-  
17 ment, and operation of technical collection capabili-  
18 ties necessary to detect, identify, and scientifically  
19 characterize unidentified aerial phenomena.

20 (3) USE OF RESOURCES AND CAPABILITIES.—  
21 In developing the plan under paragraph (2), the  
22 head of the Office established under subsection (a)  
23 shall consider and propose, as the head determines  
24 appropriate, the use of any resource, capability,



1       asset, or process of the Department and the intel-  
2       ligence community.

3       (f) SCIENCE PLAN.—The head of the Office estab-  
4       lished under subsection (a), on behalf of the Secretary and  
5       the Director, shall supervise the development and execu-  
6       tion of a science plan to develop and test, as practicable,  
7       scientific theories to—

8               (1) account for characteristics and performance  
9       of unidentified aerial phenomena that exceed the  
10      known state of the art in science or technology, in-  
11      cluding in the areas of propulsion, aerodynamic con-  
12      trol, signatures, structures, materials, sensors, coun-  
13      termeasures, weapons, electronics, and power gen-  
14      eration; and

15              (2) provide the foundation for potential future  
16      investments to replicate any such advanced charac-  
17      teristics and performance.

18      (g) ASSIGNMENT OF PRIORITY.—The Director, in  
19      consultation with, and with the recommendation of the  
20      Secretary, shall assign an appropriate level of priority  
21      within the National Intelligence Priorities Framework to  
22      the requirement to understand, characterize, and respond  
23      to unidentified aerial phenomena.

24      (h) ANNUAL REPORT.—

1           (1) REQUIREMENT.—Not later than October  
2           31, 2022, and annually thereafter until October 31,  
3           2026, the Director, in consultation with the Sec-  
4           retary, shall submit to the appropriate congressional  
5           committees a report on unidentified aerial phe-  
6           nomena.

7           (2) ELEMENTS.—Each report under paragraph  
8           (1) shall include, with respect to the year covered by  
9           the report, the following information:

10                   (A) All reported unidentified aerial phe-  
11                   nomena-related events that occurred during the  
12                   one-year period.

13                   (B) All reported unidentified aerial phe-  
14                   nomena-related events that occurred during a  
15                   period other than that one-year period but were  
16                   not included in an earlier report.

17                   (C) An analysis of data and intelligence re-  
18                   ceived through each reported unidentified aerial  
19                   phenomena-related event.

20                   (D) An analysis of data relating to uniden-  
21                   tified aerial phenomena collected through—

22                           (i) geospatial intelligence;

23                           (ii) signals intelligence;

24                           (iii) human intelligence; and

1 (iv) measurement and signature intel-  
2 ligence.

3 (E) The number of reported incidents of  
4 unidentified aerial phenomena over restricted  
5 air space of the United States during the one-  
6 year period.

7 (F) An analysis of such incidents identified  
8 under subparagraph (E).

9 (G) Identification of potential aerospace or  
10 other threats posed by unidentified aerial phe-  
11 nomena to the national security of the United  
12 States.

13 (H) An assessment of any activity regard-  
14 ing unidentified aerial phenomena that can be  
15 attributed to one or more adversarial foreign  
16 governments.

17 (I) Identification of any incidents or pat-  
18 terns regarding unidentified aerial phenomena  
19 that indicate a potential adversarial foreign gov-  
20 ernment may have achieved a breakthrough  
21 aerospace capability.

22 (J) An update on the coordination by the  
23 United States with allies and partners on ef-  
24 forts to track, understand, and address uniden-  
25 tified aerial phenomena.

1           (K) An update on any efforts underway on  
2 the ability to capture or exploit discovered un-  
3 identified aerial phenomena.

4           (L) An assessment of any health-related  
5 effects for individuals that have encountered  
6 unidentified aerial phenomena.

7           (M) The number of reported incidents, and  
8 descriptions thereof, of unidentified aerial phe-  
9 nomena associated with military nuclear assets,  
10 including strategic nuclear weapons and nu-  
11 clear-powered ships and submarines.

12           (N) In consultation with the Administrator  
13 for Nuclear Security, the number of reported  
14 incidents, and descriptions thereof, of unidenti-  
15 fied aerial phenomena associated with facilities  
16 or assets associated with the production, trans-  
17 portation, or storage of nuclear weapons or  
18 components thereof.

19           (O) In consultation with the Chairman of  
20 the Nuclear Regulatory Commission, the num-  
21 ber of reported incidents, and descriptions  
22 thereof, of unidentified aerial phenomena or  
23 drones of unknown origin associated with nu-  
24 clear power generating stations, nuclear fuel

1 storage sites, or other sites or facilities regu-  
2 lated by the Nuclear Regulatory Commission.

3 (P) The names of the line organizations  
4 that have been designated to perform the spe-  
5 cific functions under subsections (c) and (d),  
6 and the specific functions for which each such  
7 line organization has been assigned primary re-  
8 sponsibility.

9 (3) FORM.—Each report submitted under para-  
10 graph (1) shall be submitted in unclassified form,  
11 but may include a classified annex.

12 (i) SEMIANNUAL BRIEFINGS.—

13 (1) REQUIREMENT.—Not later than 90 days  
14 after the date of the enactment of this Act and not  
15 less frequently than semiannually thereafter until  
16 December 31, 2026, the head of the Office estab-  
17 lished under subsection (a) shall provide to the con-  
18 gressional committees specified in subparagraphs  
19 (A), (B), and (D) of subsection (l)(1) classified  
20 briefings on unidentified aerial phenomena.

21 (2) FIRST BRIEFING.—The first briefing pro-  
22 vided under paragraph (1) shall include all incidents  
23 involving unidentified aerial phenomena that were  
24 reported to the Unidentified Aerial Phenomena Task  
25 Force or to the Office established under subsection

1 (a) after June 24, 2021, regardless of the date of  
2 occurrence of the incident.

3 (3) SUBSEQUENT BRIEFINGS.—Each briefing  
4 provided subsequent to the first briefing described in  
5 paragraph (2) shall include, at a minimum, all  
6 events relating to unidentified aerial phenomena that  
7 occurred during the previous 180 days, and events  
8 relating to unidentified aerial phenomena that were  
9 not included in an earlier briefing.

10 (4) INSTANCES IN WHICH DATA WAS NOT  
11 SHARED.—For each briefing period, the head of the  
12 Office established under subsection (a) shall jointly  
13 provide to the chairman and the ranking minority  
14 member or vice chairman of the congressional com-  
15 mittees specified in subparagraphs (A) and (D) of  
16 subsection (k)(1) an enumeration of any instances in  
17 which data relating to unidentified aerial phenomena  
18 was not provided to the Office because of classifica-  
19 tion restrictions on that data or for any other rea-  
20 son.

21 (j) AUTHORIZATION OF APPROPRIATIONS.—There is  
22 authorized to be appropriated such sums as may be nec-  
23 essary to carry out the work of the Office established  
24 under subsection (a), including with respect to—

1           (1) general intelligence gathering and intel-  
2           ligence analysis; and

3           (2) strategic defense, space defense, defense of  
4           controlled air space, defense of ground, air, or naval  
5           assets, and related purposes.

6           (k) **TASK FORCE TERMINATION.**—Not later than the  
7           date on which the Secretary establishes the Office under  
8           subsection (a), the Secretary shall terminate the Unidenti-  
9           fied Aerial Phenomenon Task Force.

10          (l) **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 House of Representatives and the Senate.

15                   (B) The Committees on Appropriations of  
16                   the House of Representatives and the Senate.

17                   (C) The Committee on Foreign Affairs of  
18                   the House of Representatives and the Com-  
19                   mittee on Foreign Relations of the Senate.

20                   (D) The Permanent Select Committee on  
21                   Intelligence of the House of Representatives  
22                   and the Select Committee on Intelligence of the  
23                   Senate.

1           (2) The term “intelligence community” has the  
2 meaning given such term in section 3 of the Na-  
3 tional Security Act of 1947 (50 U.S.C. 3003).

4           (3) The term “line organization” means, with  
5 respect to a department or agency of the Federal  
6 Government, an organization that executes programs  
7 and activities to directly advance the core functions  
8 and missions of the department or agency to which  
9 the organization is subordinate, but, with respect to  
10 the Department of Defense, does not include a com-  
11 ponent of the Office of the Secretary of Defense.

12           (4) The term “transmedium objects or devices”  
13 means objects or devices that are observed to transi-  
14 tion between space and the atmosphere, or between  
15 the atmosphere and bodies of water, that are not im-  
16 mediately identifiable.

17           (5) The term “unidentified aerial phenomena”  
18 means—

19               (A) airborne objects that are not imme-  
20 diately identifiable;

21               (B) transmedium objects or devices; and

22               (C) submerged objects or devices that are  
23 not immediately identifiable and that display  
24 behavior or performance characteristics sug-  
25 gesting that the objects or devices may be re-





1 (b) SUBMISSION TO CONGRESS.—Not later than 90  
2 days after the date on which the Secretary concerned re-  
3 ceives an indemnification request by a covered contractor  
4 during the period beginning on the date of the enactment  
5 of this Act and ending on September 30, 2023, the Sec-  
6 retary concerned shall submit to the congressional defense  
7 committees the report required under subsection (a).

8 (c) REVIEW.—

9 (1) REQUIREMENT.—Not later than 90 days  
10 after the date of the enactment of this Act, the Sec-  
11 retary of Defense shall conduct a review of the im-  
12 plementation by the Department of Defense of sec-  
13 tion 2354 of title 10, United States Code, and Exec-  
14 utive Order 10789, as amended, pursuant to Public  
15 Law 85–804 (50 U.S.C. 1431 et seq.) with regard  
16 to indemnifying a contractor for the performance of  
17 a contract that includes unusually hazardous risk.

18 (2) MATTERS INCLUDED.—The review required  
19 under paragraph (1) shall include the following:

20 (A) A determination of the extent to which  
21 each Secretary concerned is implementing such  
22 section 2354 and such Executive Order 10789  
23 consistently.

1 (B) Identification of discrepancies and po-  
2 tential remedies in the military departments  
3 with respect to such implementation.

4 (3) BRIEFING.—Not later than 120 days after  
5 the date of the enactment of this Act, the Secretary  
6 shall provide to the congressional defense commit-  
7 tees a briefing on the findings of the review under  
8 paragraph (1).

9 (d) DEFINITIONS.—In this section:

10 (1) The term “covered contractor” means a  
11 current or prospective prime contractor of the De-  
12 partment of Defense.

13 (2) The term “military department” has the  
14 meaning given in section 101 of title 10, United  
15 States Code.

16 (3) The term “indemnification request” means  
17 a request for indemnification made by a covered con-  
18 tractor under section 2354 of title 10, United States  
19 Code, or Executive Order 10789, as amended, pur-  
20 suant to public Law 85–804 (50 U.S.C. 1431 et  
21 seq.) that includes sufficient supporting justification  
22 to support a determination as required under those  
23 provisions.

24 (4) The term “Secretary concerned” means—

1 (A) the Secretary of the Army, with re-  
2 spect to matters concerning the Army;

3 (B) the Secretary of the Navy, with re-  
4 spect to matters concerning the Navy, the Ma-  
5 rine Corps, and the Coast Guard when it is op-  
6 erating as a service in the Department of the  
7 Navy; and

8 (C) the Secretary of the Air Force, with  
9 respect to matters concerning the Air Force  
10 and the Space Force.

11 (5) The term “unusually hazardous risk”  
12 means risk of burning, explosion, detonation, flight  
13 or surface impact, or toxic or hazardous material re-  
14 lease associated with one or more of the following  
15 products or programs:

16 (A) Products or programs relating to any  
17 hypersonic weapon system, including boost glide  
18 vehicles and air-breathing propulsion systems.

19 (B) Products or programs relating to rock-  
20 et propulsion systems, including, at a minimum,  
21 with respect to rockets, missiles, launch vehi-  
22 cles, rocket engines or motors or hypersonic  
23 weapons systems using either a solid or liquid  
24 high energy propellant inclusive of any war-

1 head, if any, in excess of 1000 pounds of the  
2 chemical equivalent of TNT.

3 (C) Products or programs relating to the  
4 introduction, fielding or incorporating of any  
5 item containing high energy propellants, inclu-  
6 sive of any warhead, if any, in excess of 1000  
7 pounds of the chemical equivalent of TNT into  
8 any ship, vessel, submarine, aircraft, or space-  
9 craft.

10 (D) Products or programs relating to a  
11 classified program where insurance is not avail-  
12 able due to the prohibition of disclosure of clas-  
13 sified information to commercial insurance pro-  
14 viders, and without such disclosure access to in-  
15 surance is not possible.

16 (E) Any other product or program for  
17 which the contract under which the product or  
18 program is carried out includes a risk that the  
19 contract defines as unusually hazardous.

20 **SEC. 1685. STUDY BY PUBLIC INTEREST DECLASSIFICATION**

21 **BOARD RELATING TO CERTAIN TESTS IN THE**  
22 **MARSHALL ISLANDS.**

23 (a) STUDY.—The Public Interest Declassification  
24 Board established by section 703 of the Public Interest  
25 Declassification Act of 2000 (50 U.S.C. 3355a) shall con-

1 duct a study on the feasibility of carrying out a declas-  
2 sification review relating to nuclear weapons, chemical  
3 weapons, or ballistic missile tests conducted by the United  
4 States in the Marshall Islands, including with respect to  
5 cleanup activities and the storage of waste relating to such  
6 tests.

7 (b) REPORT.—Not later than 90 days after the date  
8 of the enactment of this Act, the Board shall submit to  
9 the Secretary of Defense, the Secretary of Energy, and  
10 the congressional defense committees a report containing  
11 the findings of the study conducted under subsection (a).  
12 The report shall include the following:

13 (1) The feasibility of carrying out the declas-  
14 sification review described in such subsection.

15 (2) The resources required to carry out the de-  
16 classification review.

17 (3) A timeline to complete such the declassifica-  
18 tion review.

19 (4) Any other issues the Board determines rel-  
20 evant.

21 (c) COMMENTS.—The Secretary of Defense and the  
22 Secretary of Energy may submit to the congressional de-  
23 fense committees any comments the respective Secretary  
24 determines relevant with respect to the report submitted  
25 under subsection (b).

1 (d) ASSISTANCE.—The Secretary of Defense and Sec-  
2 retary of Energy shall each provide to the Board such as-  
3 sistance as the Board requests in conducting the study  
4 under subsection (a).

5 **SEC. 1686. PROTECTION OF MAJOR RANGE AND TEST FA-**  
6 **CILITY BASE.**

7 The Secretary of Defense may authorize, consistent  
8 with the authorities of the Secretary, such actions as are  
9 necessary to mitigate threats posed by space-based assets  
10 to the security or operation of the Major Range and Test  
11 Facility Base (as defined in section 196(i) of title 10,  
12 United States Code).

13 **SEC. 1687. CONGRESSIONAL COMMISSION ON THE STRA-**  
14 **TEGIC POSTURE OF THE UNITED STATES.**

15 (a) ESTABLISHMENT.—There is established in the  
16 legislative branch a commission to be known as the “Con-  
17 gressional Commission on the Strategic Posture of the  
18 United States” (in this section referred to as the “Com-  
19 mission”). The purpose of the Commission is to examine  
20 and make recommendations to the President and Congress  
21 with respect to the long-term strategic posture of the  
22 United States.

23 (b) COMPOSITION.—

24 (1) MEMBERSHIP.—The Commission shall be  
25 composed of 12 members appointed as follows:

1 (A) One by the Speaker of the House of  
2 Representatives.

3 (B) One by the minority leader of the  
4 House of Representatives.

5 (C) One by the majority leader of the Sen-  
6 ate.

7 (D) One by the minority leader of the Sen-  
8 ate.

9 (E) Two by the chairperson of the Com-  
10 mittee on Armed Services of the House of Rep-  
11 resentatives.

12 (F) Two by the ranking minority member  
13 of the Committee on Armed Services of the  
14 House of Representatives.

15 (G) Two by the chairperson of the Com-  
16 mittee on Armed Services of the Senate.

17 (H) Two by the ranking minority member  
18 of the Committee on Armed Services of the  
19 Senate.

20 (2) QUALIFICATIONS.—

21 (A) IN GENERAL.—The members ap-  
22 pointed under paragraph (1) shall be from  
23 among individuals who—

24 (i) are United States citizens;



1 (ii) are not officers or employees of  
2 the Federal Government or any State or  
3 local government; and

4 (iii) have received national recognition  
5 and have significant depth of experience in  
6 such professions as governmental service,  
7 law enforcement, the Armed Forces, law,  
8 public administration, intelligence gath-  
9 ering, commerce (including aviation mat-  
10 ters), or foreign affairs.

11 (B) POLITICAL PARTY AFFILIATION.—Not  
12 more than six members of the Commission may  
13 be appointed from the same political party.

14 (3) DEADLINE FOR APPOINTMENT.—

15 (A) IN GENERAL.—All members of the  
16 Commission shall be appointed under paragraph  
17 (1) not later than 45 days after the date of the  
18 enactment of this Act.

19 (B) EFFECT OF LACK OF APPOINTMENTS  
20 BY APPOINTMENT DATE.—If one or more ap-  
21 pointments under paragraph (1) is not made by  
22 the date specified in subparagraph (A)—

23 (i) the authority to make such ap-  
24 pointment or appointments shall expire;  
25 and

1                   (ii) the number of members of the  
2                   Commission shall be reduced by the num-  
3                   ber of appointments not made by that  
4                   date.

5                   (4) CHAIRPERSON; VICE CHAIRPERSON.—

6                   (A) CHAIRPERSON.—The chairpersons of  
7                   the Committees on Armed Services of the Sen-  
8                   ate and the House of Representatives shall  
9                   jointly designate one member of the Commis-  
10                  sion to serve as chairperson of the Commission.

11                  (B) VICE CHAIRPERSON.—The ranking mi-  
12                  nority members of the Committees on Armed  
13                  Services of the Senate and the House of Rep-  
14                  resentatives shall jointly designate one member  
15                  of the Commission to serve as vice chairperson  
16                  of the Commission.

17                  (5) ACTIVATION.—

18                  (A) IN GENERAL.—The Commission—

19                         (i) may begin operations under this  
20                         section on the date on which not less than  
21                          $\frac{2}{3}$  of the members of the Commission have  
22                         been appointed under paragraph (1); and

23                         (ii) shall meet and begin the oper-  
24                         ations of the Commission as soon as prac-

1                    ticable after the date described in clause  
2                    (i).

3                    (B) SUBSEQUENT MEETINGS.—After its  
4                    initial meeting, the Commission shall meet upon  
5                    the call of the chairperson or a majority of its  
6                    members.

7                    (6) QUORUM.—Eight members of the Commis-  
8                    sion shall constitute a quorum.

9                    (7) PERIOD OF APPOINTMENT; VACANCIES.—  
10                   Members of the Commission shall be appointed for  
11                   the life of the Commission. A vacancy in the Com-  
12                   mission does not affect the powers of the Commis-  
13                   sion and shall (except as provided by paragraph  
14                   (3)(B)) be filled in the same manner in which the  
15                   original appointment was made.

16                   (8) REMOVAL OF MEMBERS.—

17                   (A) IN GENERAL.—A member of the Com-  
18                   mission may be removed from the Commission  
19                   for cause by the individual serving in the posi-  
20                   tion responsible for the original appointment of  
21                   the member under paragraph (1), provided that  
22                   notice is first provided to that official of the  
23                   cause for removal, and removal is voted and  
24                   agreed upon by  $\frac{3}{4}$  of the members of the Com-  
25                   mission.

1           (B) VACANCIES.—A vacancy created by  
2           the removal of a member of the Commission  
3           under subparagraph (A) does not affect the  
4           powers of the Commission and shall be filled in  
5           the same manner in which the original appoint-  
6           ment was made.

7           (c) DUTIES.—

8           (1) REVIEW.—The Commission shall conduct a  
9           review of the strategic posture of the United States,  
10          including a strategic threat assessment and a de-  
11          tailed review of nuclear weapons policy, strategy,  
12          and force structure and factors affecting the stra-  
13          tegic stability of near-peer competitors of the United  
14          States.

15          (2) ASSESSMENT AND RECOMMENDATIONS.—

16                (A) ASSESSMENT.—The Commission shall  
17                assess—

18                   (i) the benefits and risks associated  
19                   with the current strategic posture and nu-  
20                   clear weapons policies of the United  
21                   States;

22                   (ii) factors affecting strategic stability  
23                   that relate to the strategic posture; and

24                   (iii) lessons learned from the findings  
25                   and conclusions of the Congressional Com-

1 mission on the Strategic Posture of the  
2 United States established by section 1062  
3 of the National Defense Authorization Act  
4 for Fiscal Year 2008 (Public Law 110–  
5 181; 122 Stat. 319) and other previous  
6 commissions and previous Nuclear Posture  
7 Reviews.

8 (B) RECOMMENDATIONS.—The Commis-  
9 sion shall make recommendations with respect  
10 to—

11 (i) the most appropriate strategic pos-  
12 ture;

13 (ii) the extent to which capabilities  
14 other than nuclear weapons can contribute  
15 to or detract from strategic stability; and

16 (iii) the most effective nuclear weap-  
17 ons strategy for strategic posture and sta-  
18 bility.

19 (d) REPORT AND BRIEFING REQUIRED.—

20 (1) IN GENERAL.—Not later than December 31,  
21 2022, the Commission shall submit to the President  
22 and the Committees on Armed Services of the Sen-  
23 ate and the House of Representatives a report on  
24 the Commission’s findings, conclusions, and rec-  
25 ommendations.

1           (2) ELEMENTS.—The report required by para-  
2 graph (1) shall include—

3           (A) the recommendations required by sub-  
4 section (c)(2)(B);

5           (B) a description of the military capabili-  
6 ties and force structure necessary to support  
7 the nuclear weapons strategy recommended  
8 under that subsection, including nuclear, non-  
9 nuclear kinetic, and nonkinetic capabilities that  
10 might support the strategy, and other factors  
11 that might affect strategic stability;

12           (C) a description of the nuclear infrastruc-  
13 ture (that is, the size of the nuclear complex)  
14 required to support the strategy and the appro-  
15 priate organizational structure for the nuclear  
16 security enterprise;

17           (D) an assessment of the role of missile  
18 defenses in the strategy;

19           (E) an assessment of the role of cyber de-  
20 fense capabilities in the strategy;

21           (F) an assessment of the role of space sys-  
22 tems in the strategy;

23           (G) an assessment of the role of non-  
24 proliferation programs in the strategy;

1 (H) an assessment of the role of nuclear  
2 arms control in the strategy;

3 (I) an assessment of the political and mili-  
4 tary implications of the strategy for the United  
5 States and its allies; and

6 (J) any other information or recommenda-  
7 tions relating to the strategy (or to the stra-  
8 tegic posture) that the Commission considers  
9 appropriate.

10 (3) INTERIM BRIEFING.—Not later than 180  
11 days after the deadline for appointment of members  
12 of the Commission specified in subsection (b)(3)(A),  
13 the Commission shall provide to the Committees on  
14 Armed Services of the Senate and the House of Rep-  
15 resentatives a briefing on the status of the review,  
16 assessments, and recommendations required by sub-  
17 section (c), including a discussion of any interim rec-  
18 ommendations.

19 (e) INFORMATION FROM FEDERAL AGENCIES.—

20 (1) IN GENERAL.—The Commission may secure  
21 directly from the Department of Defense, the Na-  
22 tional Nuclear Security Administration, the Depart-  
23 ment of State, or the Office of the Director of Na-  
24 tional Intelligence information, suggestions, esti-  
25 mates, and statistics for the purposes of this section.

1 Each of such agency shall, to the extent authorized  
2 by law, furnish such information, suggestions, esti-  
3 mates, and statistics directly to the Commission,  
4 upon receiving a request made by—

5 (A) the chairperson of the Commission;

6 (B) the chairperson of any subcommittee  
7 of the Commission created by a majority of  
8 members of the Commission; or

9 (C) any member of the Commission des-  
10 igned by a majority of the Commission for  
11 purposes of making requests under this para-  
12 graph.

13 (2) RECEIPT, HANDLING, STORAGE, AND DIS-  
14 SEMINATION.—Information, suggestions, estimates,  
15 and statistics provided to the Commission under  
16 paragraph (1) may be received, handled, stored, and  
17 disseminated only by members of the Commission  
18 and its staff consistent with all applicable statutes,  
19 regulations, and Executive orders.

20 (f) ASSISTANCE FROM FEDERAL AGENCIES.—In ad-  
21 dition to information, suggestions, estimates, and statis-  
22 ties provided under subsection (e), departments and agen-  
23 cies of the United States may provide to the Commission  
24 such services, funds, facilities, staff, and other support



1 services as those departments and agencies may determine  
2 advisable and as may be authorized by law.

3 (g) COMPENSATION AND TRAVEL EXPENSES.—

4 (1) STATUS AS FEDERAL EMPLOYEES.—Not-  
5 withstanding the requirements of section 2105 of  
6 title 5, United States Code, including the require-  
7 ments relating to supervision under subsection  
8 (a)(3) of such section, the members of the Commis-  
9 sion shall be deemed to be Federal employees.

10 (2) COMPENSATION.—Each member of the  
11 Commission may be compensated at not to exceed  
12 the daily equivalent of the annual rate of basic pay  
13 in effect for a position at level IV of the Executive  
14 Schedule under section 5315 of title 5, United  
15 States Code, for each day during which that member  
16 is engaged in the actual performance of the duties  
17 of the Commission.

18 (3) TRAVEL EXPENSES.—While away from  
19 their homes or regular places of business in the per-  
20 formance of services for the Commission, members  
21 of the Commission shall be allowed travel expenses,  
22 including per diem in lieu of subsistence, in the  
23 same manner as persons employed intermittently in  
24 the Government service are allowed expenses under  
25 section 5703 of title 5, United States Code.

1 (h) STAFF.—

2 (1) EXECUTIVE DIRECTOR.—The Commission  
3 shall appoint and fix the rate of basic pay for an Ex-  
4 ecutive Director in accordance with section 3161(d)  
5 of title 5, United States Code.

6 (2) PAY.—The Executive Director appointed  
7 under paragraph (1) may, with the approval of the  
8 Commission, appoint and fix the rate of basic pay  
9 for additional personnel as staff of the Commission  
10 in accordance with section 3161(d) of title 5, United  
11 States Code.

12 (i) PERSONAL SERVICES.—

13 (1) AUTHORITY TO PROCURE.—The Commis-  
14 sion may—

15 (A) procure the services of experts or con-  
16 sultants (or of organizations of experts or con-  
17 sultants) in accordance with the provisions of  
18 section 3109 of title 5, United States Code; and

19 (B) pay in connection with such services  
20 travel expenses of individuals, including trans-  
21 portation and per diem in lieu of subsistence,  
22 while such individuals are traveling from their  
23 homes or places of business to duty stations.

24 (2) MAXIMUM DAILY PAY RATES.—The daily  
25 rate paid an expert or consultant procured pursuant

1 to paragraph (1) may not exceed the daily equivalent  
2 of the annual rate of basic pay in effect for a posi-  
3 tion at level IV of the Executive Schedule under sec-  
4 tion 5315 of title 5, United States Code.

5 (j) CONTRACTING AUTHORITY.—The Commission  
6 may acquire administrative supplies and equipment for  
7 Commission use to the extent funds are available.

8 (k) AUTHORITY TO ACCEPT GIFTS.—

9 (1) IN GENERAL.—The Commission may ac-  
10 cept, use, and dispose of gifts or donations of serv-  
11 ices, goods, and property from non-Federal entities  
12 for the purposes of aiding and facilitating the work  
13 of the Commission. The authority under this para-  
14 graph does not extend to gifts of money.

15 (2) DOCUMENTATION; CONFLICTS OF INTER-  
16 EST.—The Commission shall document gifts accept-  
17 ed under the authority provided by paragraph (1)  
18 and shall avoid conflicts of interest or the appear-  
19 ance of conflicts of interest.

20 (3) COMPLIANCE WITH CONGRESSIONAL ETHICS  
21 RULES.—Except as specifically provided in this sec-  
22 tion, a member of the Commission shall comply with  
23 rules set forth by the Select Committee on Ethics of  
24 the Senate and the Committee on Ethics of the  
25 House of Representatives governing employees of the

1 Senate and the House of Representatives, respec-  
2 tively.

3 (l) POSTAL SERVICES.—The Commission may use  
4 the United States mails in the same manner and under  
5 the same conditions as departments and agencies of the  
6 United States.

7 (m) COMMISSION SUPPORT.—Not later than 60 days  
8 after the date of the enactment of this Act, the Secretary  
9 of Defense shall seek to enter into a contract with a feder-  
10 ally funded research and development center to provide  
11 appropriate staff and administrative support for the ac-  
12 tivities of the Commission.

13 (n) EXPEDITION OF SECURITY CLEARANCES.—The  
14 Office of Senate Security and the Office of House Security  
15 shall ensure the expedited processing of appropriate secu-  
16 rity clearances for personnel appointed to the Commission  
17 by offices of the Senate and the House of Representatives,  
18 respectively, under processes developed for the clearance  
19 of legislative branch employees.

20 (o) LEGISLATIVE ADVISORY COMMITTEE.—The Com-  
21 mission shall operate as a legislative advisory committee  
22 and shall not be subject to the provisions of the Federal  
23 Advisory Committee Act (5 U.S.C. App) or section 552b,  
24 United States Code (commonly known as the “Govern-  
25 ment in the Sunshine Act”).

1 (p) FUNDING.—Of the amounts authorized to be ap-  
2 propriated by this Act for fiscal year 2022 for the Depart-  
3 ment of Defense, up to \$7,000,000 shall be made available  
4 to the Commission to carry out its duties under this sec-  
5 tion. Funds made available to the Commission under the  
6 preceding sentence shall remain available until expended.

7 (q) TERMINATION.—

8 (1) IN GENERAL.—The Commission, and all au-  
9 thorities under this section, shall terminate on the  
10 date that is 90 days after the Commission submits  
11 the final report required by subsection (d).

12 (2) ADMINISTRATIVE ACTIONS BEFORE TERMI-  
13 NATION.—The Commission may use the 90-day pe-  
14 riod described in paragraph (1) for the purpose of  
15 concluding its activities, including providing testi-  
16 mony to committees of Congress with respect to and  
17 disseminating the report required by subsection (d).

18 **TITLE XVII—TECHNICAL AMEND-**  
19 **MENTS RELATED TO THE**  
20 **TRANSFER AND REORGANIZA-**  
21 **TION OF DEFENSE ACQUISI-**  
22 **TION STATUTES**

Sec. 1701. Technical, conforming, and clerical amendments related to title XVIII of the Fiscal Year 2021 NDAA.

Sec. 1702. Conforming cross reference technical amendments related to the transfer and reorganization of defense acquisition statutes.

1 **SEC. 1701. TECHNICAL, CONFORMING, AND CLERICAL**  
2 **AMENDMENTS RELATED TO TITLE XVIII OF**  
3 **THE FISCAL YEAR 2021 NDAA.**

4 (a) DEFINITIONS; EFFECTIVE DATE; APPLICA-  
5 BILITY.—

6 (1) DEFINITIONS.—In this section, the terms  
7 “FY2021 NDAA” and “such Act” mean the William  
8 M. (Mac) Thornberry National Defense Authoriza-  
9 tion Act for Fiscal Year 2021 (Public Law 116-  
10 283).

11 (2) AMENDMENTS TO APPLY PRE-TRANSFER OF  
12 DEFENSE ACQUISITION STATUTES.—The amend-  
13 ments made by subsections (b), (i), and (j) through  
14 (v) shall apply as if included in the enactment of  
15 title XVIII of the FY2021 NDAA as enacted.

16 (3) AMENDMENTS TO TAKE EFFECT POST-  
17 TRANSFER OF DEFENSE ACQUISITION STATUTES.—  
18 The amendments made by subsections (c) through  
19 (h) and (w) shall take effect immediately after the  
20 amendments made by title XVIII of the FY2021  
21 NDAA have taken effect. Sections 1883 through  
22 1885 of the FY2021 NDAA shall apply with respect  
23 to the transfers, redesignations, and amendments  
24 made under such subsections as if such transfers,  
25 redesignations, and amendments were made under  
26 title XVIII of the FY2021 NDAA.

1           (4) REORGANIZATION REGULATION UPDATE NO-  
2           TICE.—Section 1801(d)(3)(B)(i) of FY2021 NDAA  
3           is amended by inserting “and provides public notice  
4           that such authorities have been revised and modified  
5           pursuant to such paragraph” after “paragraph (2)”.

6           (5) SAVINGS PROVISION RELATING TO TRANS-  
7           FER AND REORGANIZATION OF DEFENSE ACQUISSI-  
8           TION STATUTES.—If this Act is enacted after De-  
9           cember 31, 2021, notwithstanding section  
10          1801(d)(1) of the FY2021 NDAA, the amendments  
11          made by title XVIII of the FY2021 NDAA shall  
12          take effect immediately after the enactment of this  
13          Act.

14          (b) TECHNICAL CORRECTIONS TO TITLE XVIII OF  
15          FY2021 NDAA.—Title XVIII of the FY2021 NDAA is  
16          amended as follows:

17               (1) Section 1806(a) is amended in paragraph  
18               (4) by striking “TRANSFER” and all that follows  
19               through “and amended” and inserting the following:  
20               “RESTATEMENT OF SECTION 2545(1).—Section 3001  
21               of such title, as added by paragraph (1), is further  
22               amended by inserting after subsection (b), as trans-  
23               ferred and redesignated by paragraph (3), a new  
24               subsection (c) having the text of paragraph (1) of

1 section 2545 of such title, as in effect on the day be-  
2 fore the date of the enactment of this Act, revised”.

3 (2) Section 1807 is amended—

4 (A) in subsection (b)(1), by striking “new  
5 sections” and inserting “new section”;

6 (B) in subsection (c)(3)(A)—

7 (i) by striking the semicolon and close  
8 quotation marks at the end of clause (i)  
9 and inserting close quotation marks and a  
10 semicolon; and

11 (ii) by striking “by any” in the matter  
12 to be inserted by clause (ii); and

13 (C) in subsection (e)—

14 (i) by striking “of this title” in the  
15 matter to be inserted by paragraph (2)(B);  
16 and

17 (ii) by striking “Sections” in the  
18 quoted matter before the period at the end  
19 of paragraph (3) and inserting “For pur-  
20 poses of”.

21 (3) Section 1809(e) is amended by striking sub-  
22 paragraph (B) of paragraph (2) (including the  
23 amendment made by that subparagraph).

24 (4) Section 1811 is amended—

25 (A) in subsection (c)(2)—



1 (i) in subparagraph (B), by striking  
2 the comma before the close quotation  
3 marks in both the matter to be stricken  
4 and the matter to be inserted; and

5 (ii) in subparagraph (D), by inserting  
6 a comma after “3901” in the matter to be  
7 inserted;

8 (B) in subsection (d)(3)(B)—

9 (i) by striking the dash after “mobili-  
10 zation” in the matter to be inserted by  
11 clause (ii) and inserting a semicolon; and

12 (ii) by striking the dash after “cen-  
13 ter” in the matter to be inserted by clause  
14 (iv) and inserting “; or”;

15 (C) in subsection (d)(4)(D), by striking  
16 “this” in the matter to be stricken by clause (ii)  
17 and inserting “This”;

18 (D) in subsection (d)(5)(A), by striking  
19 “inserting” and all that follows through “; and”  
20 and inserting “inserting ‘OFFER REQUESTS TO  
21 POTENTIAL SOURCES.—’ before ‘The head of an  
22 agency’; and”;

23 (E) in subsection (d)(6)(A), in the matter  
24 to be inserted—

1 (i) by striking the close quotation  
2 marks after “PROCEDURES.—”; and

3 (ii) by striking the comma after  
4 “(7)”; and

5 (F) in subparagraphs (C)(ii) and (E)(ii) of  
6 subsection (e)(3), by striking “and (ii)” each  
7 place it appears and inserting “and (iii)”.

8 (5) Section 1813 is amended in subsection  
9 (e)(1)(D) by inserting “and inserting” after the first  
10 close quotation marks.

11 (6) Section 1816(c) is amended—

12 (A) in paragraph (5)—

13 (i) in subparagraph (C)—

14 (I) by striking “the second sen-  
15 tence” and inserting “the second and  
16 third sentences”; and

17 (II) by striking “subsection (d)”  
18 and inserting “subsections (d) and  
19 (e), respectively”; and

20 (ii) by striking subparagraph (G) and  
21 inserting the following:

22 “(G) in subsection (d), as so designated,  
23 by inserting ‘NOTICE OF AWARD.—’ before  
24 ‘The head of’; and

1           “(H) in subsection (e), as so designated,  
2           by striking ‘This subparagraph does not’ and  
3           inserting ‘EXCEPTION FOR PERISHABLE SUB-  
4           SISTENCE ITEMS.—Subsections (c) and (d) do  
5           not.’”; and

6           (B) in paragraph (7)(J)(ii), in the matter  
7           to be inserted, by inserting “under” before  
8           “this section”.

9           (7) Section 1818 is amended by striking the  
10          close quotation marks and second period at the end  
11          of subsection (b).

12          (8) Section 1820 is amended—

13                (A) in subsection (a), in the matter to be  
14                inserted, by striking the item relating to section  
15                3404 and inserting the following new item:

“3404. **[Reserved]**.”;

16                (B) in subsection (c)(3)(A), by striking  
17                “section” in the matter to be stricken; and

18                (C) in subsection (d)(4)(B), by inserting  
19                “section” before “3403(b)” in the matter to be  
20                inserted.

21          (9) Section 1821 is amended in subsection  
22          (b)(5) by striking “subsection (b)(2)(B)(i)” and in-  
23          serting “subsection (c)(2)(B)(i)”.

24          (10) Section 1831 is amended—

1 (A) in subsection (b), by striking “redesignated as subsection (a), and” and inserting  
2 “amended by striking the subsection designation and subsection heading, and further”;  
3  
4

5 (B) in subsection (c)(2)(A), in the matter  
6 to be stricken, by striking “the” and inserting  
7 “The”;

8 (C) in subsection (c)(2)(D)—

9 (i) by striking clauses (ii) through (v);

10 and

11 (ii) in the matter preceding clause (i),  
12 by striking “as so redesignated” and all  
13 that follows through “by inserting” and in-  
14 serting “as so redesignated, by inserting”;

15 (D) in subsection (c)(2)(E)—

16 (i) by striking clauses (ii) through (v);

17 and

18 (ii) in the matter preceding clause (i),  
19 by striking “as so redesignated” and all  
20 that follows through “by inserting” and in-  
21 serting “as so redesignated, by inserting”;

22 and

23 (iii) by inserting “and” after the semi-  
24 colon at the end;

25 (E) in subsection (c)(2)(F)—

1 (i) by striking clauses (ii) through (v);

2 and

3 (ii) in the matter preceding clause (i),

4 by striking “as so redesignated” and all

5 that follows through “by inserting” and in-

6 serting “as so redesignated, by inserting”;

7 and

8 (iii) by striking the semicolon at the

9 end and inserting a period;

10 (F) in subsection (c)(4)(A), by striking the

11 matter proposed to be inserted and inserting

12 “CERTIFICATION.—”;

13 (G) in subsection (c)(8)—

14 (i) by striking subparagraph (C); and

15 (ii) in subparagraph (B), by adding

16 “and” at the end;

17 (H) in subsection (h), by striking “such

18 section 3706” in paragraphs (2) and (3) and

19 inserting “such section 3707”; and

20 (I) in subsection (j)—

21 (i) in paragraph (3), in the matter to

22 be inserted, by striking “3701–3708” and

23 inserting “3701 through 3708”; and

24 (ii) by striking paragraphs (4) and

25 (5).

1 (11) Section 1832(i)(7)(F)—

2 (A) in clause (iv), by striking “and” at the  
3 end;

4 (B) in clause (v), by striking the period at  
5 the end and inserting “; and”; and

6 (C) by adding at the end the following new  
7 clause:

8 “(vi) in subparagraph (B) (as so re-  
9 designated), by striking ‘paragraph (1)’  
10 and inserting ‘subsection (b)’.”.

11 (12) Section 1833 is amended—

12 (A) in subsection (n), in the section head-  
13 ing for section 3791, by striking “**DEPART-**  
14 **MENT OF DEFENSE**” and inserting “**DE-**  
15 **PARTMENT OF DEFENSE**”; and

16 (B) in subsection (o)(2), by striking “Sec-  
17 tion” and “as section” and inserting “Sections”  
18 and “as sections”, respectively.

19 (13) Section 1834(h)(2) is amended by striking  
20 “section 3801(1)” in the matter to be inserted and  
21 inserting “section 3801(a)”.

22 (14) Section 1845(c)(2) is amended by striking  
23 “section” in the matter to be stricken and inserting  
24 “sections”.

25 (15) Section 1846 is amended—

1 (A) in subsection (f)(6)(A), in the matter  
2 to be inserted, by inserting a period after  
3 “OVERSIGHT”;

4 (B) in subsection (i)(3), by striking “Sec-  
5 tion 1706(e)(1)” and inserting “Section  
6 1706(a)”; and

7 (C) by adding at the end the following:

8 “(j) FURTHER CROSS-REFERENCE AMENDMENT.—  
9 Section 1706(a) of title 10, United States Code, is further  
10 amended by striking ‘section 2430(a)(1)(B)’ and inserting  
11 ‘section 4201(a)(2)’.”.

12 (16) Section 1847 is amended—

13 (A) in the table of subchapters to be in-  
14 serted by subsection (a), by striking the item  
15 relating to the second subchapter III (relating  
16 to contractors) and inserting the following:

“V. Contractors .....4291”; and

17 (B) in subsection (e)(3)(A), by inserting  
18 “section” before “4376(a)(1)” in the matter to  
19 be inserted.

20 (17) Section 1848(d) is amended by striking  
21 paragraph (2).

22 (18) Section 1850(e)(2) is amended by insert-  
23 ing “transferred and” before “redesignated”.

24 (19) Section 1856 is amended—

1 (A) in subsection (f)(5)(A), in the matter to  
2 be inserted, by striking the comma at the end;  
3 and

4 (B) in subsection (h), by striking “sub-  
5 section (d)” and inserting “subsection (g)”.

6 (20) Section 1862(c)(2) is amended by striking  
7 “section 4657” and inserting “section 4658”.

8 (21) Section 1866 is amended—

9 (A) in subsection (c)—

10 (i) in paragraph (1), by inserting  
11 “and” at the end;

12 (ii) in paragraph (2), by striking “;  
13 and” at the end and inserting a period;  
14 and

15 (iii) by striking paragraph (3) (includ-  
16 ing the amendment made by that para-  
17 graph); and

18 (B) in subsection (d), by striking “4817”  
19 in the matter to be inserted by paragraph  
20 (4)(A)(ii) and inserting “4818”.

21 (22) Section 1867(d) is amended—

22 (A) in paragraph (3), by striking “Section  
23 4814” and inserting “Section 4814(a)”;

24 (B) by amending paragraph (5) to read as  
25 follows:



1           “(5) Section 4818 is amended in subsection  
2           (a)—

3                   “(A) by striking ‘of this chapter’ and in-  
4                   serting ‘of chapters 381 through 385 and chap-  
5                   ter 389’; and

6                   “(B) by striking ‘under this chapter’ and  
7                   inserting ‘under such chapters.’; and

8                   (C) by adding at the end the following new  
9                   paragraph:

10                   “(7) Section 4817(d)(1) is amended by striking  
11                   ‘this chapter’ and inserting ‘chapters 381 through  
12                   385 and chapter 389’.”.

13           (23) Section 1870(c)(3) is amended—

14                   (A) by inserting after subparagraph (A)  
15                   the following new subparagraph:

16                   “(B) in each of paragraphs (4) and (5) of  
17                   subsection (d), by striking ‘section 2500(1)’ and  
18                   inserting ‘section 4801(1)’;”;

19                   (B) by redesignating subparagraphs (B)  
20                   and (C) as subparagraphs (C) and (D), respec-  
21                   tively; and

22                   (C) in subparagraph (D) (as so  
23                   redeisgnated), by striking “of the first sub-  
24                   section (k) (relating to ‘Limitation on certain

1           procurements application process’),” and insert-  
2           ing “of subsection (j),”.

3           (24) Section 1872(a) is amended in each of  
4           paragraphs (5) through (11) by striking “chapter  
5           385 of such title, as amended” and inserting “chap-  
6           ter 388 of such title, as added”.

7           (c) CONFORMING AMENDMENTS TO PROVISIONS OF  
8           TITLE 10, UNITED STATES CODE, THAT ARE TRANS-  
9           FERRED AND REDESIGNATED BY TITLE XVIII OF THE  
10          FY2021 NDAA.—Title 10, United States Code, as trans-  
11          ferred and redesignated by title XVIII of the FY2021  
12          NDAA, is amended as follows:

13           (1) Section 3221 of title 10, United States  
14          Code, as added by subsection (a) and amended by  
15          subsection (b) of section 1812 of such Act, is  
16          amended in subsection (c) by striking “under this  
17          section” and inserting “under this chapter”.

18           (2) Section 3223 of such title, as added by sub-  
19          section (a) and amended by subsection (d) of section  
20          1812 of such Act, is amended by striking “under  
21          this section” in paragraph (2) and inserting “under  
22          this chapter”.

23           (3) Section 3702 of such title, as added and  
24          amended by section 1831 of such Act, is amended—

1 (A) in subsection (a)(3) by striking “under  
2 this section” in the matter preceding subpara-  
3 graph (A) and inserting “under this chapter”;  
4 and

5 (B) in subsection (d), by striking “this sec-  
6 tion” and inserting “this chapter”.

7 (4) Section 4375 of such title, as added by sub-  
8 section (a) and amended by subsection (i) of section  
9 1850 of such Act, is amended in subsection (d)(7)—

10 (A) by striking “under the program (i) ex-  
11 pressed as” and inserting “under the pro-  
12 gram—

13 “(A) expressed as”; and

14 (B) by striking “or subprogram, and (ii)  
15 expressed as” and inserting “or subprogram;  
16 and

17 “(B) expressed as”.

18 (d) CROSS-REFERENCE AMENDMENTS WITHIN  
19 TRANSFERRED SECTIONS.—Title 10, United States Code,  
20 as transferred and redesignated by title XVIII of the  
21 FY2021 NDAA, is amended as follows:

22 (1) Section 3131 of title 10, United States  
23 Code, as transferred and redesignated by section  
24 1809(b) of such Act, is amended in subsection (b)(1)

1 by striking “section 2353” and inserting “section  
2 4141”.

3 (2) Section 3137 of such title, as transferred  
4 and redesignated by section 1809(h)(1) of such Act,  
5 is amended in subsection (b)(2) by striking “section  
6 2330a” and inserting “section 4505”.

7 (3) Section 3203 of such title, as added by  
8 paragraph (1) and amended by paragraph (2) of sec-  
9 tion 1811(d)(2) of such Act, is amended in sub-  
10 section (c) by striking “paragraphs (1) and (2)” and  
11 inserting “subsections (a)(1) and (b)”.

12 (4) Section 3206 of such title, as added by  
13 paragraph (1) and amended by paragraphs (2) and  
14 (3) of section 1811(e)(2) of such Act, is amended in  
15 subsection (a)(3) by striking “subparagraphs (A)  
16 and (B)” in the matter preceding subparagraph (A)  
17 and inserting “paragraphs (1) and (2)”.

18 (5) Section 3221 of such title, as added by sub-  
19 section (a) and amended by subsection (b) of section  
20 1812 of such Act, is amended in subsection (b)(2)  
21 by striking “chapter 144” before “of this title” and  
22 inserting “chapters 321, 324, and 325, subchapter  
23 I of chapter 322, and sections 3042, 4232, 4273,  
24 4293, 4321, 4323, and 4328”.

1           (6) Section 3862 of such title, as transferred  
2           and redesignated by section 1836(b) of such Act, is  
3           amended in subsection (b) by striking “section  
4           2303(a)” and inserting “section 3063”.

5           (7) Section 4008 of such title, as transferred  
6           and redesignated by section 1841(c) of such Act, is  
7           amended by striking “section 2303(a)” in sub-  
8           sections (a) and (d) and inserting “section 3063”.

9           (8) Section 4061 of such title, as transferred  
10          and redesignated by section 1842(b) of such Act, is  
11          amended in subsection (b)(5) by striking “section  
12          2302e” and inserting “section 4004”.

13          (9) Section 4062 of such title, as transferred  
14          and redesignated by section 1842(b) of such Act, is  
15          amended—

16                (A) in subsection (c)(4)(A)—

17                   (i) in clause (i), by striking “section  
18                   2433(d)” and inserting “section 4374”;

19                   and

20                   (ii) in clause (ii), by striking “section  
21                   2433(e)(2)(A)” and inserting “section  
22                   4375(b)”;

23                (B) in subsection (j), by striking “chapter  
24                137” and inserting “sections 3201 through  
25                3205”; and

1 (C) in subsection (k)(2), by striking “(as  
2 defined in section 2302(5) of this title)”.

3 (10) Section 4171 of such title, as transferred  
4 and redesignated by section 1845(b) of such Act, is  
5 amended in subsection (a)(2)—

6 (A) in subparagraph (A), by striking  
7 “within the meaning” and all that follows  
8 through “this title”; and

9 (B) in subparagraph (B), by striking  
10 “under” and all that follows through “this  
11 title” and inserting “under section 4203(a)(1)  
12 of this title”.

13 (11) Section 4324 of such title, as amended by  
14 section 802(a) and transferred and redesignated by  
15 section 1848(d)(1) of such Act, is amended in sub-  
16 section (d)—

17 (A) in paragraph (5), by striking “section  
18 2430” in subparagraph (A) and “section  
19 2430(a)(1)(B)” in subparagraph (B) and in-  
20 serting “section 4201” and “section 4201(a)(2)  
21 of this title”, respectively;

22 (B) in paragraph (6), by striking “section  
23 2366(e)(7)” and inserting “section 4172(e)(7)”;  
24 and

1 (C) in paragraph (7), by striking “section  
2 2431a(e)(5)” and inserting “section  
3 4211(e)(3)”.

4 (12) Section 4375 of such title, as added by  
5 subsection (a) and amended by subsection (h) sec-  
6 tion 1850), is amended in subsection (c)(2)—

7 (A) in subparagraph (A), by striking “or  
8 (b)(2)”; and

9 (B) in subparagraph (B)—

10 (i) by striking “or (b)(2)” ; and

11 (ii) by striking “subsection (b)(1)”  
12 and inserting “section 4376”.

13 (13) Section 4505 of such title, as transferred  
14 and redesignated by section 1856(g) of such Act, is  
15 amended by striking “section 2383(b)(3)” in sub-  
16 section (h)(2) and inserting “section 4508(b)(3)”.

17 (14) Section 4660 of such title, as transferred  
18 and redesignated by section 1862(b) of such Act, is  
19 amended by striking “section 2324” in subsection  
20 (c)(2) and inserting “subchapter I of chapter 273”.

21 (15) Section 4814 of such title, as transferred  
22 and redesignated by section 1867(b) of such Act, is  
23 amended by striking “subchapter V of chapter 148”  
24 in paragraph (5) of subsection (a), as added by sec-

1       tion 842(a)(2) of such Act, and inserting “chapter  
2       385”.

3           (16) Section 4819 of such title, as transferred  
4       and redesignated by section 1867(b) of such Act and  
5       amended by section 843 of such Act, is amended in  
6       subsection (b)(2)—

7           (A) in subparagraph (C)(xi), by striking  
8       “section 2339a” and inserting “section 3252”;  
9       and

10          (B) in subparagraph (E)—

11           (i) in clause (i), by striking “(as de-  
12       fined in section 2500(1) of this title)”;

13           (ii) in clause (ii), by striking “section  
14       2533a” and inserting “section 4862”; and

15           (iii) in clause (v), by striking “section  
16       2521” and inserting “sections 4841 and  
17       4842”.

18          (17) Section 4862 of such title, as transferred  
19       and redesignated by section 1870(c)(2) of such Act,  
20       is amended by striking “section 2304(e)(2)” in sub-  
21       section (d)(4) and inserting “section 3204(a)(2)”.

22          (18) Section 4863 of such title, as transferred  
23       and redesignated by section 1870(c)(2) of such Act,  
24       is amended—



1 (A) in subsection (c)(2), by striking “sec-  
2 tion 2304(c)(2)” and inserting “section  
3 3204(a)(2)”; and

4 (B) in subsection (f), by striking “section  
5 2304(g)” and inserting “section 3205”.

6 (19) Section 4981 of such title, as transferred  
7 by subsection (b) and redesignated by subsection (c)  
8 of section 1873 of such Act, is amended by striking  
9 “section 2501(a)” in subsection (a) and inserting  
10 “section 4811(a)”.

11 (e) DISPOSITION OF NEW TITLE 10 ACQUISITION  
12 PROVISIONS ADDED BY THE FY2021 NDAA.—

13 (1) TRANSFER OF NEW SECTION 2339C.—

14 (A) TRANSFER.—Section 2339c of title 10,  
15 United States Code, as added by section 803 of  
16 the FY2021 NDAA, is transferred to chapter  
17 873 of such title, inserted after section 8754,  
18 and redesignated as section 8755, and amended  
19 in subsection (d)(3) by striking “section 2430”  
20 and inserting “section 4201”.

21 (B) CLERICAL AMENDMENT.—The table of  
22 sections at the beginning of such chapter is  
23 amended by adding at the end the following  
24 new item:

“8755. Disclosures for offerors for certain shipbuilding major defense acquisi-  
tion program contracts.”.

1 (2) TRANSFER OF NEW SECTION 2533D.—

2 (A) TRANSFER.—Section 2533d of title  
3 10, United States Code, as added by section  
4 841(a) of the FY2021 NDAA, is transferred to  
5 chapter 385 of such title, inserted after section  
6 4872 of subchapter III of such chapter, redesign-  
7 nated as section 4873, and amended in sub-  
8 section (a)(2) by striking “section 2338” and  
9 inserting “section 3573”.

10 (B) CLERICAL AMENDMENT.—The table of  
11 sections at the beginning of such chapter is  
12 amended by inserting after the item relating to  
13 section 4872 the following new item:

“4873. Additional requirements pertaining to printed circuit boards.”.

14 (3) TRANSFER OF NEW SECTION 2358C.—

15 (A) TRANSFER.—Section 2358c of title 10,  
16 United States Code, as added by section  
17 1115(a) of the FY2021 NDAA, is transferred  
18 to subchapter II of chapter 303 of such title, as  
19 added by section 1842(a) of the FY2021  
20 NDAA, inserted after section 4093, as trans-  
21 ferred and redesignated by section 1843(a) (as  
22 amended by this section), and redesignated as  
23 section 4094.

24 (B) CLERICAL AMENDMENTS.—The table  
25 of sections at the beginning of such chapter, as

1 added by section 1842(a) of the FY2021  
2 NDAA (as amended by this section), is amend-  
3 ed by inserting after the item relating to section  
4 4093 the following new item:

“4094. Enhanced pay authority for certain research and technology positions in  
science and technology reinvention laboratories.”.

5 (4) TRANSFER OF NEW SECTION 2374B.—

6 (A) TRANSFER.—Section 2374b of title 10,  
7 United States Code, as added by section  
8 212(a)(1) of the FY2021 NDAA, is transferred  
9 to subchapter II of chapter 301 of such title,  
10 added at the end of such subchapter, and reded-  
11 igned as section 4027.

12 (B) CLERICAL AMENDMENT.—The table of  
13 sections at the beginning of such chapter is  
14 amended by adding at the end the following  
15 new item:

“4027. Disclosure requirements for recipients of research and development  
funds.”.

16 (f) AMENDMENTS TO TABLES OF SECTIONS.—Title  
17 10, United States Code, is amended as follows:

18 (1) The table of sections at the beginning of  
19 chapter 136 is amended by striking the item relating  
20 to section 2283.

21 (2) The table of sections at the beginning of  
22 chapter 165 is amended by striking the item relating  
23 to section 2784.

1           (3) The table of sections at the beginning of  
2 chapter 203, as added by section 1807(a) of the  
3 FY2021 NDAA, is amended in the item relating to  
4 section 3064 by inserting “of” after “Applicability”.

5           (4) The table of sections at the beginning of  
6 chapter 223, as added by section 1813(a) of such  
7 Act, is amended by striking the item relating to sec-  
8 tion 3248 and inserting the following new item:

“3248. **[Reserved]**.”

9           (5) The table of sections at the beginning of  
10 subchapter II of chapter 273, as added by section  
11 1832(j) of such Act, is amended by striking the  
12 items relating to sections 3764 and 3765.

13           (6) The table of sections at the beginning of  
14 subchapter III of chapter 275, as added by section  
15 1833(n) of such Act, is amended by striking the  
16 item relating to section 3792 and inserting the fol-  
17 lowing new item:

“3792. **[Reserved]**.”

18           (7) The table of sections at the beginning of  
19 subchapter I of chapter 322, as added by section  
20 1847(a), is amended by striking the item relating to  
21 section 4212 and inserting the following new item:

“4212. Risk management and mitigation in major defense acquisition programs  
and major systems.”

1           (8) The table of sections at the beginning of  
2           subchapter II of chapter 322, as added by section  
3           1847(a), is amended by striking the item relating to  
4           section 4232 and inserting the following new item:

“4232. Prohibition on use of lowest price technically acceptable source selection process.”.

5           (9) The table of sections at the beginning of  
6           chapter 323, as added by section 1848(a), is amend-  
7           ed by striking the item relating to section 4324 and  
8           inserting the following new item:

“4324. Life-cycle management and product support.”.

9           (10) The table of sections at the beginning of  
10          chapter 382, as added by section 1867(a) of such  
11          Act, is amended by striking the item relating to sec-  
12          tion 4814 and inserting the following new item:

“4814. National technology and industrial base: annual report and quarterly briefings.”.

13          (g) AMENDMENTS TO TABLES OF CHAPTERS.—The  
14          tables of chapters at the beginning of subtitle A, and at  
15          the beginning of part V of subtitle A, of title 10, United  
16          States Code, are amended—

17                 (1) in the items for chapters 203, 205, and  
18                 207, by striking the section number at the end of  
19                 each item and inserting “3061”, “3101”, and  
20                 “3131”, respectively;

1 (2) by striking the item for chapter 247 and in-  
2 serting the following:

“247. Procurement of Commercial Products and Commercial Services 3451”;

3 (3) in the item for chapter 251, by striking the  
4 section number at the end and inserting “3571”;

5 (4) by striking the item for chapter 257 and in-  
6 serting the following:

“257. Contracts for Long-Term Lease or Charter of Vessels, Aircraft,  
and Combat Vehicles ..... 3671

“258. Other Types of Contracts Used for Procurements for Particular  
Purposes .....3681”; and

7 (5) by striking the last word in the item for the  
8 heading for subpart D and inserting “Provisions”.

9 (h) AMENDMENTS TO HEADINGS.—Subtitle A of title  
10 10, United States Code, is amended as follows:

11 (1) The heading of subpart D of part V is  
12 amended to read as follows:

13 **“Subpart D—General Contracting Provisions”.**

14 (2) The heading of subchapter II of chapter  
15 273, as added by section 1832(j) of the FY2021  
16 NDAA, is amended to read as follows:

17 **“Subchapter II—Other Allowable Cost**  
18 **Provisions”.**

19 (i) AMENDMENTS TO DELETE HEADINGS FROM SEC-  
20 TIONS SPECIFIED AS “RESERVED”.—Title XVIII of the  
21 FY2021 NDAA is amended as follows:

1 (1) CHAPTER 201.—The matter inserted by sec-  
2 tion 1806(a)(1) is amended—

3 (A) in each of the items relating to sec-  
4 tions 3003 and 3005 in the table of sections at  
5 the beginning of subchapter I, by striking the  
6 text after the section designation and inserting  
7 “**[Reserved]**.”;

8 (B) by striking section 3003 and inserting  
9 the following:

10 **“§ 3003. [Reserved]”; and**

11 (C) by striking section 3005 and inserting  
12 the following:

13 **“§ 3005. [Reserved]”.**

14 (2) CHAPTER 209.—

15 (A) In the table of contents for chapter  
16 209 inserted by section 1810(a), by striking the  
17 text after the subchapter II designation and in-  
18 serting “**[Reserved]**”.

19 (B) Section 1810(d) is amended to read as  
20 follows:

21 “(d) **ADDITIONAL SUBCHAPTER.**—Chapter 209 of  
22 title 10, United States Code, is amended by adding at the  
23 end the following new subchapter:

24 **“SUBCHAPTER II—[RESERVED]**

“Sec.

“3171. **[Reserved]**.

“3172. **[Reserved]**.

1 “§ 3171. **[Reserved]**

2 “§ 3172. **[Reserved]**”.

3 (3) CHAPTER 225.—The matter inserted by sec-  
4 tion 1813(h) is amended by striking the text after  
5 the chapter designation and inserting “**[Re-**  
6 **served]**”.

7 (4) CHAPTER 242.—The matter inserted by sec-  
8 tion 1817(a) is amended—

9 (A) in the item relating to section 3324 in  
10 the table of sections, by striking the text after  
11 the section designation and inserting “**[Re-**  
12 **served]**.”; and

13 (B) by striking section 3324 and inserting  
14 the following:

15 “§ 3324. **[Reserved]**”.

16 (5) CHAPTER 253.—

17 (A) The tables of chapters at the begin-  
18 ning of subtitle A, and at the beginning of part  
19 V of subtitle A, of title 10, United States Code,  
20 are amended by striking the text after the chap-  
21 ter designation for chapter 253 in each place  
22 and inserting “**[Reserved]**”.

23 (B) Section 1824 is amended—

24 (i) in the matter inserted by sub-  
25 section (a), by striking the text after the



1 chapter designation and inserting “**[Reserved]**”; and  
2

3 (ii) in the matter inserted by sub-  
4 section (b), by striking the text after the  
5 chapter designation and inserting “**[Reserved]**”.  
6

7 (6) CHAPTER 272.—The matter inserted by sec-  
8 tion 1831(k) is amended—

9 (A) by striking the text after the chapter  
10 designation and inserting “**[Reserved]**”; and

11 (B) by striking all after the chapter head-  
12 ing and inserting the following:

“Sec.  
“3721. **[Reserved]**.  
“3722. **[Reserved]**.  
“3723. **[Reserved]**.  
“3724. **[Reserved]**.”

13 “§ 3721. **[Reserved]**

14 “§ 3722. **[Reserved]**

15 “§ 3723. **[Reserved]**

16 “§ 3724. **[Reserved]**”.

17 (7) CHAPTER 279.—

18 (A) The matter inserted by section  
19 1835(a) is amended in the table of sections by  
20 striking the text after the section designation in  
21 each of the items relating to sections 3843,  
22 3844, and 3846 and inserting “**[Reserved]**”.

23 (B) Section 1835(e) is amended—

1 (i) by striking the matter inserted by  
2 paragraph (1) and inserting the following:

3 **“§ 3843. [Reserved]**

4 **“§ 3844. [Reserved]”; and**

5 (ii) by striking matter inserted by  
6 paragraph (2) and inserting the following:

7 **“§ 3846. [Reserved]”.**

8 (8) CHAPTER 283.—

9 (A) The tables of chapters at the begin-  
10 ning of subtitle A, and at the beginning of part  
11 V of subtitle A, of title 10, United States Code,  
12 are amended by striking the text after the chap-  
13 ter designation for chapter 283 in each place  
14 and inserting “[Reserved]”.

15 (B) Section 1837 is amended to read as  
16 follows:

17 **“SEC. 1837. RESERVATION OF CHAPTER 283.**

18 “Part V of subtitle A of title 10, United States Code,  
19 as added by section 801 of the John S. McCain National  
20 Defense Authorization Act for Fiscal Year 2019 (Public  
21 Law 115– 232), is amended by striking chapter 283 and  
22 inserting the following:

23 **“‘CHAPTER 283—[RESERVED]’.”.**

24 (9) CHAPTER 343.—Section 1856 is amended—

1 (A) in the matter to be inserted by sub-  
2 section (a), by striking the text following the  
3 designation of chapter 343 and inserting “[Re-  
4 served]”; and

5 (B) by amending the matter to be inserted  
6 by subsection (j) to read as follows:

7 **“CHAPTER 343—[RESERVED]”**

“Subchapter	Sec.
“I. [Reserved] .....	4541
“II. [Reserved] .....	4551

8 **“SUBCHAPTER I—[RESERVED]”**

“Sec.  
“4541. [Reserved].”

9 **“SUBCHAPTER II—[RESERVED]”**

“Sec.  
“4551. [Reserved].”

10 (10) CHAPTER 387.—Section 1871 is amended  
11 by amending the matter to be inserted by subsection  
12 (a)(2)—

13 (A) by inserting after the item relating to  
14 subchapter I the following new item:

“II. [Reserved] .....4991”; and

15 (B) by inserting after the item relating to  
16 section 4901 the following new item:

17 **“SUBCHAPTER II—[RESERVED]”**

“Sec.  
“4911. [Reserved].”

1 (j) REVISED SECTION RELATING TO REGULA-  
2 TIONS.—Section 1807(b) of the FY2021 NDAA is amend-  
3 ed in the matter to be inserted by paragraph (1), by strik-  
4 ing “shall prescribe” and inserting “is required by section  
5 2202 of this title to prescribe”.

6 (k) REVISED TRANSFER OF SECTIONS RELATING TO  
7 MULTIYEAR CONTRACTS FOR ACQUISITION OF PROP-  
8 erty.—Section 1822 of the FY2021 NDAA is amended  
9 as follows:

10 (1) REVISED SECTIONS.—In the matter to be  
11 inserted by subsection (a)—

12 (A) in the table of sections for subchapter  
13 I, by striking the items relating to sections  
14 3501 through 3511 and inserting the following:

“3501. Multiyear contracts: acquisition of property.”; and

15 (B) by striking the section headings for  
16 sections 3501 through 3511 and inserting the  
17 following:

18 **“§ 3501. Multiyear contracts: acquisition of property”.**

19 (2) TRANSFER OF SECTION 2306B.—Such sec-  
20 tion is further amended—

21 (A) by striking subsections (b) through (l);  
22 and

23 (B) by inserting after subsection (a) the  
24 following new section:

1           “(b) TRANSFER OF SECTION 2306B.—Section 2306b  
2 of title 10, United States Code, is transferred to section  
3 3501 of such title, as added by subsection (a).”.

4           (3) TRANSFER OF SECTION 2306C.—Such sec-  
5 tion is further amended—

6           (A) in the matter to be inserted by sub-  
7 section (m)—

8           (i) in the table of sections, by striking  
9 the items relating to sections 3531 through  
10 3535 and inserting the following:

“3531. Multiyear contracts: acquisition of services.”; and

11           (ii) by striking the section headings  
12 for sections 3531 through 3535 and insert-  
13 ing the following:

14 **“§ 3531. Multiyear contracts: acquisition of services”;**

15           (B) by redesignating such subsection (m)  
16 as subsection (e);

17           (C) by striking subsections (n) through (s);

18           (D) by adding after subsection (e) (as so  
19 redesignated) the following new subsection:

20           “(d) TRANSFER OF SECTION 2306C.—Section 2306c  
21 of title 10, United States Code, is transferred to section  
22 3531 of such title, as added by subsection (e).”.

23           (4) CONFIRMING REDESIGNATION.—Such sec-  
24 tion is further amended by redesignating subsection  
25 (t) as subsection (e).

1 (l) RENAMING OF CHAPTER 287.—

2 (1) RENAMING OF CHAPTER.—Section 1838 of  
3 the FY2021 NDAA is amended—

4 (A) in the section heading, by striking the  
5 penultimate word in the heading and inserting  
6 “**OTHER CONTRACTING**”; and

7 (B) by striking the penultimate word in  
8 the chapter heading in the matter inserted by  
9 subsection (a) and inserting “**OTHER CON-**  
10 **TRACTING**”.

11 (2) TABLES OF CHAPTERS.—The tables of  
12 chapters at the beginning of subtitle A, and at the  
13 beginning of part V of subtitle A, of title 10, United  
14 States Code, are amended by striking the item relat-  
15 ing to chapter 287 and inserting the following new  
16 item:

“287. Other Contracting Programs ..... 3961”.

17 (m) REVISED TRANSFER OF SECTIONS WITHIN  
18 CHAPTER 388.—

19 (1) TRANSFER.—Section 1872(a) of title XVIII  
20 of the FY2021 NDAA, as amended by this section,  
21 is further amended—

22 (A) by amending paragraph (2) to read as  
23 follows:

1           “(2) TRANSFER.—The text of section 2411 of  
2 title 10, United States Code, is transferred to sec-  
3 tion 4951 of such title, as added by paragraph (1).”;

4           (B) by amending paragraph (3) to read as  
5 follows:

6           “(3) TRANSFER OF SECTION 2412.—The text of  
7 section 2412 of title 10, United States Code, is  
8 transferred to section 4952 of such title, as added  
9 by paragraph (1).”; and

10           (C) by amending paragraph (4) to read as  
11 follows:

12           “(4) TRANSFER OF SECTION 2420.—The text of  
13 section 2420 of title 10, United States Code, is  
14 transferred to section 4953 of such title, as added  
15 by paragraph (1).”.

16           (2) CONFORMING AMENDMENTS.—Such section  
17 1872(a) is further amended—

18           (A) in paragraph (5)—

19               (i) by striking “inserted after section  
20 4951, redesignated as section 4952” and  
21 inserting “inserted after section 4953, re-  
22 designated as section 4954”;

23               (ii) in the matter to be inserted by  
24 subparagraph (B)(ii), by striking “section  
25 4957(b)” and inserting “section 4959(b)”;

1 (B) in paragraph (6)—

2 (i) by striking “section 4952” and in-  
3 sserting “section 4954”;

4 (ii) by striking “section 4953” and in-  
5 sserting “section 4955”;

6 (iii) in the matter to be inserted by  
7 subparagraph (B), by striking “section  
8 4951(b)(1)(D)” and inserting “section  
9 4951(1)(D)”;

10 (iv) in the matter to be inserted by  
11 subparagraph (C), by striking “section  
12 4957(b)” and inserting “section 4959(b)”;

13 (C) in paragraph (7)—

14 (i) by striking “section 4953” and in-  
15 sserting “section 4955”;

16 (ii) by striking “section 4954” and in-  
17 sserting “section 4956”;

18 (D) in paragraph (8)—

19 (i) by striking “section 4954” and in-  
20 sserting “section 4956”;

21 (ii) by striking “section 4955” and in-  
22 sserting “section 4957”;

23 (E) in paragraph (9)—

24 (i) by striking “section 4955” and in-  
25 sserting “section 4957”;



1 (ii) by striking “section 4956” and in-  
2 serting “section 4958”;

3 (F) in paragraph (10)—

4 (i) by striking “section 4956” and in-  
5 serting “section 4958”;

6 (ii) by striking “section 4957” and in-  
7 serting “section 4959”;

8 (G) in paragraph (11)—

9 (i) by striking “inserted after section  
10 4957, as added by paragraph (10),” and  
11 inserting “added at the end of such chap-  
12 ter”; and

13 (ii) by striking “section 4959” and in-  
14 serting “section 4961”.

15 (3) TABLE OF SECTIONS.—Section 1872(a)(B)  
16 of the FY2021 NDAA is amended by striking the  
17 matter to be inserted and inserting the following:

18 **“CHAPTER 388—PROCUREMENT TECH-**  
19 **NICAL ASSISTANCE COOPERATIVE**  
20 **AGREEMENT PROGRAM**

“4951. Definitions.

“4952. Purposes.

“4953. Regulations.

“4954. Cooperative agreements.

“4955. Funding.

“4956. Distribution.

“4957. Subcontractor information.

“4958. Authority to provide certain types of technical assistance.

“4959. Advancing small business growth.

“4960. [Reserved].

“4961. Administrative and other costs.

1 **“SEC. 4951. DEFINITIONS.**

2 **“SEC. 4952. PURPOSES.**

3 **“SEC. 4953. REGULATIONS.”.**

4 (n) REVISED SECTION RELATING TO NAVY CON-  
5 TRACT FINANCING.—Title XVIII of the FY2021 NDAA  
6 is amended as follows:

7 (1) REVISED PLACEMENT.—The matter to be  
8 inserted by section 1834(a) is amended—

9 (A) in the table of sections, by adding at  
10 the following new item:

“3808. Certain Navy contracts.”; and

11 (B) by adding after the heading for section  
12 3807 the following:

13 **“§ 3808. Certain Navy contracts”.**

14 (2) TRANSFER OF SECTION 2307(G).—Section  
15 1834 is further amended by adding at the end the  
16 following new subsection:

17 “(i) TRANSFER OF SUBSECTION (G) OF SECTION  
18 2307.—

19 “(1) TRANSFER.—Subsection (g) of section  
20 2307 of title 10, United States Code, is transferred  
21 to section 3808 of such title, as added by subsection  
22 (a), inserted after the section heading, and amend-  
23 ed—

24 “(A) by striking the subsection designation  
25 and subsection heading; and

1           “(B) by redesignating paragraphs (1), (2),  
2           and (3) as subsections (a), (b), and (c), respec-  
3           tively.

4           “(2) REVISIONS TO NEW 3808(A).—Subsection  
5           (a) of such section 3808, as so transferred and re-  
6           designated, is amended—

7           “(A) by inserting ‘REPAIR, MAINTENANCE,  
8           OR OVERHAUL OF NAVAL VESSELS: RATE FOR  
9           PROGRESS PAYMENTS.—’ before ‘The Secretary  
10          of the Navy’; and

11          “(B) by redesignating subparagraphs (A)  
12          and (B) as paragraphs (1) and (2), respectively.

13          “(3) REVISIONS TO NEW 3808(B).—Subsection  
14          (b) of such section 3808, as so transferred and re-  
15          designated, is amended—

16          “(A) by inserting ‘AUTHORITY TO AD-  
17          VANCE FUNDS FOR IMMEDIATE SALVAGE OP-  
18          ERATIONS.—’ before ‘The Secretary of the  
19          Navy’; and

20          “(B) by striking ‘this paragraph’ in the  
21          second sentence and inserting ‘this subsection’.

22          “(4) REVISIONS TO NEW 3808(C).—Subsection  
23          (c) of such section 3808, as so transferred and re-  
24          designated, is amended by inserting ‘SECURITY FOR

1 CONSTRUCTION AND CONVERSION OF NAVAL VES-  
2 SELS.—’ before ‘The Secretary of the Navy’.

3 “(5) CONFORMING AMENDMENT.—Section  
4 8702(e) is amended by striking ‘section 2307(g)(2)’  
5 and inserting ‘section 3808(b).’”.

6 (3) REPEAL OF PRIOR TRANSFER.—Section  
7 1876 is repealed.

8 (o) REVISED TRANSFER RELATING TO SELECTED  
9 ACQUISITION REPORTS.—

10 (1) TRANSFER AS SINGLE SECTION.—

11 (A) Subsection (a) section 1849 of the  
12 FY2021 NDAA is amended in the matter to be  
13 inserted by striking all after the chapter head-  
14 ing and inserting the following:

“Sec.  
“4351. Selected Acquisition Reports.”.

15 (B) Subsection (b) of such section 1849 is  
16 amended to read as follows:

17 “(b) TRANSFER OF SECTION 2432.—Section 2432 of  
18 title 10, United States Code, is transferred to chapter 324  
19 of such title, as added by subsection (a), and redesignated  
20 as section 4351.”.

21 (2) CONFORMING AMENDMENTS.—

22 (A) The section heading for section 1849  
23 of the FY2021 NDAA is amended to read as  
24 follows:

1 **“SEC. 1849. SELECTED ACQUISITION REPORTS.”.**

2 (B) Section 1849 of the FY2021 NDAA is  
3 amended in the matter to be inserted by strik-  
4 ing the text after the chapter designation and  
5 inserting **“SELECTED ACQUISITION**  
6 **REPORTS”.**

7 (3) CROSS-REFERENCE AMENDMENTS IN SEC-  
8 TION 4351(C).—Subsection (c) of such section 1849  
9 is amended to read as follows:

10 “(c) CROSS-REFERENCE AMENDMENTS IN NEW SEC-  
11 TION 4351(C).—Subsection (c)(1) of such section, as so  
12 transferred and redesignated, is amended—

13 “(1) by striking ‘section 2431’ in subparagraph  
14 (A) and inserting ‘section 4205’;

15 “(2) by striking ‘section 2433(a)(2)’ in sub-  
16 paragraph (B)(i) and inserting ‘section 4371(a)(4)’;

17 “(3) by striking ‘section 2435(d)(1)’ in sub-  
18 paragraph (B)(ii) and inserting ‘section 4214(d)(1)’;

19 “(4) by striking ‘section 2435(d)(2)’ in sub-  
20 paragraph (B)(iii) and inserting ‘section  
21 4214(d)(2)’;

22 “(5) by striking ‘section 2432(e)(4)’ in sub-  
23 paragraph (B)(iv) and inserting ‘section 4355(4)’;

24 and

25 “(6) by striking ‘section 2446a’ in subpara-  
26 graph (G) and inserting ‘section 4401.’”.

1           (4) CROSS-REFERENCE AMENDMENT IN SEC-  
2           TION 4351(H).—Subsection (d) of such section 1849  
3           is amended to read as follows:

4           “(d) CROSS-REFERENCE AMENDMENT IN NEW SEC-  
5           TION 4351(H).—Subsection (h)(2)(A) of such section, as  
6           so transferred and redesignated, is amended by striking  
7           ‘section 2431’ and inserting ‘section 4205.’”.

8           (5) DELETION OF SUPERSEDED AMEND-  
9           MENTS.—Such section 1849 is further amended—

10           (A) by striking subsections (e) through (k);

11           and

12           (B) redesignating subsections (l) and (m)  
13           as subsections (e) and (f), respectively.

14           (6) CONFORMING CROSS-REFERENCE AMEND-  
15           MENTS.—Title XVIII of the FY2021 NDAA is  
16           amended—

17           (A) in section 1812—

18           (i) in subsection (b)(2)(D), by striking  
19           “section 4353(a)” in the matter to be in-  
20           serted and inserting “section 4351(e)(1)”;  
21           and

22           (ii) in subsection (f)(2)(C), by striking  
23           “sections 4351 through 4358” in the mat-  
24           ter to be inserted and inserting “section  
25           4351”;

1 (B) in section 1846—

2 (i) in subsection (f)(5)(C), by striking  
3 “sections 4351 through 4358” in the mat-  
4 ter to be inserted and inserting “section  
5 4351”; and

6 (ii) in subsection (g)(1), by striking  
7 “section 4351” in the matter to be in-  
8 serted and inserting “section 4351(a)”;

9 (C) in section 1847—

10 (i) in subsection (b)(4)(B)(iii), by  
11 striking “sections 4351 through 4358” in  
12 the matter to be inserted and inserting  
13 “section 4351”;

14 (ii) in subsection (c)(1)(A)(i), by  
15 striking “sections 4351 through 4358” in  
16 the matter to be inserted and inserting  
17 “section 4351”;

18 (iii) in subsection (d)(2)(C)(ii), by  
19 striking “sections 4351 through 4358” in  
20 the matter to be inserted and inserting  
21 “section 4351”; and

22 (iv) in subsection (e)(1)(A), by strik-  
23 ing “section 4351(2)” in the matter to be  
24 inserted and inserting “section  
25 4351(a)(2)”;

1 (D) in section 1849(f) (as so redesignated),  
2 by striking “chapter 324” in the matter  
3 to be inserted and inserting “section 4351”;  
4 and

5 (E) in section 1850—

6 (i) in subsection (b)(3)(A)(ii), by  
7 striking “section 4351” in the matter to be  
8 inserted and inserting “section 4351(a)”;

9 (ii) in subsection (c)(2), by striking  
10 “section 4358” in the matter to be in-  
11 serted and inserting “section 4351(h)”;

12 (iii) in subsection (e)(4)(A), by strik-  
13 ing “section 4352(c)” in the matter to be  
14 inserted and inserting “section  
15 4351(b)(3)”;

16 (iv) in subsection (h)(2)(C)(ii), by  
17 striking “and inserting” and all that fol-  
18 lows through “respectively” and inserting  
19 “and inserting ‘section 4351(e)’ and ‘sec-  
20 tion 4351(f)’, respectively”;

21 (v) in subsection (j)(3)(B)(ii), by  
22 striking “section 4356(a)” in the matter to  
23 be inserted and inserting “section  
24 4351(f)”;



1 (vi) in subsection (k)(4)(D), by strik-  
2 ing “section 4352” in the matter to be in-  
3 serted and inserting “section 4351”; and

4 (vii) in subsection (k)(6)(D)(i)(II), by  
5 striking “section 4356” in the matter to be  
6 inserted and inserting “section 4351(f)”.

7 (p) TRANSFER OF SECTIONS 2196 & 2197 TO CHAP-  
8 TER 384 (MANUFACTURING TECHNOLOGY).—

9 (1) TRANSFER.—Section 1869(d) of the  
10 FY2021 NDAA is amended—

11 (A) by striking “SECTION 2522.—Section  
12 2522 of title 10, United States Code, is” and  
13 inserting “SECTIONS 2196, 2197, AND 2522.—

14 “(1) TRANSFER.—Sections 2196, 2197, and  
15 2522 of title 10, United States Code, are”;

16 (B) by striking “as section 4843” and in-  
17 serting “as sections 4843, 4844, and 4845, re-  
18 spectively”; and

19 (C) by adding at the end the following new  
20 paragraph:

21 “(2) CONFORMING AMENDMENTS.—Section  
22 4844, as transferred and redesignated by paragraph  
23 (1), is amended in subsection (a)(6), by striking  
24 ‘section 2196’ and inserting ‘section 4843.’.”

25 (2) TABLES OF SECTIONS.—

1 (A) CHAPTER 384.—Section 1869(a) of the  
2 FY2021 NDAA is amended in the matter to be  
3 inserted by striking the item relating to section  
4 4843 and inserting the following:

“4843. Manufacturing engineering education program.

“4844. Manufacturing experts in the classroom.

“4845. Armament retooling and manufacturing.”.

5 (B) CHAPTER 111.—The table of sections  
6 at the beginning of chapter 111 of title 10,  
7 United States Code, is amended by striking the  
8 items relating to sections 2196 and 2197.

9 (q) REVISED TRANSFER OF SECTION 2358B.—Title  
10 XVIII of the FY2021 NDAA is amended as follows:

11 (1) DELETION OF TRANSFER TO CHAPTER  
12 303.—Section 1842(b) is amended—

13 (A) by striking “2358b,”; and

14 (B) by striking “4064,”.

15 (2) TRANSFER TO CHAPTER 87.—Subtitle J of  
16 title XVIII of the FY2021 NDAA is amended by in-  
17 serting after section 1878 the following new section:

18 **“SEC. 1878A. TRANSFER OF TITLE 10 SECTION RELATING TO**  
19 **JOINT RESERVE DETACHMENT OF DEFENSE**  
20 **INNOVATION UNIT.**

21 “(a) TRANSFER.—Section 2358b of title 10, United  
22 States Code, is transferred to subchapter V of chapter 87  
23 of such title, inserted after section 1765, and redesignated  
24 as section 1766.

1           “(b) CLERICAL AMENDMENT.—The table of sections  
2 at the beginning of such subchapter is amended by adding  
3 at the end the following new item:

“1766. Joint reserve detachment of the Defense Innovation Unit.”.

4           (f) REVISED SECTION RELATING TO ACQUISITION-  
5 RELATED FUNCTIONS OF CHIEFS OF THE ARMED  
6 FORCES.—Title XVIII of the FY2021 NDAA is amended  
7 as follows:

8           (1) DELETION OF SEPARATE SECTION FOR AC-  
9 QUISSIONS FUNCTIONS OF SERVICE CHIEFS.—Sec-  
10 tion 1847 is amended—

11           (A) in the matter to be inserted by sub-  
12 section (a), by striking the item relating to sec-  
13 tion 4274 in the table of sections for sub-  
14 chapter IV and inserting:

“4274. [Reserved].”; and

15           (B) in subsection (e), by striking para-  
16 graphs (4), (5), and (6)(B).

17           (2) CROSS-REFERENCE AMENDMENT.—Section  
18 1808(d) is amended by adding at the end the fol-  
19 lowing new paragraph:

20           “(3) Sections 7033(d)(5), 8033(d)(5),  
21 8043(e)(5), and 9033(d)(5) of such title are amend-  
22 ed by striking ‘and 2547’ and inserting ‘and  
23 3104.’”.

1           (s) REVISED TRANSFER OF SECTION RELATING TO  
2 NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Title  
3 XVIII of the FY2021 NDAA is amended as follows:

4           (1) DELETION OF PREVIOUS TRANSFER OF  
5 SECTION 2440.—Section 1847(b)(2) is amended—

6           (A) by striking “TRANSFER OF” and all  
7 that follow through “(B)”; and

8           (B) by striking “paragraph (3)” in the  
9 matter to be inserted and inserting “section  
10 4820 of this title”.

11          (2) REVISED TRANSFER.—

12           (A) Section 2440 of title 10, United States  
13 Code, as amended by section 846(b) of the  
14 FY2021 NDAA, is transferred to chapter 382  
15 of such title, inserted after section 4819, and  
16 redesignated as section 4820.

17           (B) The table of sections at the beginning  
18 of such chapter is amended by adding at the  
19 end the following new item:

“4820. National technology and industrial base plans, policy, and guidance.”.

20           (C) Such section 4820, as so transferred  
21 and redesignated, is amended—

22           (i) in subsection (a), by striking “sec-  
23 tion 2501” and inserting “section 4811”;  
24 and

1 (ii) in subsection (b), by striking  
2 “chapter 148” and inserting “subchapters  
3 381 through 385 and subchapter 389”.

4 (t) REVISION OF SUBCHAPTER III OF CHAPTER  
5 385.—Section 1870(d) of the FY2021 NDAA is amend-  
6 ed—

7 (1) in the matter inserted by paragraph (1)—

8 (A) by striking the items relating to sec-  
9 tions 4871 and 4872 and inserting the fol-  
10 lowing new items:

“4871. Contracts: consideration of national security objectives.

“4872. Acquisition of sensitive materials from non-allied foreign nations: prohi-  
bition.”; and

11 (B) by adding after the item relating to  
12 section 4873, as added by this section, the fol-  
13 lowing new item:

“4874. Award of certain contracts to entities controlled by a foreign govern-  
ment: prohibition.”;

14 (2) in paragraph (2)—

15 (A) in the paragraph heading, by striking  
16 “sections 2533c and 2536” and inserting “sec-  
17 tions 2327, 2533c, and 2536”;

18 (B) by striking “sections 2533c and 2536  
19 of title 10” and inserting “sections 2327,  
20 2533c, and 2536 of title 10”; and

21 (C) by striking “sections 4871 and 4872”  
22 and inserting “sections 4871, 4872, and 4874”;

1 (3) in paragraph (3)—

2 (A) in subparagraph (A), by striking “Sec-  
3 tion 4871” and inserting “Section 4872”; and

4 (B) in the matter inserted by subpara-  
5 graph (B), by striking “**4871**” and inserting  
6 “**4872**”; and

7 (4) in the matter inserted by paragraph (4), by  
8 striking “section 4872(c)(1)” and inserting “section  
9 4874(c)(1)”.

10 (u) RESTRUCTURING OF CHAPTERS OF SUBPART E  
11 (RESEARCH & ENGINEERING).—Section 1841 of the  
12 FY2021 NDAA is amended as follows:

13 (1) REVISED SUBPART E.—The matter to be in-  
14 serted by subsection (a)(2) is amended to read as  
15 follows:

16 **“Subpart E—Research and Engineering**

“301. Research and Engineering Generally .....	4001
“303. Research and Engineering Activities .....	4061
“305. Universities .....	4131
“307. Test and Evaluation .....	4171”.

17 (2) REVISED CHAPTER 301.—Section 1841 of  
18 the FY2021 NDAA is further amended as follows:

19 (A) REVISED TABLE OF SECTIONS.—The  
20 matter to be inserted by subsection (a)(1)(B) is  
21 amended—

22 (i) by inserting after the item relating  
23 to chapter 301 the following:

1 “SUBCHAPTER I—GENERAL”;

2 (ii) by striking the items relating to  
3 sections 4002, 4003, and 4004 and insert-  
4 ing the following:

“4002. **[Reserved]**.

“4003. **[Reserved]**.

“4004. Contract authority for development and demonstration of initial or additional prototype units.”;

5 (iii) by striking the items relating to  
6 sections 4008 and 4009 and inserting the  
7 following:

“4008. **[Reserved]**.

“4009. **[Reserved]**.”; and

8 (iv) by striking the item relating to  
9 section 4015 and inserting the following:

10 “SUBCHAPTER II—AGREEMENTS

“4021. Research projects: transactions other than contracts and grants.

“4022. Authority of the Department of Defense to carry out certain prototype projects.

“4023. Procurement for experimental purposes.

“4024. Merit-based award of grants for research and development.

“4025. Prizes for advanced technology achievements.

“4026. Cooperative research and development agreements under Stevenson-Wydler Technology.”.

11 (B) REVISED TRANSFER OF TITLE 10 SEC-  
12 TIONS.—Subsection (b)(1) is amended—

13 (i) by inserting “2302e, 2359,” after  
14 “2358,”;

15 (ii) by striking “and 2373” and in-  
16 serting “, 2373, 2374, 2374a, and 2371a”;

17 (iii) by striking “4002, 4003, and”;

18 and

1 (iv) by inserting “, 4007, 4021, 4022,  
2 4023, 4024, 4025, and 4026” before “, re-  
3 spectively”.

4 (C) TECHNICAL AMENDMENT.—Subsection  
5 (b)(2)(A)(i) is amended by striking “by strik-  
6 ing” and all that follows through the semicolon  
7 at the end and inserting “by striking ‘section  
8 2371 or 2371b’ and inserting ‘section 4021 or  
9 4022’;”.

10 (D) DESIGNATION OF SUBCHAPTERS.—  
11 Subsection (c) is amended to read as follows:

12 “(c) DESIGNATION OF SUBCHAPTERS.—Chapter 301  
13 of such title, as added by subsection (a), is amended—

14 “(1) by inserting before section 4001, as trans-  
15 ferred and redesignated by subsection (b)(1), the fol-  
16 lowing:

17 **“Subchapter I—General; and**

18 “(2) by inserting before section 4021, as trans-  
19 ferred and redesignated by subsection (b)(1), the fol-  
20 lowing:

21 **“Subchapter II—Agreements’.”**

22 (E) REVISED TRANSFER OF SECTION  
23 2364(A).—Subsection (d)(1) is amended by strik-  
24 ing “section 4009” and inserting “section  
25 4007”.



1 (F) REVISED CROSS-REFERENCE AMEND-  
2 MENTS.—

3 (i) Subsection (b)(2) is amended—

4 (I) in subparagraph (A)(ii), by  
5 striking “sections 4004” in the matter  
6 to be inserted and inserting “section  
7 4023”;

8 (II) in subparagraph (A)(iii), by  
9 striking “sections 4002 and 4143” in  
10 the matter to be inserted and insert-  
11 ing “sections 4021 and 4026”;

12 (III) in subparagraph (B), by  
13 striking “Section 4002” and inserting  
14 “Section 4021”;

15 (IV) in subparagraph (C)—

16 (aa) by striking “Section  
17 4003” and inserting “Section  
18 4022”; and

19 (bb) by striking “section  
20 4002” in the matter to be in-  
21 serted and inserting “section  
22 4021”; and

23 (V) by adding at the end the fol-  
24 lowing new subparagraph:

1           “(D) Section 4004 of such title, as so  
2 transferred and redesignated, is amended by  
3 striking ‘section 2302(2)(B)’ in subsection (a)  
4 and inserting ‘section 3012(2)’.”.

5           (ii) Subsection (e)(2) is amended by  
6 striking “section 4003” in the matter to be  
7 inserted and inserting “section 4022”.

8           (3) REVISED CHAPTER 303, SUBCHAPTER I.—  
9 Section 1842 of the FY2021 NDAA is amended as  
10 follows:

11           (A) REVISED HEADING AND TABLE OF  
12 SECTIONS.—The matter to be inserted by sub-  
13 section (a) is amended to read as follows:

14           **“CHAPTER 303—RESEARCH AND**  
15           **ENGINEERING ACTIVITIES**

          “SUBCHAPTER I—GENERAL

“Sec.

“4061. Defense Research and Development Rapid Innovation Program.

“4062. Defense Acquisition Challenge Program.

“4063. **【Reserved】**.

“4064. **【Reserved】**.

“4065. **【Reserved】**.

“4066. Global Research Watch Program.

“4067. Technology protection features activities.

          “SUBCHAPTER II—PERSONNEL

“4091. Authorities for certain positions at science and technology reinvention  
laboratories.

“4092. Personnel management authority to attract experts in science and engi-  
neering.

“4093. Science, Mathematics, and Research for Transformation (SMART) De-  
fense Education Program.

          “SUBCHAPTER III—RESEARCH AND DEVELOPMENT CENTERS AND  
FACILITIES

“4121. [Reserved].

“4122. [Reserved].

“4123. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.

“4124. Centers for Science, Technology, and Engineering Partnership.

“4125. Functions of Defense research facilities.

“4126. Use of federally funded research and development centers.

1                   **“Subchapter I—General**

2                   **“Subchapter II—Personnel**

3                   **“Subchapter III—Research and Development**  
4                   **Centers and Facilities”.**

5                   (B) TRANSFER OF TITLE 10 SECTIONS TO  
6                   SUBCHAPTER I.—Subsection (b) is amended—

7                               (i) by striking “2361a” and all that  
8                               follows through “2365” and inserting  
9                               “2365, and 2357”;

10                              (ii) by striking “after the table of sec-  
11                              tions” and inserting “after the heading for  
12                              subchapter I”; and

13                              (iii) by striking “4063” and all that  
14                              follows through “4066” and inserting  
15                              “4066, and 4067”.

16                   (C) REVISED CROSS-REFERENCE AMEND-  
17                   MENT.—Subsection (c)(1) is amended by strik-  
18                   ing “section 4065” in the matter to be inserted  
19                   and inserting “section 4025”.

20                   (4) REVISED CHAPTER 303, SUBCHAPTERS II &  
21                   III.—

1 (A) IN GENERAL.—Section 1843 of the  
2 FY2021 NDAA is amended by striking the sec-  
3 tion heading and subsections (a) and (b) and  
4 inserting the following:

5 **“SEC. 1843. PERSONNEL; RESEARCH AND DEVELOPMENT**  
6 **CENTERS AND FACILITIES.**

7 “(a) TRANSFER OF TITLE 10 SECTIONS TO SUB-  
8 CHAPTER II.—Sections 2358a, 1599h, and 2192a of title  
9 10, United States Code, are transferred to subchapter II  
10 of chapter 303 of such title, as added by section 1842(a),  
11 inserted (in that order) after the subchapter heading, and  
12 redesignated as sections 4091, 4092, and 4093, respec-  
13 tively.

14 “(b) TRANSFER OF TITLE 10 SECTIONS TO SUB-  
15 CHAPTER III.—

16 “(1) IN GENERAL.—Sections 2363, 2368, and  
17 2367 of title 10, United States Code, are transferred  
18 to subchapter III of chapter 303 of such title, as  
19 added by section 1842(a), inserted (in that order)  
20 after the subchapter heading, and redesignated as  
21 sections 4123, 4124, and 4126, respectively.

22 “(2) TRANSFER OF SECTION 2364(B) AND (C).—

23 “(A) HEADING.—Such subchapter III is  
24 further amended by inserting after section

1           4124, as transferred and redesignated by para-  
2           graph (1), the following:

3   **“§ 4125. Functions of Defense research facilities’.**

4           “(B) TEXT.—Subsections (b) and (c) of  
5           section 2364 of such title are transferred to  
6           such subchapter, inserted after the section  
7           heading for section 4125, as added by subpara-  
8           graph (A), and redesignated as subsections (a)  
9           and (b), respectively.”.

10           (B) REVISED CROSS-REFERENCE AMEND-  
11           MENT.—Subsection (c) of such section 1843 is  
12           amended by striking “section 4103(a)” in the  
13           matter to be inserted and inserting “section  
14           4123(a)”.

15           (C) CONFORMING AMENDMENTS TO  
16           TRANSFERRED SECTION.—Such section 1843 is  
17           further amended by adding at the end the fol-  
18           lowing new subsection:

19           “(d) CONFORMING AMENDMENTS TO TRANSFERRED  
20           SECTION.—Section 4124 of such title, as transferred and  
21           redesignated by subsection (b)(1), is amended in sub-  
22           section (b)(3)(B)(ii), by striking ‘2358, 2371, 2511,  
23           2539b, and 2563’ and inserting ‘2563, 4001, 4021, 4831,  
24           and 4062’.”.

25           (5) REVISED CHAPTER 305.—

1 (A) NEW CHAPTER 305.—Subsection (a) of  
2 section 1844 of the FY2021 NDAA is amend-  
3 ed—

4 (i) by striking “chapter 305, as added  
5 by the preceding section” and inserting  
6 “chapter 303, as added by section 1842”;  
7 and

8 (ii) by striking the matter inserted by  
9 that subsection and inserting:

10 **“CHAPTER 305—UNIVERSITIES**

“Sec.

“4141. Award of grants and contracts to colleges and universities: requirement of competition.

“4142. Extramural acquisition innovation and research activities.

“4143. Research and development laboratories: contracts for services of university students.

“4144. Research and educational programs and activities: historically black colleges and universities and minority-serving institutions of higher education.”.

11 (B) TRANSFER OF TITLE 10 SECTIONS TO  
12 NEW CHAPTER 305.—Such section is further  
13 amended by striking subsections (b), (c), (d),  
14 and (e) and inserting the following:

15 “(b) TRANSFER OF TITLE 10 SECTIONS.—Sections  
16 2361, 2361a, 2360, and 2362 of title 10, United States  
17 Code, are transferred to chapter 305 of such title, as  
18 added by subsection (a), inserted (in that order) after the  
19 table of sections, and redesignated as section 4141, 4142,  
20 4143, and 4144, respectively.”.

21 (6) REVISED CHAPTER 307.—

1 (A) REDESIGNATION OF CHAPTER 309 AS  
2 CHAPTER 307.—Subsection (a) of section 1845  
3 of the FY2021 NDAA is amended—

4 (i) by striking “chapter 307, as added  
5 by the preceding section” and inserting  
6 “chapter 305, as added by section 1844”;  
7 and

8 (ii) by redesignating the chapter  
9 added by that section as chapter 307.

10 (B) TRANSFER OF ADDITIONAL SECTIONS  
11 TO REDESIGNATED CHAPTER 307.—Subsection  
12 (b) of such section is amended—

13 (i) by striking “and 196” and insert-  
14 ing “196, 2353, and 2681”; and

15 (ii) by striking “section 4171, 4172,  
16 and 4173” and inserting “sections 4171,  
17 4172, 4173, 4174, and 4175”.

18 (C) TABLE OF SECTIONS.—The table of  
19 sections inserted by subsection (a) of such sec-  
20 tion is amended by adding at the end the fol-  
21 lowing new items:

“4174. Contracts: acquisition, construction, or furnishing of test facilities and  
equipment.

“4175. Use of test and evaluation installations by commercial entities.”.

22 (v) CONFORMING AMENDMENTS TO DELETE CON-  
23 Flicting TRANSFERS OF CERTAIN SECTIONS.—

1           (1) DELETION OF TRANSFER OF SECTION 2302E  
2           TO CHAPTER 243.—Section 1818 of the FY2021  
3           NDAA is amended—

4                   (A) by striking subsection (c); and

5                   (B) by striking the last item in the table  
6           of sections inserted by subsection (a).

7           (2) DELETION OF TRANSFER OF SECTION 2362  
8           TO CHAPTER 287.—Section 1838 of the FY2021  
9           NDAA is amended—

10                   (A) in subsection (b), by striking “2362,”  
11           and “3904,”; and

12                   (B) by striking the item relating to section  
13           3904 in the table of sections inserted by sub-  
14           section (a) and inserting the following new  
15           item:

“3904. **Reserved**.”.

16           (w) AMENDMENTS TO TABLES OF SECTIONS NOT IN  
17           PART V.—Title 10, United States Code, is amended as  
18           follows:

19                   (1) The table of sections at the beginning of  
20           chapter 81 is amended by striking the item relating  
21           to section 1599h.

22                   (2) The table of sections at the beginning of  
23           chapter 111 is amended by striking the item relating  
24           to section 2192a.



1           (3) The table of sections at the beginning of  
2           chapter 159 is amended by striking the item relating  
3           to section 2681.

4   **SEC. 1702. CONFORMING CROSS REFERENCE TECHNICAL**  
5                   **AMENDMENTS RELATED TO THE TRANSFER**  
6                   **AND REORGANIZATION OF DEFENSE ACQUI-**  
7                   **SITION STATUTES.**

8           (a) AMENDMENTS TO TITLE 10, UNITED STATES  
9   CODE.—Title 10, United States Code, is amended as fol-  
10   lows:

11           (1) Section 171a(i)(3) is amended by striking  
12           “2366a(d)” and inserting “4251(d)”.

13           (2) Section 181(b)(6) is amended by striking  
14           “sections 2366a(b), 2366b(a)(4),” and inserting  
15           “sections 4251(b), 4252(a)(4),”.

16           (3) Section 1734(c)(2) is amended by striking  
17           “section 2435(a)” and inserting “section 4214(a)”.

18           (b) AMENDMENTS TO LAWS CLASSIFIED AS NOTES  
19   IN TITLE 10, UNITED STATES CODE.—

20           (1) Section 801(1) of the National Defense Au-  
21   thorization Act for Fiscal Year 2018 (Public Law  
22   115–91; 10 U.S.C. 2302 note) is amended by strik-  
23   ing “section 2545” and inserting “section 3001”.

24           (2) Section 323(a) of the Ike Skelton National  
25   Defense Authorization Act for Fiscal Year 2011

1 (Public Law 111–383; 10 U.S.C. 2463 note) is  
2 amended by striking “section 235, 2330a, or 2463”  
3 and inserting “section 2463, 3137, or 4505”.

4 (3) Section 8065 of the Department of Defense  
5 Appropriations Act, 2005 (Public Law 108–287; 10  
6 U.S.C. 2540 note), is amended—

7 (A) by striking “subchapter VI of chapter  
8 148” both places it appears and inserting “sub-  
9 chapter I of chapter 389”; and

10 (B) by striking “section 2540c(d)” and in-  
11 serting “section 4974(d)”.

12 (c) AMENDMENTS TO LAWS CLASSIFIED IN TITLE 6,  
13 UNITED STATES CODE (HOMELAND SECURITY).—

14 (1) Section 831(a)(1) of the Homeland Security  
15 Act of 2002 (6 U.S.C. 391(a)) is amended by strik-  
16 ing “section 2371” and inserting “section 4021”.

17 (2) Section 853(b) of such Act (6 U.S.C.  
18 423(b)) is amended by striking paragraphs (1), (2),  
19 and (3) and inserting the following:

20 “(1) Section 134 of title 41, United States  
21 Code.

22 “(2) Section 153 of title 41, United States  
23 Code.

24 “(3) Section 3015 of title 10, United States  
25 Code.”.

1           (3) Section 855 of such Act (6 U.S.C. 425) is  
2 amended—

3           (A) in subsection (a)(2), by striking sub-  
4 paragraphs (A), (B), and (C) and inserting the  
5 following:

6           “(A) Sections 1901 and 1906 of title 41,  
7 United States Code.

8           “(B) Section 3205 of title 10, United  
9 States Code.

10           “(C) Section 3305 of title 41, United  
11 States Code.”; and

12           (B) in subsection (b)(1), by striking “pro-  
13 vided in” and all that follows through “shall  
14 not” and inserting “provided in section  
15 1901(a)(2) of title 41, United States Code, sec-  
16 tion 3205(a)(2) of title 10, United States Code,  
17 and section 3305(a)(2) of title 41, United  
18 States Code, shall not”.

19           (4) Section 856(a) of such Act (6 U.S.C.  
20 426(a)) is amended by striking paragraphs (1), (2),  
21 and (3) and inserting the following:

22           “(1) FEDERAL PROPERTY AND ADMINISTRA-  
23 TIVE SERVICES ACT OF 1949.—In division C of sub-  
24 title I of title 41, United States Code:

1           “(A) Paragraphs (1), (2), (6), and (7) of  
2           subsection (a) of section 3304 of such title, re-  
3           lating to use of procedures other than competi-  
4           tive procedures under certain circumstances  
5           (subject to subsection (d) of such section).

6           “(B) Section 4106 of such title, relating to  
7           orders under task and delivery order contracts.

8           “(2) TITLE 10, UNITED STATES CODE.—In part  
9           V of subtitle A of title 10, United States Code:

10           “(A) Paragraphs (1), (2), (6), and (7) of  
11           subsection (a) of section 3204, relating to use  
12           of procedures other than competitive procedures  
13           under certain circumstances (subject to sub-  
14           section (d) of such section).

15           “(B) Section 3406, relating to orders  
16           under task and delivery order contracts.

17           “(3) OFFICE OF FEDERAL PROCUREMENT POL-  
18           ICY ACT.—Paragraphs (1)(B), (1)(D), and (2)(A) of  
19           section 1708(b) of title 41, United States Code, relat-  
20           ing to inapplicability of a requirement for procure-  
21           ment notice.”.

22           (5) Section 604(f) of the American Recovery  
23           and Reinvestment Act of 2009 (6 U.S.C. 453b(f)) is  
24           amended by striking “section 2304(g)” and inserting  
25           “section 3205”.

1 (d) AMENDMENTS TO TITLE 14, UNITED STATES  
2 CODE (COAST GUARD).—Title 14, United States Code, is  
3 amended as follows:

4 (1) Section 308(c)(10)(B)(ii) is amended by  
5 striking “section 2547(c)(1)” and inserting “section  
6 3104(c)(1)”.

7 (2) Section 1137(b)(4) is amended by striking  
8 “section 2306b” and inserting “section 3501”.

9 (3) Section 1906(b)(2) is amended by striking  
10 “chapter 137” and inserting “sections 3201 through  
11 3205”.

12 (e) AMENDMENTS TO LAWS CLASSIFIED IN TITLE  
13 15, UNITED STATES CODE (COMMERCE).—

14 (1) Section 14(a) of the Metric Conversion Act  
15 of 1975 (15 U.S.C. 2051(a)) is amended—

16 (A) in the first sentence, by striking “set  
17 forth in chapter 137” and all that follows  
18 through “et seq.,” and inserting “set forth in  
19 the provisions of title 10, United States Code,  
20 referred to in section 3016 of such title as  
21 ‘chapter 137 legacy provisions’, section 3453 of  
22 such title, division C (except sections 3302,  
23 3307(e), 3501(b), 3509, 3906, 4710, and 4711)  
24 of subtitle I of title 41, United States Code,”;

1 (B) in the second sentence, by striking  
2 “under section 2377(c)” and all that follows  
3 through the period and inserting “under section  
4 3453(c) of title 10, United States Code, and  
5 section 3307(d) of title 41, United States  
6 Code.”; and

7 (C) in the third sentence, by striking “sec-  
8 tion 2377” and all that follows through “shall  
9 take” and inserting “section 3453 of title 10,  
10 United States Code, or section 3307(b) to (d) of  
11 title 41, United States Code, then the provi-  
12 sions of such sections 3453 or 3307(b) to (d)  
13 shall take”.

14 (2) Section 8 of the Small Business Act (15  
15 U.S.C. 637) is amended—

16 (A) in subsection (g)(2), by striking “sec-  
17 tion 2304(c)” and inserting “section 3204(a)”;  
18 and

19 (B) in subsection (h)—

20 (i) in paragraph (1)(B), by striking  
21 “chapter 137” and inserting “sections  
22 3201 through 3205”; and

23 (ii) in paragraph (2), by striking “sec-  
24 tion 2304(f)(2)” and “section 2304(f)(1)”,  
25 and inserting “paragraphs (3) and (4) of

1 section 3204(e)” and “section 3204(e)(1)”,  
2 respectively.

3 (3) Section 9 of the Small Business Act (15  
4 U.S.C. 638) is amended in subsection (r)(4)(A) by  
5 striking “section 2304” and inserting “sections  
6 3201 through 3205”.

7 (4) Section 884(a)(2) of the National Defense  
8 Authorization Act for Fiscal Year 2020 (Public Law  
9 116–92; 15 U.S.C. 638 note) is amended by striking  
10 “section 2500” and inserting “section 4801”.

11 (5) Section 15 of the Small Business Act (15  
12 U.S.C. 644) is amended—

13 (A) in subsection (k)—

14 (i) in paragraph (17)(B), by striking  
15 “section 2318” and inserting “section  
16 3249”;

17 (ii) in paragraph (17)(C), by striking  
18 “chapter 142” and inserting “chapter  
19 388”; and

20 (iii) in paragraph (18), by striking  
21 “section 2784” and inserting “section  
22 4754”;

23 (B) in subsection (r)(2), by striking “sec-  
24 tion 2304c(b)” and inserting “section 3406(c)”;  
25 and

1 (C) in subsections (u) and (v), by striking  
2 “chapter 142” and inserting “chapter 388”.

3 (6) Section 16 of the Small Business Act (15  
4 U.S.C. 645) is amended in subsection (d)(3) by  
5 striking “chapter 142” and inserting “chapter 388”.

6 (7) Section 272 of the National Defense Au-  
7 thorization Act for Fiscal Years 1988 and 1989  
8 (Public Law 100–180; 15 U.S.C. 4602) is amended  
9 in subsection (c) by striking “section 2306a” and in-  
10 sserting “chapter 271”.

11 (f) AMENDMENTS TO TITLES 32, UNITED STATES  
12 CODE (NATIONAL GUARD) AND 37, UNITED STATES  
13 CODE (PAY AND ALLOWANCES).—

14 (1) Section 113 of title 32, United States Code,  
15 is amended in subsection (b)(1)(B) by striking “sec-  
16 tion 2304(c)” and inserting “section 3204(a)”.

17 (2) Section 418 of title 37, United States Code,  
18 is amended in subsection (d)(2)(A)—

19 (A) by striking “section 2533a” and in-  
20 sserting “section 4862”; and

21 (B) by striking “chapter 137 of title 10”  
22 and inserting “chapter 137 legacy provisions  
23 (as such term is defined in section 3016 of title  
24 10)”.



1 (g) AMENDMENTS TO TITLE 40, UNITED STATES  
2 CODE (PUBLIC BUILDINGS).—Title 40, United States  
3 Code, is amended as follows:

4 (1) Section 113(e) is amended—

5 (A) in paragraph (3)—

6 (i) by striking “chapter 137” and in-  
7 serting “section 3063”; and

8 (ii) by striking “that chapter;” and in-  
9 serting “the provisions of that title re-  
10 ferred to in section 3016 of such title as  
11 ‘chapter 137 legacy provisions’;”; and

12 (B) in paragraph (5), by striking “section  
13 2535” and inserting “section 4881”.

14 (2) Section 581(f)(1)(A) is amended by striking  
15 “section 2535” and inserting “section 4881”.

16 (h) AMENDMENTS TO TITLE 41, UNITED STATES  
17 CODE (PUBLIC CONTRACTS).—Title 41, United States  
18 Code, is amended as follows:

19 (1) Section 1127(b) is amended by striking  
20 “section 2324(e)(1)(P)” and inserting “section  
21 3744(a)(16)”.

22 (2) Section 1303(a)(1) is amended by striking  
23 “chapters 4 and 137 of title 10” and inserting  
24 “chapter 4 of title 10, chapter 137 legacy provisions

1 (as such term is defined in section 3016 of title  
2 10”).

3 (3) Section 1502(b)(1)(B) is amended by strik-  
4 ing “section 2306a(a)(1)(A)(i)” and inserting “sec-  
5 tion 3702(a)(1)(A)”.

6 (4) Section 1708(b)(2)(A) is amended by strik-  
7 ing “section 2304(c)” and inserting “section  
8 3204(a)”.

9 (5) Section 1712(b)(2)(B) is amended by strik-  
10 ing “section 2304(c)” and inserting “section  
11 3204(a)”.

12 (6) Section 1901(e)(2) is amended by striking  
13 “section 2304(f)” and inserting “section 3204(e)”.

14 (7) Section 1903 is amended—

15 (A) in subsection (b)(3), by striking “sec-  
16 tion 2304(g)(1)(B)” and inserting “section  
17 3205(a)(2)”; and

18 (B) in subsection (c)(2)(B), by striking  
19 “section 2306a” and inserting “chapter 271”.

20 (8) Section 1907(a)(3)(B)(ii) is amended by  
21 striking “section 2305(e) and (f)” and inserting  
22 “section 3308”.

23 (9) Section 1909(e) is amended by striking  
24 “section 2784” and inserting “section 4754”.

1           (10) Section 2101(2)(A) is amended by striking  
2           “section 2306a(h)” and inserting “section 3701”.

3           (11) Section 2311 is amended by striking “sec-  
4           tion 2371” and inserting “section 4021”.

5           (12) Section 3302 is amended—

6           (A) in subsection (a)(3)—

7           (i) in subparagraph (A), by striking  
8           “section 2302(2)(C)” and inserting “sec-  
9           tion 3012(3)”; and

10          (ii) in subparagraph (B), by striking  
11          “sections 2304a to 2304d of title 10,” and  
12          inserting “chapter 245 of title 10”;

13          (B) in subsection (e)(1)(A)(i), by striking  
14          “section 2304c(b)” and inserting “section  
15          3406(c)”; and

16          (C) in subsection (d)(1)(B), by striking  
17          “section 2304(f)(1)” and inserting “section  
18          3204(e)(1)”.

19          (13) Section 3307(e)(1) is amended by striking  
20          “chapter 140” and inserting “chapter 247”.

21          (14) Section 4104 is amended—

22          (A) in subsection (a), by striking “sections  
23          2304a to 2304d” and inserting “chapter 245”;  
24          and

25          (B) in subsection (b)—

1 (i) in paragraph (1), by striking “sec-  
2 tions 2304a to 2304d” and inserting  
3 “chapter 245”;

4 (ii) in paragraph (2)(B), by striking  
5 “section 2304c(b)” and inserting “section  
6 3406(c)”; and

7 (iii) in paragraph (2)(C), by striking  
8 “section 2304c(c)” and inserting “section  
9 3406(e)”.

10 (i) AMENDMENTS TO LAWS CLASSIFIED AS NOTES  
11 IN TITLE 41, UNITED STATES CODE.—

12 (1) Section 555 of the FAA Reauthorization  
13 Act of 2018 (Public Law 115–254; 41 U.S.C. pre-  
14 ceding 3101 note) is amended by striking “section  
15 2305” in subsections (a)(4) and (c)(1) and inserting  
16 “sections 3206 through 3208 and sections 3301  
17 through 3309”.

18 (2) Section 846(f)(5) of the National Defense  
19 Authorization Act for Fiscal Year 2018 (Public Law  
20 115–91; 41 U.S.C. 1901 note) is amended by strik-  
21 ing “section 2304” and inserting “sections 3201  
22 through 3205”.

23 (3) Section 811 of the National Defense Au-  
24 thorization Act for Fiscal Year 2010 (Public Law  
25 111–84; 41 U.S.C. 3304 note) is amended—

1 (A) in subsection (a)(3), by striking “sec-  
2 tions 2304(f)(1)(C) and 2304(l)” and inserting  
3 “sections 3204(e)(1)(C) and 3204(f)”; and

4 (B) in subsection (c)—

5 (i) in paragraph (1)(A), by striking  
6 “section 2304(f)(2)(D)(ii)” and inserting  
7 “section 3204(e)(4)(D)(ii)”;

8 (ii) in paragraph (2)(A), by striking  
9 “section 2302(1)” and inserting “section  
10 3004”; and

11 (iii) in paragraph (3)(A), by striking  
12 “section 2304(f)(1)(B)” and inserting  
13 “section 3204(e)(1)(B)”.

14 (j) AMENDMENTS TO LAWS CLASSIFIED IN TITLE 42,  
15 UNITED STATES CODE.—

16 (1) The Public Health Service Act (Public Law  
17 78–410) is amended—

18 (A) in section 301(a)(7) (42 U.S.C.  
19 241(a)(7)), by striking “sections 2353 and  
20 2354” and inserting “sections 3861 and 4141”;  
21 and

22 (B) in section 405(b)(1) (42 U.S.C.  
23 284(b)(1)), by striking “section 2354” and in-  
24 serting “section 3861”.

1           (2) Section 403(a) of the Housing Amendments  
2           of 1955 (42 U.S.C. 1594(a)) is amended by striking  
3           “section 3 of the Armed Services Procurement Act  
4           of 1947” and inserting “chapters 221 and 241 of  
5           title 10, United States Code”.

6           (3) Title II of the Department of Housing and  
7           Urban Development-Independent Agencies Appro-  
8           priations Act, 1986 (Public Law 99–160), is amend-  
9           ed by striking “section 2354” in the last proviso in  
10          the paragraph under the heading “National Science  
11          Foundation—Research and Related Activities” (42  
12          U.S.C. 1887) and inserting “section 3861”.

13          (4) Section 306(b)(2) of the Disaster Mitigation  
14          Act of 2000 (42 U.S.C. 5206(b)(2)) is amended by  
15          striking “section 2393(c)” and inserting “section  
16          4654(e)”.

17          (5) Section 801(c)(2) of the National Energy  
18          Conservation Policy Act (42 U.S.C. 8287) is amend-  
19          ed by striking “section 2304c(d)” and all that fol-  
20          lows and inserting “section 3406(d) of title 10,  
21          United States Code, and section 4106(d) of title 41,  
22          United States Code.”.

23          (6) Section 3021(a) of the Energy Policy Act of  
24          1992 (42 U.S.C. 13556) is amended by striking  
25          “chapter 137 of title 10” and inserting “chapter

1 137 legacy provisions (as such term is defined in  
2 section 3016 of title 10, United States Code)”.

3 (k) AMENDMENTS TO LAWS CLASSIFIED IN TITLE  
4 50, UNITED STATES CODE.—

5 (1) Section 141(a) of the Bob Stump National  
6 Defense Authorization Act for Fiscal Year 2003  
7 (Public Law 107–314; 50 U.S.C. 1521a(a)) is  
8 amended by striking “section 2430” and inserting  
9 “section 4201”.

10 (2) Section 502(a) of the National Emergencies  
11 Act (50 U.S.C. 1651(a)) is amended by striking  
12 paragraphs (1) through (5) and inserting the fol-  
13 lowing:

14 “(1) Chapters 1 to 11 of title 40, United States  
15 Code, and division C (except sections 3302, 3307(e),  
16 3501(b), 3509, 3906, 4710, and 4711) of subtitle I  
17 of title 41, United States Code.

18 “(2) Section 3727(a)–(e)(1) of title 31, United  
19 States Code.

20 “(3) Section 6305 of title 41, United States  
21 Code.

22 “(4) Public Law 85–804 (Act of Aug. 28, 1958,  
23 72 Stat. 972; 50 U.S.C. 1431 et seq.).

24 “(5) Section 3201(a) of title 10, United States  
25 Code.”.

1           (3) The Atomic Energy Defense Act is amended  
2 as follows:

3           (A) Sections 4217 and 4311 (50 U.S.C.  
4 2537, 2577) are each amended in subsection  
5 (a)(2) by striking “section 2432” and inserting  
6 “section 4351”.

7           (B) Section 4813 (50 U.S.C. 2794) is  
8 amended by striking “section 2500” in sub-  
9 section (c)(1)(C) and inserting “section 4801”.

10          (4) Section 107 of the Defense Production Act  
11 (50 U.S.C. 4517) is amended in subsection  
12 (b)(2)(B) by striking clauses (i) and (ii) and insert-  
13 ing the following:

14                   “(i) section 3203(a)(1)(B) or  
15 3204(a)(3) of title 10, United States Code;

16                   “(ii) section 3303(a)(1)(B) or  
17 3304(a)(3) of title 41, United States Code;  
18 or”.

19          (l) OTHER AMENDMENTS.—

20           (1) Section 1473H of the National Agriculture  
21 Advanced Research, Extension, and Teaching Policy  
22 Act of 1977 (7 U.S.C. 3319k) is amended by strik-  
23 ing “section 2371” in subsections (b)(6)(A) and  
24 (d)(1)(B) and inserting “section 4021”.



1           (2) Section 1301 of title 17, United States  
2 Code, is amended in subsection (a)(3) by striking  
3 “section 2320” and inserting “subchapter I of chap-  
4 ter 275”.

5           (3) Section 21 of the Arms Export Control Act  
6 (22 U.S.C. 2761) is amended by striking “chapter  
7 137” in subsection (l)(4) and subsection (m)(4) and  
8 inserting “chapter 137 legacy provisions (as such  
9 term is defined in section 3016 of title 10, United  
10 States Code)”.

11           (4) Section 3 of the Foreign Direct Investment  
12 and International Financial Data Improvements Act  
13 of 1990 (Public Law 101–533; 22 U.S.C. 3142) is  
14 amended in subsection (c)(2) by striking “section  
15 2505” and inserting “section 4816”.

16           (5) Section 3553 of title 31, United States  
17 Code, is amended in subsection (d)(4)(B) by striking  
18 “section 2305(b)(5)(B)(vii)” and inserting “section  
19 3304(e)(1)(G)”.

20           (6) Section 226 of the Water Resources Devel-  
21 opment Act of 1992 (33 U.S.C. 569f) is amended by  
22 striking “section 2393(c)” and inserting “section  
23 4654(e)”.

24           (7) Section 40728B(e) of title 36, United  
25 States Code, is amended—

1 (A) striking “subsection (k) of section  
2 2304” and inserting “section 3201(e)”; and

3 (B) by striking “subsection (c) of such sec-  
4 tion” and inserting “section 3204(a)”.

5 (8) Section 1427(b) of the National Defense  
6 Authorization Act for Fiscal Year 2004 (Public Law  
7 108–136; 40 U.S.C. 1103 note) is amended by strik-  
8 ing “sections 2304a and 2304b” and inserting “sec-  
9 tions 3403 and 3405”.

10 (9) Section 895(b) of the National Defense Au-  
11 thorization Act for Fiscal Year 2017 (Public Law  
12 114–328; 40 U.S.C. 11103 note) is amended by  
13 striking “section 2366a(d)(7)” and inserting “sec-  
14 tion 4251(d)(5)”.

15 (10) Sections 50113(c), 50115(b), and  
16 50132(a) of title 51, United States Code, are  
17 amended by striking “including chapters 137 and  
18 140” and inserting “including applicable provisions  
19 of chapters 201 through 285, 341 through 343, and  
20 363”.

21 (11) Section 823(c)(3)(C) of the National Aero-  
22 nautics and Space Administration Transition Au-  
23 thorization Act of 2017 (Public Law 115–10; 51  
24 U.S.C. preceding 30301 note) is amended by strik-  
25 ing “section 2319” and inserting “section 3243”.

1 **DIVISION B—MILITARY CON-**  
2 **STRUCTION AUTHORIZA-**  
3 **TIONS**

Sec. 2001. Short title.

Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

Sec. 2003. Effective date and automatic execution of conforming changes to tables of sections, tables of contents, and similar tabular entries.

**TITLE XXI—ARMY MILITARY CONSTRUCTION**

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Authorization of appropriations, Army.

Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.

Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort Bliss, Texas.

Sec. 2106. Modification of authority to carry out certain fiscal year 2021 project.

Sec. 2107. Additional authorized funding source for certain fiscal year 2022 project.

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 2022”.

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

1 (and authorizations of appropriations therefor) shall ex-  
2 pire on the later of—

3 (1) October 1, 2024; or

4 (2) the date of the enactment of an Act author-  
5 izing funds for military construction for fiscal year  
6 2025.

7 (b) EXCEPTION.—Subsection (a) shall not apply to  
8 authorizations for military construction projects, land ac-  
9 quisition, family housing projects and facilities, and con-  
10 tributions to the North Atlantic Treaty Organization Se-  
11 curity Investment Program (and authorizations of appro-  
12 priations therefor), for which appropriated funds have  
13 been obligated before the later of—

14 (1) October 1, 2024; or

15 (2) the date of the enactment of an Act author-  
16 izing funds for fiscal year 2025 for military con-  
17 struction projects, land acquisition, family housing  
18 projects and facilities, or contributions to the North  
19 Atlantic Treaty Organization Security Investment  
20 Program.

1 **SEC. 2003. EFFECTIVE DATE AND AUTOMATIC EXECUTION**  
2 **OF CONFORMING CHANGES TO TABLES OF**  
3 **SECTIONS, TABLES OF CONTENTS, AND SIMI-**  
4 **LAR TABULAR ENTRIES.**

5 (a) **EFFECTIVE DATE.**—Titles XXI through XXVII  
6 shall take effect on the later of—

7 (1) October 1, 2021; or

8 (2) the date of the enactment of this Act.

9 (b) **ELIMINATION OF NEED FOR CERTAIN SEPARATE**  
10 **CONFORMING AMENDMENTS.**—

11 (1) **AUTOMATIC EXECUTION OF CONFORMING**  
12 **CHANGES.**—When an amendment made by a provi-  
13 sion of this division to a covered defense law adds  
14 a section or larger organizational unit to the covered  
15 defense law, repeals or transfers a section or larger  
16 organizational unit in the covered defense law, or  
17 amends the designation or heading of a section or  
18 larger organizational unit in the covered defense law,  
19 that amendment also shall have the effect of amend-  
20 ing any table of sections, table of contents, or simi-  
21 lar table of tabular entries in the covered defense  
22 law to alter the table to conform to the changes  
23 made by the amendment.

24 (2) **EXCEPTIONS.**—Paragraph (1) shall not  
25 apply to an amendment described in such paragraph  
26 when—

1 (A) the amendment, or a separate clerical  
2 amendment enacted at the same time as the  
3 amendment, expressly amends a table of sec-  
4 tions, table of contents, or similar table of tab-  
5 ular entries in the covered defense law to alter  
6 the table to conform to the changes made by  
7 the amendment; or

8 (B) the amendment otherwise expressly ex-  
9 empts itself from the operation of this section.

10 (3) COVERED DEFENSE LAW.—In this sub-  
11 section, the term “covered defense law” means—

12 (A) titles 10, 32, and 37 of the United  
13 States Code;

14 (B) any national defense authorization Act  
15 or military construction authorization Act that  
16 authorizes funds to be appropriated for a fiscal  
17 year to the Department of Defense; and

18 (C) any other law designated in the text  
19 thereof as a covered defense law for purposes of  
20 application of this section.

21 **TITLE XXI—ARMY MILITARY**  
22 **CONSTRUCTION**

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Authorization of appropriations, Army.

Sec. 2104. Extension of authority to carry out certain fiscal year 2017 project.

Sec. 2105. Additional authority to carry out fiscal year 2018 project at Fort  
Bliss, Texas.

Sec. 2106. Modification of authority to carry out certain fiscal year 2021 project.

Sec. 2107. Additional authorized funding source for certain fiscal year 2022 project.

**1 SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
**2 ACQUISITION PROJECTS.**

3 (a) INSIDE THE UNITED STATES.—Using amounts  
 4 appropriated pursuant to the authorization of appropria-  
 5 tions in section 2103(a) and available for military con-  
 6 struction projects inside the United States as specified in  
 7 the funding table in section 4601, the Secretary of the  
 8 Army may acquire real property and carry out military  
 9 construction projects for the installations or locations in-  
 10 side the United States, and in the amounts, set forth in  
 11 the following table:

**Army: Inside the United States**

State	Installation or Location	Amount
Alabama .....	Anniston Army Depot .....	\$25,000,000
	Fort Rucker .....	\$66,000,000
	Redstone Arsenal .....	\$55,000,000
California .....	Fort Irwin .....	\$52,000,000
Georgia .....	Fort Stewart .....	\$105,000,000
Hawaii .....	West Loch Naval Magazine Annex .....	\$51,000,000
	Wheeler Army Airfield .....	\$140,000,000
Kansas .....	Fort Leavenworth .....	\$34,000,000
Kentucky .....	Fort Knox .....	\$27,000,000
Louisiana .....	Fort Polk .....	\$111,000,000
Maryland .....	Fort Detrick .....	\$23,981,000
	Fort Meade .....	\$81,000,000
New Mexico .....	White Sands Missile Range .....	\$29,000,000
New York .....	Fort Hamilton .....	\$26,000,000
	Watervliet Arsenal .....	\$20,000,000
Pennsylvania .....	Letterkenny Army Depot .....	\$21,000,000
Texas .....	Fort Hood .....	\$130,000,000

12 (b) OUTSIDE 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 outside the United States as specified

1 in the funding table in section 4601, the Secretary of the  
 2 Army may acquire real property and carry out military  
 3 construction projects for the installations outside the  
 4 United States, and in the amounts, set forth in the fol-  
 5 lowing table:

**Army: Outside the United States**

State	Installation	Amount
Belgium .....	Shape Headquarters .....	\$16,000,000
Germany .....	East Camp Grafenwoehr .....	\$103,000,000
	Smith Barracks .....	\$33,500,000
Classified Location .....	Classified Location .....	\$31,000,000

**6 SEC. 2102. FAMILY HOUSING.**

7 (a) CONSTRUCTION AND ACQUISITION.—Using  
 8 amounts appropriated pursuant to the authorization of ap-  
 9 propriations in section 2103(a) and available for military  
 10 family housing functions as specified in the funding table  
 11 in section 4601, the Secretary of the Army may construct  
 12 or acquire family housing units (including land acquisition  
 13 and supporting facilities) at the installation or location,  
 14 in the number of units or for the purpose, and in the  
 15 amount set forth in the following table:

**Army: Family Housing**

Country	Installation or Location	Units or Pur- pose	Amount
Italy .....	Vicenza .....	Family Housing New Construc- tion .....	\$92,304,000

16 (b) PLANNING AND DESIGN.—Using amounts appro-  
 17 priated pursuant to the authorization of appropriations in  
 18 section 2103(a) and available for military family housing



1 functions as specified in the funding table in section 4601,  
2 the Secretary of the Army may carry out architectural and  
3 engineering services and construction design activities  
4 with respect to the construction or improvement of family  
5 housing units in an amount not to exceed \$22,545,000.

6 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
8 are hereby authorized to be appropriated for fiscal years  
9 beginning after September 30, 2021, for military con-  
10 struction, land acquisition, and military family housing  
11 functions of the Department of the Army as specified in  
12 the funding table in section 4601.

13 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
14 PROJECTS.—Notwithstanding the cost variations author-  
15 ized by section 2853 of title 10, United States Code, and  
16 any other cost variation authorized by law, the total cost  
17 of all projects carried out under section 2101 may not ex-  
18 ceed the total amount authorized to be appropriated under  
19 subsection (a), as specified in the funding table in section  
20 4601.

21 **SEC. 2104. EXTENSION OF AUTHORITY TO CARRY OUT CER-**  
22 **TAIN FISCAL YEAR 2017 PROJECT.**

23 (a) EXTENSION.—Notwithstanding section 2002 of  
24 the Military Construction Authorization Act for Fiscal  
25 Year 2017 (division B of Public Law 114–328; 130 Stat.

1 2688), the authorization set forth in the table in sub-  
 2 section (b), as provided in section 2101 of that Act (130  
 3 Stat. 2689), shall remain in effect until October 1, 2023,  
 4 or the date of the enactment of an Act authorizing funds  
 5 for military construction for fiscal year 2024, whichever  
 6 is later.

7 (b) TABLE.—The table referred to in subsection (a)  
 8 is as follows:

**Army: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Germany .....	Wiesbaden Army Airfield .....	Hazardous Material Storage Building	\$2,700,000

9 **SEC. 2105. ADDITIONAL AUTHORITY TO CARRY OUT FISCAL**  
 10 **YEAR 2018 PROJECT AT FORT BLISS, TEXAS.**

11 (a) PROJECT AUTHORIZATION.—The Secretary of  
 12 the Army may carry out a military construction project  
 13 to construct a defense access road at Fort Bliss, Texas,  
 14 in the amount of \$20,000,000.

15 (b) USE OF AMOUNTS.—The Secretary of the Army  
 16 may use funds appropriated under section 131 of the Mili-  
 17 tary Construction, Veterans Affairs, and Related Agencies  
 18 Appropriations Act, 2018 (title I of division J of Public  
 19 Law 115–141; 132 Stat. 805) for the Defense Access  
 20 Road Program to carry out subsection (a).

1 **SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT**  
2 **CERTAIN FISCAL YEAR 2021 PROJECT.**

3 (a) MODIFICATION OF PROJECT AUTHORITY.—In the  
4 case of the authorization contained in the table in section  
5 2101(a) of the Military Construction Authorization Act  
6 for Fiscal Year 2021 (division B of Public Law 116–283)  
7 for Fort Wainwright, Alaska, for construction of Unac-  
8 companied Enlisted Personnel Housing, as specified in the  
9 funding table in section 4601 of such Public Law, the Sec-  
10 retary of the Army may construct—

11 (1) an Unaccompanied Enlisted Personnel  
12 Housing building of 104,300 square feet to incor-  
13 porate a modified standard design; and

14 (2) an outdoor recreational shelter, sports fields  
15 and courts, barbecue and leisure area, and fitness  
16 stations associated with the Unaccompanied Enlisted  
17 Personnel Housing.

18 (b) MODIFICATION OF PROJECT AMOUNTS.—

19 (1) DIVISION B TABLE.—The authorization  
20 table in section 2101(a) of the Military Construction  
21 Authorization Act for Fiscal Year 2021 (division B  
22 of Public Law 116–283) is amended in the item re-  
23 lating to Fort Wainwright, Alaska, by striking  
24 “\$114,000,000” and inserting “\$146,000,000” to  
25 reflect the project modification made by subsection  
26 (a).

1           (2) DIVISION D TABLE.—The funding table in  
2           section 4601 of Public Law 116–283 is amended in  
3           the item relating to Fort Wainwright Unaccom-  
4           panied Enlisted Personnel Housing by striking  
5           “\$59,000” in the Conference Authorized column and  
6           inserting “\$91,000” to reflect the project modifica-  
7           tion made by subsection (a).

8   **SEC. 2107. ADDITIONAL AUTHORIZED FUNDING SOURCE**  
9                           **FOR CERTAIN FISCAL YEAR 2022 PROJECT.**

10          To carry out an unspecified minor military construc-  
11         tion project in the amount of \$3,600,000 at Aberdeen  
12         Proving Ground, Maryland, to construct a 6,000 square  
13         foot recycling center to meet the requirements of a quali-  
14         fied recycling program at the installation, the Secretary  
15         of the Army may use funds available to the Secretary  
16         under section 2667(e)(1)(C) of title 10, United States  
17         Code, in addition to funds appropriated for unspecified  
18         minor military construction for the project.

19                   **TITLE XXII—NAVY MILITARY**  
20                   **CONSTRUCTION**

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

Sec. 2202. Family housing.

Sec. 2203. Authorization of appropriations, Navy.

21   **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
22                           **ACQUISITION PROJECTS.**

23          (a) INSIDE THE UNITED STATES.—Using amounts  
24         appropriated pursuant to the authorization of appropria-

1 tions in section 2203(a) and available for military con-  
 2 struction projects inside the United States as specified in  
 3 the funding table in section 4601, the Secretary of the  
 4 Navy may acquire real property and carry out military  
 5 construction projects for the installations or locations in-  
 6 side the United States, and in the amounts, set forth in  
 7 the following table:

**Navy: Inside the United States**

State	Installation or Location	Amount
Arizona .....	Marine Corps Air Station Yuma .....	\$29,300,000
California .....	Marine Corps Air Station Miramar .....	\$240,900,000
	Marine Corps Base Camp Pendleton .....	\$106,100,000
	Marine Corps Reserve Depot San Diego .....	\$93,700,000
	Naval Base Coronado .....	\$63,600,000
	Naval Base Ventura County .....	\$197,500,000
	San Nicolas Island .....	\$19,907,000
Florida .....	Marine Corps Support Facility Blount Island .....	\$69,400,000
	Naval Undersea Warfare Center Panama City Division .....	\$37,980,000
Guam .....	Andersen Air Force Base .....	\$50,890,000
	Joint Region Marianas .....	\$507,527,000
Hawaii .....	Marine Corps Base Kaneohe .....	\$165,700,000
	Marine Corps Training Area Bellows .....	\$6,220,000
North Carolina .....	Marine Corps Air Station Cherry Point .....	\$321,417,000
Pennsylvania .....	Naval Surface Warfare Center Philadelphia Division	\$77,290,000
South Carolina .....	Marine Corps Reserve Depot Parris Island .....	\$6,000,000
Virginia .....	Marine Corps Air Station Beaufort .....	\$130,300,000
	Marine Corps Base Quantico .....	\$42,850,000
	Naval Station Norfolk .....	\$344,793,000
	Naval Weapons Station Yorktown .....	\$93,500,000
	Portsmouth Naval Shipyard .....	\$156,380,000

8 (b) OUTSIDE 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 outside the United States as specified  
 12 in 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 out-

1 side the United States, and in the amounts, set forth in  
2 the following table:

**Navy: Outside the United States**

Country	Installation or Location	Amount
Japan .....	Fleet Activities Yokosuka .....	\$49,900,000
Spain .....	Naval Station Rota .....	\$85,600,000

3 **SEC. 2202. FAMILY HOUSING.**

4 (a) CONSTRUCTION AND ACQUISITION.—Using  
5 amounts appropriated pursuant to the authorization of ap-  
6 propriations in section 2203(a) and available for military  
7 family housing functions as specified in the funding table  
8 in section 4601, the Secretary of the Navy may construct  
9 or acquire family housing units (including land acquisition  
10 and supporting facilities) at the installations or locations,  
11 in the number of units or for the purposes, and in the  
12 amounts set forth in the following table:

**Navy: Family Housing**

Location	Installation	Units or Pur- pose	Amount
District of Co- lumbia .....	Marine Barracks Washington	Family housing improvements	\$10,415,000
Japan .....	Fleet Activities Yokosuka .....	Family housing improvements	\$61,469,000

13 (b) IMPROVEMENTS TO MILITARY FAMILY HOUSING  
14 UNITS.—Subject to section 2825 of title 10, United States  
15 Code, and using amounts appropriated pursuant to the  
16 authorization of appropriations in section 2203(a) and  
17 available for military family housing functions as specified  
18 in the funding table in section 4601, the Secretary of the

1 Navy may improve existing military family housing units  
2 in an amount not to exceed \$71,884,000.

3 (c) PLANNING AND DESIGN.—Using amounts appro-  
4 priated pursuant to the authorization of appropriations in  
5 section 2203(a) and available for military family housing  
6 functions as specified in the funding table in section 4601,  
7 the Secretary of the Navy may carry out architectural and  
8 engineering services and construction design activities  
9 with respect to the construction or improvement of family  
10 housing units in an amount not to exceed \$3,634,000.

11 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
13 are hereby authorized to be appropriated for fiscal years  
14 beginning after September 30, 2021, for military con-  
15 struction, land acquisition, and military family housing  
16 functions of the Department of the Navy, as specified in  
17 the funding table in section 4601.

18 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
19 PROJECTS.—Notwithstanding the cost variations author-  
20 ized by section 2853 of title 10, United States Code, and  
21 any other cost variation authorized by law, the total cost  
22 of all projects carried out under section 2201 not exceed  
23 the total amount authorized to be appropriated under sub-  
24 section (a), as specified in the funding table in section  
25 4601.

1                   **TITLE XXIII—AIR FORCE**  
 2                   **MILITARY CONSTRUCTION**

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

3   **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
 4                   **LAND ACQUISITION PROJECTS.**

5           (a) INSIDE THE UNITED STATES.—Using amounts  
 6 appropriated pursuant to the authorization of appropria-  
 7 tions in section 2303(a) and available for military con-  
 8 struction projects inside the United States as specified in  
 9 the funding table in section 4601, the Secretary of the  
 10 Air Force may acquire real property and carry out mili-  
 11 tary construction projects for the installations or locations  
 12 inside the United States, and in the amounts, set forth  
 13 in the following table:

**Air Force: Inside the United States**

State	Installation or Location	Amount
Alaska .....	Eielson Air Force Base .....	\$44,850,00
	Joint Base Elmendorf-Richardson .....	\$251,000,000
Arizona .....	Davis-Monthan Air Force Base .....	\$13,400,000
	Luke Air Force Base .....	\$49,000,000
California .....	Vandenberg Space Force Base .....	\$67,000,000
Colorado .....	Schriever Space Force Base .....	\$30,000,000
	United States Air Force Academy .....	\$4,360,000
District of Columbia .....	Joint Base Anacostia-Bolling .....	\$24,000,000
Florida .....	Eglin Air Force Base .....	\$14,000,000
Guam .....	Joint Region Marianas .....	\$85,000,000
Louisiana .....	Barksdale Air Force Base .....	\$272,000,000
Maryland .....	Joint Base Andrews .....	\$26,000,000
Massachusetts .....	Hanscom Air Force Base .....	\$66,000,000
Nevada .....	Crech Air Force Base .....	\$14,200,000
Ohio .....	Wright-Patterson Air Force Base .....	\$24,000,000
Oklahoma .....	Tinker Air Force Base .....	\$160,000,000
South Carolina .....	Joint Base Charleston .....	\$59,000,000
South Dakota .....	Ellsworth Air Force Base .....	\$242,000,000
Tennessee .....	Arnold Air Force Base .....	\$14,600,000
Texas .....	Joint Base San Antonio .....	\$141,000,000



**Air Force: Inside the United States**—Continued

State	Installation or Location	Amount
	Joint Base San Antonio-Fort Sam Houston ....	\$29,000,000
	Joint Base San Antonio-Lackland .....	\$29,000,000
	Sheppard Air Force Base .....	\$20,000,000
Virginia .....	Joint Base Langley-Eustis .....	\$24,000,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
2 appropriated pursuant to the authorization of appropria-  
3 tions in section 2303(a) and available for military con-  
4 struction projects outside the United States as specified  
5 in the funding table in section 4601, the Secretary of the  
6 Air Force may acquire real property and carry out mili-  
7 tary construction projects for the installations or locations  
8 outside the United States, and in the amounts, set forth  
9 in the following table:

**Air Force: Outside the United States**

Country	Installation or Location	Amount
Australia .....	Royal Australian Air Force Base Darwin .....	\$7,400,000
	Royal Australian Air Force Base Tindal .....	\$14,400,000
Italy .....	Aviano Air Force Base .....	\$10,200,000
Japan .....	Kadena Air Base .....	\$206,000,000
	Misawa Air Base .....	\$25,000,000
	Yokota Air Base .....	\$39,000,000
United Kingdom .....	Royal Air Force Lakenheath .....	\$108,500,000

10 **SEC. 2302. FAMILY HOUSING.**

11 (a) IMPROVEMENTS TO MILITARY FAMILY HOUSING  
12 UNITS.—Subject to section 2825 of title 10, United States  
13 Code, and using amounts appropriated pursuant to the  
14 authorization of appropriations in section 2303(a) and  
15 available for military family housing functions as specified  
16 in the funding table in section 4601, the Secretary of the

1 Air Force may improve existing military family housing  
2 units in an amount not to exceed \$105,528,000.

3 (b) PLANNING AND DESIGN.—Using amounts appro-  
4 priated pursuant to the authorization of appropriations in  
5 section 2303(a) and available for military family housing  
6 functions as specified in the funding table in section 4601,  
7 the Secretary of the Air Force may carry out architectural  
8 and engineering services and construction design activities  
9 with respect to the construction or improvement of family  
10 housing units in an amount not to exceed \$10,458,000.

11 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**  
12 **FORCE.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
14 are hereby authorized to be appropriated for fiscal years  
15 beginning after September 30, 2021, for military con-  
16 struction, land acquisition, and military family housing  
17 functions of the Department of the Air Force, as specified  
18 in the funding table in section 4601.

19 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
20 PROJECTS.—Notwithstanding the cost variations author-  
21 ized by section 2853 of title 10, United States Code, and  
22 any other cost variation authorized by law, the total cost  
23 of all projects carried out under section 2301 may not ex-  
24 ceed the total amount authorized to be appropriated under

1 subsection (a), as specified in the funding table in section  
2 4601.

3 **SEC. 2304. EXTENSION OF AUTHORITY TO CARRY OUT CER-**  
4 **TAIN FISCAL YEAR 2017 PROJECTS.**

5 (a) **EXTENSION.**—Notwithstanding section 2002 of  
6 the Military Construction Authorization Act for Fiscal  
7 Year 2017 (division B of Public Law 114–328; 130 Stat.  
8 2688), the authorizations set forth in the table in sub-  
9 section (b), as provided in sections 2301 and 2902 of that  
10 Act (130 Stat. 2696, 2743), shall remain in effect until  
11 October 1, 2023, or the date of the enactment of an Act  
12 authorizing funds for military construction for fiscal year  
13 2024, whichever is later.

14 (b) **TABLE.**—The table referred to in subsection (a)  
15 is as follows:

**Air Force: Extension of 2017 Project Authorizations**

<b>State or Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Germany .....	Ramstein Air Base .....	37 AS Squadron Operations/Aircraft Maintenance Unit	\$13,437,000
	Spangdahlem Air Base	F/A-22 Low Observable/Composite Repair Facility ....	\$12,000,000
	Spangdahlem Air Base	Upgrade Hardened Aircraft Shelters for F/A-22 .....	\$2,700,000
Guam .....	Joint Region Marianas	APR - Munitions Storage Igloos, Phase 2 .....	\$35,300,000
	Joint Region Marianas	APR - SATCOM C4I Facility .....	\$14,200,000
Japan .....	Kadena Air Base .....	APR - Replace Munitions Structures	\$19,815,000
	Yokota Air Base .....	C-130J Corrosion Control Hangar ...	\$23,777,000

**Air Force: Extension of 2017 Project Authorizations**—Continued

<b>State or Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Original Authorized Amount</b>
Massachusetts	Yokota Air Base .....	Construct Combat Arms Training and Maintenance Facility .....	\$8,243,000
	Hanscom Air Force Base .....	Vandenberg Gate Complex .....	\$10,965,000
United Kingdom .....	Royal Air Force Croughton .....	Main Gate Complex	\$16,500,000

**1 SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**  
**2 MILITARY CONSTRUCTION PROJECTS AT**  
**3 TYNDALL AIR FORCE BASE, FLORIDA.**

4 (a) FISCAL YEAR 2018 PROJECT.—In the case of the  
5 authorization contained in the table in section 2301(b) of  
6 the Military Construction Authorization Act for Fiscal  
7 Year 2018 (division B of Public Law 115–91; 131 Stat.  
8 1825) for Tyndall Air Force Base, Florida, for construc-  
9 tion of a Fire Station, as specified in the funding table  
10 in section 4601 of that Public Law (131 Stat. 2002), the  
11 Secretary of the Air Force may construct a crash rescue/  
12 structural fire station encompassing up to 3,588 square  
13 meters.

14 (b) FISCAL YEAR 2020 PROJECTS.—In the case of  
15 the authorization contained in section 2912(a) of the Mili-  
16 tary Construction Authorization Act for Fiscal Year 2020  
17 (division B of Public Law 116–92; 133 Stat. 1913) for  
18 Tyndall Air Force Base, Florida—

1           (1) for construction of Site Development, Utili-  
2           ties, and Demo Phase 1, as specified in the Natural  
3           Disaster Recovery Justification Book dated August  
4           2019, the Secretary of the Air Force may con-  
5           struct—

6                   (A) up to 3,698 lineal meters of waste  
7           water utilities;

8                   (B) up to 6,306 lineal meters of storm  
9           water utilities; and

10                  (C) two emergency power backup genera-  
11           tors;

12           (2) for construction of Munitions Storage Fa-  
13           cilities, as specified in the Natural Disaster Recovery  
14           Justification Book dated August 2019, the Secretary  
15           of the Air Force may construct—

16                   (A) up to 4,393 square meters of aircraft  
17           support equipment storage yard;

18                   (B) up to 1,535 square meters of tactical  
19           missile maintenance facility; and

20                   (C) up to 560 square meters of missile  
21           warhead assembly and maintenance shop and  
22           storage;

23           (3) for construction of 53 WEG Complex, as  
24           specified in the Natural Disaster Recovery Justifica-

1           tion Book dated August 2019, the Secretary of the  
2           Air Force may construct—

3                   (A) up to 1,693 square meters of aircraft  
4                   maintenance shop;

5                   (B) up to 1,458 square meters of fuel sys-  
6                   tems maintenance dock; and

7                   (C) up to 3,471 square meters of group  
8                   headquarters;

9                   (4) for construction of 53 WEG Subscale Drone  
10           Facility, as specified in the Natural Disaster Recov-  
11           ery Justification Book dated August 2019, the Sec-  
12           retary of the Air Force may construct up to 511  
13           square meters of pilotless aircraft shop in a separate  
14           facility;

15                   (5) for construction of CE/Contracting/USACE  
16           Complex, as specified in the Natural Disaster Recov-  
17           ery Justification Book dated August 2019, the Sec-  
18           retary of the Air Force may construct—

19                   (A) up to 557 square meters of base engi-  
20                   neer storage shed 6000 area; and

21                   (B) up to 183 square meters of non-Air  
22                   Force administrative office;

23                   (6) for construction of Logistics Readiness  
24           Squadron Complex, as specified in the Natural Dis-  
25           aster Recovery Justification Book dated August

1       2019, the Secretary of the Air Force may con-  
2       struct—

3               (A) up to 802 square meters of supply ad-  
4       ministrative headquarters;

5               (B) up to 528 square meters of vehicle  
6       wash rack; and

7               (C) up to 528 square meters of vehicle  
8       service rack;

9       (7) for construction of Fire Station Silver Flag  
10       #4, as specified in the Natural Disaster Recovery  
11       Justification Book dated August 2019, the Secretary  
12       of the Air Force may construct up to 651 square  
13       meters of fire station;

14       (8) for construction of AFCEC RDT&E, as  
15       specified in the Natural Disaster Recovery Justifica-  
16       tion Book dated August 2019, the Secretary of the  
17       Air Force may construct—

18               (A) up to 501 square meters of CE Mat  
19       Test Runway Support Building;

20               (B) up to 1,214 square meters of Robotics  
21       Range Control Support Building; and

22               (C) up to 953 square meters of fire ga-  
23       rage;

24       (9) for construction of Flightline–Munitions  
25       Storage, 7000 Area, as specified in the funding table

1 in section 4603 of Public Law 116–92; 133 Stat.  
2 2103), the Secretary of the Air Force may con-  
3 struct—

4 (A) up to 1,861 square meters of above  
5 ground magazines; and

6 (B) up to 530 square meters of air support  
7 equipment shop/storage facility pad;

8 (10) for construction of Site Development, Util-  
9 ities and Demo Phase 2, as specified in such funding  
10 table and modified by section 2306(a)(6) of the Mili-  
11 tary Construction Authorization Act for Fiscal Year  
12 2021 (division B of Public Law 116–283), the Sec-  
13 retary of the Air Force may construct—

14 (A) up to 5,233 lineal meters of storm  
15 water utilities;

16 (B) up to 48,560 square meters of roads;

17 (C) up to 3,612 lineal meters of gas pipe-  
18 line; and

19 (D) up to 993 square meters of water fire  
20 pumping station with an emergency backup  
21 generator;

22 (11) for construction of Tyndall AFB Gate  
23 Complexes, as specified in such funding table and  
24 modified by section 2306(a)(9) of the Military Con-  
25 struction Authorization Act for Fiscal Year 2021



1 (division B of Public Law 116–283), the Secretary  
2 of the Air Force may construct—

3 (A) up to 52,694 square meters of road-  
4 way with serpentines; and

5 (B) up to 20 active/passive barriers;

6 (12) 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), the Secretary of the Air Force may construct  
12 up to 144 square meters of AAFES shoppette;

13 (13) for construction of Airfield Drainage, as  
14 specified in such funding table and modified by sec-  
15 tion 2306(a)(12) of the Military Construction Au-  
16 thorization Act for Fiscal Year 2021 (division B of  
17 Public Law 116–283), the Secretary of the Air  
18 Force may construct—

19 (A) up to 37,357 meters of drainage ditch;

20 (B) up to 18,891 meters of storm drain  
21 piping;

22 (C) up to 19,131 meters of box culvert;

23 (D) up to 3,704 meters of concrete block  
24 swale;

25 (E) up to 555 storm drain structures; and

1 (F) up to 81,500 square meters of storm  
2 drain ponds; and

3 (14) for construction of 325th Fighting Wing  
4 HQ Facility, as specified in such funding table and  
5 modified by section 2306(a)(13) of the Military Con-  
6 struction Authorization Act for Fiscal Year 2021  
7 (division B of Public Law 116–283), the Secretary  
8 of the Air Force may construct up to 769 square  
9 meters of separate administrative space for SAPR/  
10 SARC.

11 **TITLE XXIV—DEFENSE AGEN-**  
12 **CIES MILITARY CONSTRU-**  
13 **CTION**

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.

Sec. 2403. Authorization of appropriations, Defense Agencies.

Sec. 2404. Extension and modification of authority to carry out certain fiscal years 2017 and 2019 projects.

14 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRU-**  
15 **CTION AND LAND ACQUISITION PROJECTS.**

16 (a) **INSIDE THE UNITED STATES.**—Using amounts  
17 appropriated pursuant to the authorization of appropria-  
18 tions in section 2403(a) and available for military con-  
19 struction projects inside the United States as specified in  
20 the funding table in section 4601, the Secretary of De-  
21 fense may acquire real property and carry out military  
22 construction projects for the installations or locations in-

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
Alabama .....	Redstone Arsenal .....	\$153,000,000
California .....	Marine Corps Base Camp Pendleton .....	\$13,600,000
	Silver Strand Training Complex .....	\$33,700,000
Colorado .....	Buckley Air Force Base .....	\$20,000,000
Georgia .....	Fort Benning .....	\$62,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$29,800,000
Maryland .....	Fort Meade .....	\$1,201,000,000
New Mexico .....	Kirtland Air Force Base .....	\$8,600,000
Virginia .....	Fort Belvoir .....	\$29,800,000
	Humphries Engineer Center and Support Activity .....	\$36,000,000
	Pentagon .....	\$50,543,000
Washington .....	Oak Harbor .....	\$59,000,000

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 installations or locations out-  
10 side the United States, and in the amounts, set forth in  
11 the following table:

**Defense Agencies: Outside the United States**

Country	Installation or Location	Amount
Germany .....	Ramstein Air Base .....	\$93,000,000
Japan .....	Kadena Air Base .....	\$24,000,000
	Misawa Air Base .....	\$6,000,000
United Kingdom	Royal Air Force Lakenheath .....	\$19,283,000

1 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**  
 2 **SERVATION INVESTMENT PROGRAM**  
 3 **PROJECTS.**

4 (a) **INSIDE THE UNITED STATES.**—Using amounts  
 5 appropriated pursuant to the authorization of appropria-  
 6 tions in section 2403(a) and available for energy conserva-  
 7 tion projects as specified in the funding table in section  
 8 4601, the Secretary of Defense may carry out energy con-  
 9 servation projects under chapter 173 of title 10, United  
 10 States Code, for the installations or locations inside the  
 11 United States, and in the amounts, set forth in the fol-  
 12 lowing table:

**ERCIP Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Fort Rucker .....	\$24,000,000
California .....	Marine Corps Air Station Miramar .....	\$4,054,000
	Naval Air Weapons Station China Lake- Ridgecrest .....	\$9,120,000
District of Co- lumbia .....	Joint Base Anacostia-Bolling .....	\$31,261,000
Florida .....	MacDill Air Force Base .....	\$22,000,000
Georgia .....	Fort Benning .....	\$17,593,000
	Fort Stewart .....	\$22,000,000
	Naval Submarine Base Kings Bay .....	\$19,314,000
Guam .....	Polaris Point Submarine Base .....	\$38,300,000
Idaho .....	Mountain Home Air Force Base .....	\$33,800,000
Michigan .....	Camp Grayling .....	\$5,700,000
Mississippi .....	Camp Shelby .....	\$45,655,000
New York .....	Fort Drum .....	\$27,000,000
North Carolina ...	Fort Bragg .....	\$27,169,000
North Dakota ....	Cavalier Air Force Station .....	\$24,150,000
Ohio .....	Springfield-Beckley Municipal Airport .....	\$4,700,000
Puerto Rico .....	Aguadilla .....	\$10,120,000
	Fort Allen .....	\$12,190,000
Tennessee .....	Memphis International Airport .....	\$4,780,000
Virginia .....	Fort Belvoir .....	\$365,000
	National Geospatial-Intelligence Agency Campus East .....	\$5,299,000
	Pentagon, Mark Center, and Raven Rock Mountain Complex .....	\$2,600,000

1 (b) OUTSIDE THE UNITED STATES.—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2403(a) and available for energy conserva-  
 4 tion projects as specified in the funding table in section  
 5 4601, the Secretary of Defense may carry out energy con-  
 6 servation projects under chapter 173 of title 10, United  
 7 States Code, for the installations or locations outside the  
 8 United States, and in the amounts, set forth in the fol-  
 9 lowing table:

**ERCIP Projects: Outside the United States**

Country	Installation or Location	Amount
Japan .....	Naval Air Facility Atsugi .....	\$3,810,000
Kuwait .....	Camp Arifjan .....	\$15,000,000

10 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DE-**  
 11 **FENSE AGENCIES.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
 13 are hereby authorized to be appropriated for fiscal years  
 14 beginning after September 30, 2021, for military con-  
 15 struction, land acquisition, and military family housing  
 16 functions of the Department of Defense (other than the  
 17 military departments), as specified in the funding table  
 18 in section 4601.

19 (b) LIMITATION ON TOTAL COST OF CONSTRUCTION  
 20 PROJECTS.—Notwithstanding the cost variations author-  
 21 ized by section 2853 of title 10, United States Code, and  
 22 any other cost variation authorized by law, the total cost

1 of all projects carried out under section 2401 may not ex-  
 2 ceed the total amount authorized to be appropriated under  
 3 subsection (a), as specified in the funding table in section  
 4 4601.

5 **SEC. 2404. EXTENSION AND MODIFICATION OF AUTHORITY**  
 6 **TO CARRY OUT CERTAIN FISCAL YEARS 2017**  
 7 **AND 2019 PROJECTS.**

8 (a) **EXTENSION OF FISCAL YEAR 2017 AUTHORIZA-**  
 9 **TION.—**

10 (1) **EXTENSION.—**Notwithstanding section  
 11 2002 of the Military Construction Authorization Act  
 12 for Fiscal Year 2017 (division B of Public Law 114–  
 13 328; 130 Stat. 2688), the authorization set forth in  
 14 the table in paragraph (2), as provided in section  
 15 2401 of that Act (130 Stat. 2700), shall remain in  
 16 effect until October 1, 2023, or the date of the en-  
 17 actment of an Act authorizing funds for military  
 18 construction for fiscal year 2024, whichever is later.

19 (2) **TABLE.—**The table referred to in paragraph  
 20 (1) is as follows:

**Defense Agencies: Extension of 2017 Project Authorization**

<b>Country</b>	<b>Installation</b>	<b>Project</b>	<b>Original Au- thorized Amount</b>
Japan .....	Yokota Air Base .....	Hanger/AMU .....	\$39,466,000

21 (b) **MODIFICATION OF FISCAL YEAR 2019 AUTHOR-**  
 22 **IZATION.—**In the case of the authorization contained in

1 the table in section 2401(b) of the Military Construction  
2 Authorization Act for Fiscal Year 2019 (division B of  
3 Public Law 115–232; 133 Stat. 2250) for Kinnick High  
4 School in Yokosuka, Japan, as specified in the funding  
5 table in section 4601 of such Public Law (133 Stat.  
6 2407), the Secretary of Defense may treat the high school  
7 and the field house as a single facility for the purposes  
8 of defining the scope of work for the project.

9           **TITLE XXV—INTERNATIONAL**  
10           **PROGRAMS**

          Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.

Sec. 2502. Authorization of appropriations, NATO.

          Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.

Sec. 2512. Republic of Poland funded construction projects.

11           **Subtitle A—North Atlantic Treaty**  
12           **Organization Security Invest-**  
13           **ment Program**

14           **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
15           **ACQUISITION PROJECTS.**

16           The Secretary of Defense may make contributions for  
17 the North Atlantic Treaty Organization Security Invest-  
18 ment Program as provided in section 2806 of title 10,  
19 United States Code, in an amount not to exceed the sum  
20 of the amount authorized to be appropriated for this pur-  
21 pose in section 2502 and the amount collected from the

1 North Atlantic Treaty Organization as a result of con-  
2 struction previously financed by the United States.

3 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

4 Funds are hereby authorized to be appropriated for  
5 fiscal years beginning after September 30, 2021, for con-  
6 tributions by the Secretary of Defense under section 2806  
7 of title 10, United States Code, for the share of the United  
8 States of the cost of projects for the North Atlantic Treaty  
9 Organization Security Investment Program authorized by  
10 section 2501 as specified in the funding table in section  
11 4601.

12 **Subtitle B—Host Country In-Kind**  
13 **Contributions**

14 **SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION**  
15 **PROJECTS.**

16 (a) **AUTHORITY TO ACCEPT PROJECTS.**—Pursuant to  
17 agreement with the Republic of Korea for required in-kind  
18 contributions, the Secretary of Defense may accept mili-  
19 tary construction projects for the installations or locations  
20 in the Republic of Korea, and in the amounts, set forth  
21 in the following table:

**Republic of Korea Funded Construction Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Army .....	Camp Humphreys	Unaccompanied Enlisted Personnel Housing .....	\$52,000,000
Army .....	Camp Humphreys	Type I Aircraft Parking Apron and Parallel Taxiway .....	\$48,000,000
Army .....	Camp Humphreys	Black Hat Intelligence Fusion Center .....	\$149,000,000



**Republic of Korea Funded Construction Projects**—Continued

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Navy .....	Mujuk .....	Expeditionary Dining Facility .....	\$10,200,000
Air Force .....	Gimhae Air Base	Repair Contingency Hospital .....	\$75,000,000
Air Force .....	Osan Air Base ....	Munitions Storage Area Move Delta (Phase 2) ...	\$171,000,000

1 (b) AUTHORIZED APPROACH TO CERTAIN CON-  
2 STRUCTION PROJECT.—Section 2350k of title 10, United  
3 States Code, shall apply with respect to the construction  
4 of the Black Hat Intelligence Fusion Center at Camp  
5 Humphreys, Republic of Korea, as set forth in the table  
6 in subsection (a).

7 **SEC. 2512. REPUBLIC OF POLAND FUNDED CONSTRUCTION**  
8 **PROJECTS.**

9 Pursuant to agreement with the Republic of Poland  
10 for required in-kind contributions, the Secretary of De-  
11 fense may accept military construction projects for the in-  
12 stallations or locations in the Republic of Poland, and in  
13 the amounts, set forth in the following table:

**Republic of Poland Funded Construction Projects**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Army .....	Poznan .....	Command and Control Facility .....	\$30,000,000
Army .....	Poznan .....	Information Systems Facility .....	\$7,000,000

14 **TITLE XXVI—GUARD AND**  
15 **RESERVE FORCES FACILITIES**

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.

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

1 **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**  
 2 **STRUCTION AND LAND ACQUISITION**  
 3 **PROJECTS.**

4 Using amounts appropriated pursuant to the author-  
 5 ization of appropriations in section 2606 and available for  
 6 the National Guard and Reserve as specified in the fund-  
 7 ing table in section 4601, the Secretary of the Army may  
 8 acquire real property and carry out military construction  
 9 projects for the Army National Guard installations or lo-  
 10 cations inside the United States, and in the amounts, set  
 11 forth in the following table:

**Army National Guard**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Redstone Arsenal .....	\$17,000,000
Connecticut .....	Army National Guard Readiness Center Putnam .....	\$17,500,000
Georgia .....	Fort Benning .....	\$13,200,000
Guam .....	National Guard Readiness Center Barrigada .....	\$34,000,000
Idaho .....	Jerome National Guard Armory .....	\$15,000,000
Illinois .....	National Guard Armory Bloomington .....	\$15,000,000
Kansas .....	Nickell Memorial Armory Topeka .....	\$16,732,000
Louisiana .....	Camp Minden .....	\$13,800,000
	Lake Charles National Guard Readiness Center .....	\$18,500,000
Maine .....	Saco National Guard Readiness Center .....	\$21,200,000
Michigan .....	Camp Grayling .....	\$16,000,000
Mississippi .....	Camp Shelby .....	\$15,500,000
Montana .....	Butte Military Entrance Testing Site .....	\$16,000,000
Nebraska .....	Mead Army National Guard Readiness Center .....	\$11,000,000
North Dakota .....	Dickinson National Guard Armory .....	\$15,500,000
South Dakota .....	Sioux Falls National Guard Armory .....	\$15,000,000
Vermont .....	Bennington National Guard Armory .....	\$16,900,000
	Camp Ethan Allen Training Site .....	\$4,665,000
Virginia .....	National Guard Armory Troutville .....	\$13,000,000

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-  
 4 ization of appropriations in section 2606 and available for  
 5 the National Guard and Reserve as specified in the fund-  
 6 ing table in section 4601, the Secretary of the Army may  
 7 acquire real property and carry out military construction  
 8 projects for the Army Reserve installations or locations in-  
 9 side the United States, and in the amounts, set forth in  
 10 the following table:

**Army Reserve**

State	Installation or Location	Amount
Michigan .....	Army Reserve Center Southfield .....	\$12,000,000
Ohio .....	Wright-Patterson Air Force Base .....	\$19,000,000
Wisconsin .....	Fort McCoy .....	\$70,600,000

11 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**  
 12 **CORPS RESERVE CONSTRUCTION AND LAND**  
 13 **ACQUISITION PROJECTS.**

14 Using amounts appropriated pursuant to the author-  
 15 ization of appropriations in section 2606 and available for  
 16 the National Guard and Reserve as specified in the fund-  
 17 ing table in section 4601, the Secretary of the Navy may  
 18 acquire real property and carry out military construction  
 19 projects for the Navy Reserve and Marine Corps Reserve  
 20 installations or locations inside the United States, and in  
 21 the amounts, set forth in the following table:

**Navy Reserve and Marine Corps Reserve**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Michigan .....	Naval Operational Support Center Battle Creek .....	\$49,090,000
Minnesota .....	Minneapolis Air Reserve Station .....	\$14,350,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD 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**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Montgomery Regional Airport .....	\$19,200,000
	Sumpter Smith Air National Guard Base .....	\$7,500,000
Connecticut .....	Bradley International Airport .....	\$17,000,000
Delaware .....	New Castle Air National Guard Base .....	\$17,500,000
Idaho .....	Gowen Field .....	\$6,500,000
Illinois .....	Abraham Lincoln Capital Airport .....	\$10,200,000
Massachusetts .....	Barnes Air National Guard Base .....	\$12,200,000
Michigan .....	Alpena County Regional Airport .....	\$23,000,000
	Selfridge Air National Guard Base .....	\$28,000,000
	W. K. Kellogg Regional Airport .....	\$10,000,000
Mississippi .....	Jackson International Airport .....	\$9,300,000
New York .....	Francis S. Gabreski Airport .....	\$14,800,000
	Schenectady Municipal Airport .....	\$10,800,000
Ohio .....	Camp Perry .....	\$7,800,000
South Carolina .....	McEntire Joint National Guard Base .....	\$18,800,000
South Dakota .....	Joe Foss Field .....	\$9,800,000
Texas .....	Kelly Field Annex .....	\$9,500,000
Washington .....	Camp Murray Air National Guard Station .....	\$27,000,000
Wisconsin .....	Truax Field .....	\$44,200,000
Wyoming .....	Cheyenne Municipal Airport .....	\$13,400,000

1 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUC-**  
 2 **TION AND LAND ACQUISITION PROJECTS.**

3 Using amounts appropriated pursuant to the author-  
 4 ization of appropriations in section 2606 and available for  
 5 the National Guard and Reserve as specified in the 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 installations inside the United States,  
 9 and in the amounts, set forth in the following table:

**Air Force Reserve**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
California .....	Beale Air Force Base .....	\$33,000,000
Florida .....	Homestead Air Force Reserve Base .....	\$14,000,000
	Patrick Air Force Base .....	\$18,500,000
Indiana .....	Grissom Air Reserve Base .....	\$29,000,000
Minnesota .....	Minneapolis-St. Paul International Airport .....	\$14,000,000
New York .....	Niagara Falls Air Reserve Station .....	\$10,600,000
Ohio .....	Youngstown Air Reserve Station .....	\$8,700,000

10 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**  
 11 **TIONAL GUARD AND RESERVE.**

12 Funds are hereby authorized to be appropriated for  
 13 fiscal years beginning after September 30, 2021, for the  
 14 costs of acquisition, architectural and engineering services,  
 15 and construction of facilities for the Guard and Reserve  
 16 Forces, and for contributions therefor, under chapter  
 17 1803 of title 10, United States Code (including the cost  
 18 of acquisition of land for those facilities), as specified in  
 19 the funding table in section 4601.

1 **TITLE XXVII—BASE REALIGN-**  
2 **MENT AND CLOSURE ACTIVI-**  
3 **TIES**

Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense Base Closure Account.

Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

Sec. 2703. Conditions on closure of certain portion of Pueblo Chemical Depot and Chemical Agent-Destruction Pilot Plant, Colorado.

4 **SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR**  
5 **BASE REALIGNMENT AND CLOSURE ACTIVI-**  
6 **TIES FUNDED THROUGH DEPARTMENT OF**  
7 **DEFENSE BASE CLOSURE ACCOUNT.**

8 Funds are hereby authorized to be appropriated for  
9 fiscal years beginning after September 30, 2021, for base  
10 realignment and closure activities, including real property  
11 acquisition and military construction projects, as author-  
12 ized by the Defense Base Closure and Realignment Act  
13 of 1990 (part A of title XXIX of Public Law 101–510;  
14 10 U.S.C. 2687 note) and funded through the Department  
15 of Defense Base Closure Account established by section  
16 2906 of such Act (as amended by section 2711 of the Mili-  
17 tary Construction Authorization Act for Fiscal Year 2013  
18 (division B of Public Law 112–239; 126 Stat. 2140)), as  
19 specified in the funding table in section 4601.

1 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**  
2 **BASE REALIGNMENT AND CLOSURE (BRAC)**  
3 **ROUND.**

4 Nothing in this Act shall be construed to authorize  
5 an additional Base Realignment and Closure (BRAC)  
6 round.

7 **SEC. 2703. CONDITIONS ON CLOSURE OF CERTAIN PORTION**  
8 **OF PUEBLO CHEMICAL DEPOT AND CHEM-**  
9 **ICAL AGENT-DESTRUCTION PILOT PLANT,**  
10 **COLORADO.**

11 (a) DEFINITIONS.—In this section:

12 (1) COVERED PORTION OF PUEBLO CHEMICAL  
13 DEPOT DEFINED.—The term “covered portion of  
14 Pueblo Chemical Depot” means the portion of Pueb-  
15 lo Chemical Depot, Colorado, that has not been de-  
16 clared surplus before the date of the enactment of  
17 this Act.

18 (2) LOCAL REDEVELOPMENT AUTHORITY.—The  
19 term “Local Redevelopment Authority” means the  
20 Local Redevelopment Authority for Pueblo Chemical  
21 Depot, as recognized by the Office of Local Defense  
22 Community Cooperation.

23 (b) SUBMISSION OF CLOSURE AND DISPOSAL  
24 PLANS.—

25 (1) PLANS REQUIRED.—Not later than 180  
26 days after the date of the enactment of this Act, the

1 Secretary of the Army shall submit to the Commit-  
2 tees on Armed Services of the Senate and the House  
3 of Representatives—

4 (A) a plan for the closure of the covered  
5 portion of Pueblo Chemical Depot upon the  
6 completion of the chemical demilitarization mis-  
7 sion of the Chemical Agent-Destruction Pilot  
8 Plant at Pueblo Chemical Depot; and

9 (B) a plan for the disposal of all remaining  
10 land, buildings, facilities, and equipment of the  
11 covered portion of Pueblo Chemical Depot.

12 (2) LOCAL REDEVELOPMENT AUTHORITY  
13 ROLE.—In preparing the disposal plan for the cov-  
14 ered portion of Pueblo Chemical Depot required by  
15 paragraph (1)(B), the Secretary of the Army shall  
16 take into account the future role of the Local Rede-  
17 velopment Authority.

18 (c) LOCAL REDEVELOPMENT AUTHORITY ELIGI-  
19 BILITY FOR ASSISTANCE.—The Secretary of Defense, act-  
20 ing through the Office of Local Defense Community Co-  
21 operation, may make grants, conclude cooperative agree-  
22 ments, and supplement other Federal funds in order to  
23 assist the Local Redevelopment Authority in planning  
24 community adjustments and economic diversification re-  
25 quired by the closure of Pueblo Chemical Depot and the



1 Chemical Agent-Destruction Pilot Plant if the Secretary  
2 determines that the closure is likely to have a direct and  
3 significantly adverse consequence on nearby communities.

4 (d) GENERAL CLOSURE, REALIGNMENT, AND DIS-  
5 POSAL PROHIBITION.—

6 (1) PROHIBITION; CERTAIN RECIPIENT EX-  
7 CEPTED.—During the period specified in paragraph  
8 (2), the Secretary of the Army shall take no ac-  
9 tion—

10 (A) to close or realign the covered portion  
11 of Pueblo Chemical Depot or the Chemical  
12 Agent-Destruction Pilot Plant; or

13 (B) to dispose of any surplus land, build-  
14 ing, facility, or equipment that comprises any  
15 portion of the Chemical Agent-Destruction Pilot  
16 Plant other than to the Local Redevelopment  
17 Authority.

18 (2) DURATION.—The prohibition imposed by  
19 paragraph (1) shall apply until the date on which  
20 the Secretary of the Army makes a final closure and  
21 disposal decision for the covered portion of Pueblo  
22 Chemical Depot following the submission of the clo-  
23 sure and disposal plans for the covered portion of  
24 Pueblo Chemical Depot required by subsection (b).

1 (e) PROHIBITION ON DEMOLITION OR DISPOSAL RE-  
2 LATED TO CHEMICAL AGENT-DESTRUCTION PILOT  
3 PLANT.—

4 (1) PROHIBITION; CERTAIN RECIPIENT EX-  
5 CEPTED.—During the period specified in paragraph  
6 (4), the Secretary of the Army may not—

7 (A) demolish any building, facility, or  
8 equipment described in paragraph (2) that com-  
9 prises any portion of the Chemical Agent-De-  
10 struction Pilot Plant; or

11 (B) dispose of any such building, facility,  
12 or equipment declared to be surplus other than  
13 to the Local Redevelopment Authority.

14 (2) COVERED BUILDINGS, FACILITIES, AND  
15 EQUIPMENT.—The prohibition imposed by para-  
16 graph (1) shall apply to the following:

17 (A) Any surplus building, facility, or equip-  
18 ment located outside of a Hazardous Waste  
19 Management Unit where chemical munitions  
20 were present, but where contamination did not  
21 occur, which are considered by the Secretary of  
22 the Army as clean, safe, and acceptable for  
23 reuse by the public, after a risk assessment by  
24 the Secretary.

1           (B) Any surplus building, facility, or  
2           equipment located outside of a Hazardous  
3           Waste Management Unit that was not contami-  
4           nated by chemical munitions and that was with-  
5           out the potential to be contaminated, such as  
6           office buildings, parts warehouses, or utility in-  
7           frastructure, which are considered by the Sec-  
8           retary of the Army as suitable for reuse by the  
9           public.

10           (3) EXCEPTION TO PROHIBITION.—The prohibi-  
11           tion imposed by paragraph (1) shall not apply to any  
12           building, facility, or equipment otherwise described  
13           in paragraph (2) for which the Local Redevelopment  
14           Authority provides to the Secretary of the Army a  
15           written determination specifying that the building,  
16           facility, or equipment is not needed for community  
17           adjustment and economic diversification following  
18           the closure of the Chemical Agent-Destruction Pilot  
19           Plant.

20           (4) DURATION OF PROHIBITION.—The prohibi-  
21           tion imposed by paragraph (1) shall apply for a pe-  
22           riod of not less than two years beginning on the date  
23           o the enactment of this Act.

1 **TITLE XXVIII—MILITARY CON-**  
2 **STRUCTION GENERAL PROVI-**  
3 **SIONS**

Subtitle A—Military Construction Program Changes

- Sec. 2801. Public availability of information on Facilities Sustainment, Restoration, and Modernization projects.
- Sec. 2802. Limitations on authorized cost and scope of work variations.
- Sec. 2803. Department of Defense stormwater management projects for military installations and defense access roads.
- Sec. 2804. Use of amounts available for operation and maintenance in carrying out military construction projects for energy resilience, energy security, or energy conservation.
- Sec. 2805. Flood risk management for military construction.
- Sec. 2806. Modification and extension of temporary, limited authority to use operation and maintenance funds for construction projects in certain areas outside the United States.

Subtitle B—Continuation of Military Housing Reforms

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

Subtitle C—Real Property and Facilities Administration

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

Subtitle D—Military Facilities Master Plan Requirements

- Sec. 2831. Cooperation with State and local governments in development of master plans for major military installations.
- Sec. 2832. Additional changes to requirements regarding master plans for major military installations.
- Sec. 2833. Prompt completion of military installation resilience component of master plans for at-risk major military installations.

- Sec. 2834. Master plans and investment strategies for Army ammunition plants guiding future infrastructure, facility, and production equipment improvements.

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

- Sec. 2841. Amendment of Unified Facilities Criteria to require inclusion of private nursing and lactation space in certain military construction projects.
- Sec. 2842. Revisions to Unified Facilities Criteria regarding use of variable refrigerant flow systems.
- Sec. 2843. Amendment of Unified Facilities Criteria to promote energy efficient military installations.
- Sec. 2844. Additional Department of Defense activities to improve energy resiliency of military installations.

Subtitle F—Land Conveyances

- Sec. 2851. Modification of restrictions on use of former Navy property conveyed to University of California, San Diego, California.
- Sec. 2852. Land conveyance, Joint Base Cape Cod, Bourne, Massachusetts.
- Sec. 2853. Land conveyance, Saint Joseph, Missouri.
- Sec. 2854. Land conveyance, Department of Defense excess property, St. Louis, Missouri.
- Sec. 2855. Land conveyance, Marine Corps Air Station, Cherry Point, North Carolina.
- Sec. 2856. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to City of Virginia Beach, Virginia.
- Sec. 2857. Land conveyance, Naval Air Station Oceana, Virginia Beach, Virginia, to School Board of City of Virginia Beach, Virginia.

Subtitle G—Authorized Pilot Programs

- Sec. 2861. Pilot program on increased use of sustainable building materials in military construction.
- Sec. 2862. Pilot program on establishment of account for reimbursement for use of testing facilities at installations of the Department of the Air Force.

Subtitle H—Asia-Pacific and Indo-Pacific Issues

- Sec. 2871. Improved oversight of certain infrastructure services provided by Naval Facilities Engineering Systems Command Pacific.
- Sec. 2872. Annual congressional briefing on renewal of Department of Defense easements and leases of land in Hawai'i.
- Sec. 2873. Hawai'i Military Land Use Master Plan.

Subtitle I—One-Time Reports and Other Matters

- Sec. 2881. Clarification of installation and maintenance requirements regarding fire extinguishers in Department of Defense facilities.
- Sec. 2882. GAO review and report of military construction contracting at military installations inside the United States.

1     **Subtitle A—Military Construction**  
2                     **Program Changes**

3     **SEC. 2801. PUBLIC AVAILABILITY OF INFORMATION ON FA-**  
4                     **CILITIES SUSTAINMENT, RESTORATION, AND**  
5                     **MODERNIZATION PROJECTS.**

6             (a) INCLUSION OF INFORMATION ON REQUIRED  
7 INTERNET SITE.—Section 2851(c)(1) of title 10, United  
8 States Code, is amended—

9                     (1) by redesignating subparagraph (E) as sub-  
10             paragraph (F);

11                     (2) by adding after subparagraph (D) the fol-  
12             lowing new subparagraph (E):

13                     “(E) Each military department project with a  
14             total cost in excess of \$15,000,000 for Facilities  
15             Sustainment, Restoration, and Modernization.”; and

16                     (3) in subparagraph (F), as so redesignated, by  
17             inserting after “construction project” the following:  
18             “, military department Facilities Sustainment, Res-  
19             toration, and Modernization project,”.

20             (b) APPLICATION OF AMENDMENTS.—Subparagraph  
21 (E) of section 2851(c)(1) of title 10, United States Code,  
22 as added by subsection (a)(2), and subparagraph (F) of  
23 such section, as amended by subsection (a)(3), shall apply  
24 with respect to a military department Facilities  
25 Sustainment, Restoration, and Modernization project de-

1 scribed in such subparagraphs for which an award of a  
2 contract or delivery order for the project is made on or  
3 after June 1, 2022.

4 **SEC. 2802. LIMITATIONS ON AUTHORIZED COST AND SCOPE**  
5 **OF WORK VARIATIONS.**

6 (a) PROCESS FOR APPROVING CERTAIN EXCEP-  
7 TIONS; LIMITATIONS.—Subsections (c) and (d) of section  
8 2853 of title 10, United States Code, are amended to read  
9 as follows:

10 “(c) EXCEPTIONS TO LIMITATION ON COST VARI-  
11 ATIONS AND SCOPE OF WORK REDUCTIONS.—(1)(A) Ex-  
12 cept as provided in subparagraph (D), the Secretary con-  
13 cerned may waive the percentage or dollar cost limitation  
14 applicable to a military construction project or a military  
15 family housing project under subsection (a) and approve  
16 an increase in the cost authorized for the project in excess  
17 of that limitation if the Secretary concerned notifies the  
18 appropriate committees of Congress of the cost increase  
19 in the manner provided in this paragraph.

20 “(B) The notification required by subparagraph (A)  
21 shall—

22 “(i) identify the amount of the cost increase  
23 and the reasons for the increase;

24 “(ii) certify that the cost increase is sufficient  
25 to meet the mission requirement identified in the

1 justification data provided to Congress as part of the  
2 request for authorization of the project; and

3 “(iii) describe the funds proposed to be used to  
4 finance the cost increase.

5 “(C) A waiver and approval by the Secretary con-  
6 cerned under subparagraph (A) shall take effect only after  
7 the end of the 14-day period beginning on the date on  
8 which the notification required by such subparagraph is  
9 received by the appropriate committees of Congress in an  
10 electronic medium pursuant to section 480 of this title.

11 “(D) The Secretary concerned may not use the au-  
12 thority provided by subparagraph (A)—

13 “(i) to waive the cost limitation applicable to a  
14 military construction project with a total authorized  
15 cost greater than \$500,000,000 or a military family  
16 housing project with a total authorized cost greater  
17 than \$500,000,000; and

18 “(ii) to approve an increase in the cost author-  
19 ized for the project that would increase the project  
20 cost by more than 50 percent of the total authorized  
21 cost of the project.

22 “(E) In addition to the notification required by this  
23 paragraph, subsection (f) applies whenever a military con-  
24 struction project or military family housing project with  
25 a total authorized cost greater than \$40,000,000 will have



1 a cost increase of 25 percent or more. Subsection (f) may  
2 not be construed to authorize a cost increase in excess of  
3 the limitation imposed by subparagraph (D).

4 “(2)(A) The Secretary concerned may waive the per-  
5 centage or dollar cost limitation applicable to a military  
6 construction project or a military family housing project  
7 under subsection (a) and approve a decrease in the cost  
8 authorized for the project in excess of that limitation if  
9 the Secretary concerned notifies the appropriate commit-  
10 tees of Congress of the cost decrease not later than 14  
11 days after the date funds are obligated in connection with  
12 the project.

13 “(B) The notification required by subparagraph (A)  
14 shall be provided in an electronic medium pursuant to sec-  
15 tion 480 of this title.

16 “(3)(A) The Secretary concerned may waive the limi-  
17 tation on a reduction in the scope of work applicable to  
18 a military construction project or a military family hous-  
19 ing project under subsection (b)(1) and approve a scope  
20 of work reduction for the project in excess of that limita-  
21 tion if the Secretary concerned notifies the appropriate  
22 committees of Congress of the reduction in the manner  
23 provided in this paragraph.

24 “(B) The notification required by subparagraph (A)  
25 shall—

1           “(i) describe the reduction in the scope of work  
2           and the reasons for the decrease; and

3           “(ii) certify that the mission requirement identi-  
4           fied in the justification data provided to Congress  
5           can still be met with the reduced scope.

6           “(C) A waiver and approval by the Secretary con-  
7           cerned under subparagraph (A) shall take effect only after  
8           the end of the 14-day period beginning on the date on  
9           which the notification required by such subparagraph is  
10          received by the appropriate committees of Congress in an  
11          electronic medium pursuant to section 480 of this title.

12          “(d) EXCEPTIONS TO LIMITATION ON SCOPE OF  
13          WORK INCREASES.—(1) Except as provided in paragraph  
14          (4), the Secretary concerned may waive the limitation on  
15          an increase in the scope of work applicable to a military  
16          construction project or a military family housing project  
17          under subsection (b)(1) and approve an increase in the  
18          scope of work for the project in excess of that limitation  
19          if the Secretary concerned notifies the appropriate com-  
20          mittees of Congress of the reduction in the manner pro-  
21          vided in this subsection.

22          “(2) The notification required by paragraph (1) shall  
23          describe the increase in the scope of work and the reasons  
24          for the increase.

1       “(3) A waiver and approval by the Secretary con-  
2 cerned under paragraph (1) shall take effect only after  
3 the end of the 14-day period beginning on the date on  
4 which the notification required by such paragraph is re-  
5 ceived by the appropriate committees of Congress in an  
6 electronic medium pursuant to section 480 of this title.

7       “(4) The Secretary concerned may not use the au-  
8 thority provided by paragraph (1) to waive the limitation  
9 on an increase in the scope of work applicable to a military  
10 construction project or a military family housing project  
11 and approve an increase in the scope of work for the  
12 project that would increase the scope of work by more  
13 than 10 percent of the amount specified for the project  
14 in the justification data provided to Congress as part of  
15 the request for authorization of the project.”.

16       (b) CONFORMING AMENDMENT RELATED TO CALCULATING  
17 LIMITATION ON COST VARIATIONS.—Section  
18 2853(a) of title 10, United States Code, is amended by  
19 striking “the amount appropriated for such project” and  
20 inserting “the total authorized cost of the project”

21       (c) CLERICAL AMENDMENTS.—Section 2853 of title  
22 10, United States Code, is further amended—

23               (1) in subsection (a), by inserting “COST VARI-  
24 ATIONS AUTHORIZED; LIMITATION.—” after the  
25 enumerator “(a)”;

1 (2) in subsection (b), by inserting “SCOPE OF  
2 WORK VARIATIONS AUTHORIZED; LIMITATION.—”  
3 after the enumerator “(b)”;

4 (3) in subsection (e), by inserting “ADDITIONAL  
5 COST VARIATION EXCEPTIONS.—” after the enu-  
6 merator “(e)”;

7 (4) in subsection (f), by inserting “ADDITIONAL  
8 REPORTING REQUIREMENT FOR CERTAIN COST IN-  
9 CREASES.—” after the enumerator “(f)”;

10 (5) in subsection (g), by inserting “RELATION  
11 TO OTHER LAW.—” after the enumerator “(g)”.

12 **SEC. 2803. DEPARTMENT OF DEFENSE STORMWATER MAN-**  
13 **AGEMENT PROJECTS FOR MILITARY INSTAL-**  
14 **LATIONS AND DEFENSE ACCESS ROADS.**

15 Chapter 169 of title 10, United States Code, is  
16 amended by inserting after section 2815 the following new  
17 section:

18 **“§ 2815a. Stormwater management projects for instal-**  
19 **lation and defense access road resilience**  
20 **and waterway and ecosystems conserva-**  
21 **tion**

22 “(a) PROJECTS AUTHORIZED.—The Secretary con-  
23 cerned may carry out a stormwater management project  
24 on or related to a military installation for the purpose of—

1           “(1) improving military installation resilience or  
2           the resilience of a defense access road or other es-  
3           sential civilian infrastructure supporting the military  
4           installation; and

5           “(2) protecting nearby waterways and  
6           stormwater-stressed ecosystems.

7           “(b) PROJECT METHODS AND FUNDING SOURCES.—  
8           Using such amounts as may be provided in advance in  
9           appropriation Acts, the Secretary concerned may carry out  
10          a stormwater management project under this section as,  
11          or as part of, any of the following:

12           “(1) An authorized military construction  
13          project.

14           “(2) An unspecified minor military construction  
15          project under section 2805 of this title, including  
16          using appropriations available for operation and  
17          maintenance subject to the limitation in subsection  
18          (c) of such section.

19           “(3) A military installation resilience project  
20          under section 2815 of this title, including the use of  
21          appropriations available for operations and mainte-  
22          nance subject to the limitation of subsection (e)(3)  
23          of such section.

24           “(4) A defense community infrastructure resil-  
25          ience project under section 2391(d) of this title.

1           “(5) A construction project under section 2914  
2 of this title.

3           “(6) A reserve component facility project under  
4 section 18233 of this title.

5           “(7) A defense access road project under sec-  
6 tion 210 of title 23.

7           “(c) PROJECT PRIORITIES.—In selecting stormwater  
8 management projects to be carried out under this section,  
9 the Secretary concerned shall give a priority to project  
10 proposals involving the retrofitting of buildings and  
11 grounds on a military installation or retrofitting a defense  
12 access road to reduce stormwater runoff and ponding or  
13 standing water that includes the combination of  
14 stormwater runoff and water levels resulting from extreme  
15 weather conditions.

16           “(d) PROJECT ACTIVITIES.—Activities carried out as  
17 part of a stormwater management project under this sec-  
18 tion may include, but are not limited to, the following:

19           “(1) The installation, expansion, or refurbish-  
20 ment of stormwater ponds and other water-slowing  
21 and retention measures.

22           “(2) The installation of permeable pavement in  
23 lieu of, or to replace existing, nonpermeable pave-  
24 ment.

1           “(3) The use of planters, tree boxes, cisterns,  
2           and rain gardens to reduce stormwater runoff.

3           “(e) PROJECT COORDINATION.—In the case of a  
4 stormwater management project carried out under this  
5 section on or related to a military installation and any  
6 project related to the same installation carried out under  
7 section 2391(d), 2815, or 2914 of this title, the Secretary  
8 concerned shall ensure coordination between the projects  
9 regarding the water access, management, conservation, se-  
10 curity, and resilience aspects of the projects.

11          “(f) ANNUAL REPORT.—(1) Not later than 90 days  
12 after the end of each fiscal year, each Secretary concerned  
13 shall submit to the congressional defense committees a re-  
14 port describing—

15           “(A) the status of planned and active  
16 stormwater management projects carried out by that  
17 Secretary under this section; and

18           “(B) all projects completed by the Secretary  
19 concerned during the previous fiscal year.

20          “(2) Each report shall include the following informa-  
21 tion with respect to each stormwater management project  
22 described in the report:

23           “(A) The title, location, a brief description of  
24 the scope of work, the original project cost estimate,  
25 and the current working cost estimate.

1 “(B) The rationale for how the project will—

2 “(i) improve military installation resilience  
3 or the resilience of a defense access road or  
4 other essential civilian infrastructure supporting  
5 a military installation; and

6 “(ii) protect waterways and stormwater-  
7 stressed ecosystems.

8 “(C) Such other information as the Secretary  
9 concerned considers appropriate.

10 “(g) DEFINITIONS.—In this section:

11 “(1) The term ‘defense access road’ means a  
12 road certified to the Secretary of Transportation as  
13 important to the national defense under the provi-  
14 sions of section 210 of title 23.

15 “(2) The terms ‘facility’ and ‘State’ have the  
16 meanings given those terms in section 18232 of this  
17 title.

18 “(3) The term ‘military installation’ includes a  
19 facility of a reserve component owned by a State  
20 rather than the United States.

21 “(4) The term ‘military installation resilience’  
22 has the meaning given that term in section  
23 101(e)(8) of this title.

24 “(5) The term ‘Secretary concerned’ means—



1           “(A) the Secretary of a military depart-  
2           ment with respect to military installations  
3           under the jurisdiction of that Secretary; and

4           “(B) the Secretary of Defense with respect  
5           to matters concerning the Defense Agencies and  
6           facilities of a reserve component owned by a  
7           State rather than the United States.”.

8   **SEC. 2804. USE OF AMOUNTS AVAILABLE FOR OPERATION**  
9                   **AND MAINTENANCE IN CARRYING OUT MILI-**  
10                   **TARY CONSTRUCTION PROJECTS FOR EN-**  
11                   **ERGY RESILIENCE, ENERGY SECURITY, OR**  
12                   **ENERGY CONSERVATION.**

13       Section 2914 of title 10, United States Code, is  
14   amended—

15           (1) by redesignating subsections (c) and (d) as  
16       subsections (d) and (e), respectively; and

17           (2) by inserting after subsection (b) the fol-  
18       lowing new subsection (c):

19       “(c) **ALTERNATIVE FUNDING SOURCE.**—(1) In addi-  
20       tion to the authority under section 2805(e) of this title,  
21       in carrying out a military construction project for energy  
22       resilience, energy security, or energy conservation under  
23       this section, the Secretary concerned may use amounts  
24       available for operation and maintenance for the military  
25       department concerned if the Secretary concerned submits

1 to the congressional defense committees a notification of  
2 the decision to carry out the project using such amounts  
3 and includes in the notification—

4           “(A) the current estimate of the cost of the  
5 project;

6           “(B) the source of funds for the project; and

7           “(C) a certification that deferring the project  
8 pending the availability of funds appropriated for or  
9 otherwise made available for military construction  
10 would be inconsistent with the timely assurance of  
11 energy resilience, energy security, or energy con-  
12 servation for one or more critical national security  
13 functions.

14           “(2) A project carried out under this section using  
15 amounts under paragraph (1) may be carried out only  
16 after the end of the seven-day period beginning on the date  
17 on which a copy of the notification described in paragraph  
18 (1) is provided in an electronic medium pursuant to sec-  
19 tion 480 of this title.

20           “(3) The maximum aggregate amount that the Sec-  
21 retary concerned may obligate from amounts available to  
22 the military department concerned for operation and  
23 maintenance in any fiscal year for projects under the au-  
24 thority of this subsection is \$100,000,000.”.

1 **SEC. 2805. FLOOD RISK MANAGEMENT FOR MILITARY CON-**  
2 **STRUCTION.**

3 (a) FURTHER MODIFICATION OF DEPARTMENT OF  
4 DEFENSE FORM 1391.—Section 2805(a)(1) of the Mili-  
5 tary Construction Authorization Act for Fiscal Year 2019  
6 (division B of Public Law 115–232; 132 Stat. 2262; 10  
7 U.S.C. 2802 note) is amended—

8 (1) in subparagraph (A), by inserting “or a  
9 500-year floodplain if outside a 100-year floodplain”  
10 after “100-year floodplain”; and

11 (2) in subparagraph (B), by striking “100-year  
12 floodplain” and inserting “floodplain described in  
13 subparagraph (A)”.

14 (b) REPORTING REQUIREMENTS.—Section  
15 2805(a)(3) of the Military Construction Authorization Act  
16 for Fiscal Year 2019 (division B of Public Law 115–232;  
17 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

18 (1) in subparagraph (A), by inserting before the  
19 period at the end the following: “using hydrologic,  
20 hydraulic, and hydrodynamic data, methods, and  
21 analysis that integrate current and projected  
22 changes in flooding based on climate science over the  
23 anticipated service life of the facility and future fore-  
24 casted land use changes”; and

25 (2) in subparagraph (D), by inserting after “fu-  
26 ture” the following: “flood risk and”.

1 (c) MITIGATION PLAN ASSUMPTIONS.—Section  
2 2805(a)(4) of the Military Construction Authorization Act  
3 for Fiscal Year 2019 (division B of Public Law 115–232;  
4 132 Stat. 2262; 10 U.S.C. 2802 note) is amended—

5 (1) in subparagraphs (A) and (B), by striking  
6 “buildings” and inserting “facilities”; and

7 (2) in subparagraph (C), by inserting after “fu-  
8 ture” the following: “flood risk and”.

9 (d) CONFORMING AMENDMENT OF UNIFIED FACILI-  
10 TIES CRITERIA.—

11 (1) AMENDMENT REQUIRED.—Not later than  
12 September 1, 2022, the Secretary of Defense shall  
13 amend the Unified Facilities Criteria relating to  
14 military construction planning and design to ensure  
15 that building practices and standards of the Depart-  
16 ment of Defense incorporate the minimum flood  
17 mitigation requirements of section 2805(a) of the  
18 Military Construction Authorization Act for Fiscal  
19 Year 2019 (division B of Public Law 115–232; 132  
20 Stat. 2262; 10 U.S.C. 2802 note), as amended by  
21 this section.

22 (2) IMPLEMENTATION OF UNIFIED FACILITIES  
23 CRITERIA AMENDMENTS.—

24 (A) IMPLEMENTATION.—Any Department  
25 of Defense Form 1391 submitted to Congress

1 after September 1, 2022, shall comply with the  
2 Unified Facilities Criteria, as amended pursu-  
3 ant to paragraph (1).

4 (B) CERTIFICATION.—Not later than  
5 March 1, 2023, the Secretary of Defense shall  
6 certify to the Committees on Armed Services of  
7 the House of Representatives and the Senate  
8 the completion of the amendment process re-  
9 quired by paragraph (1) and the full incorpora-  
10 tion of the amendments into military construc-  
11 tion planning and design.

12 **SEC. 2806. MODIFICATION AND EXTENSION OF TEM-**  
13 **PORARY, LIMITED AUTHORITY TO USE OPER-**  
14 **ATION AND MAINTENANCE FUNDS FOR CON-**  
15 **STRUCTION PROJECTS IN CERTAIN AREAS**  
16 **OUTSIDE THE UNITED STATES.**

17 (a) TWO-YEAR EXTENSION OF AUTHORITY.—Sub-  
18 section (h) of section 2808 of the Military Construction  
19 Authorization Act for Fiscal Year 2004 (division B of  
20 Public Law 108–136; 117 Stat. 1723), as most recently  
21 amended by section 2806(a) of the Military Construction  
22 Authorization Act for Fiscal Year 2021 (division B of  
23 Public Law 116–283), is further amended—

24 (1) in paragraph (1), by striking “December  
25 31, 2021” and inserting “December 31, 2023”; and

1           (2) paragraph (2), by striking “fiscal year  
2           2022” and inserting “fiscal year 2024”.

3           (b) CONTINUATION OF LIMITATION ON USE OF AU-  
4 THORITY.—Subsection (c)(1) of section 2808 of the Mili-  
5 tary Construction Authorization Act for Fiscal Year 2004  
6 (division B of Public Law 108–136; 117 Stat. 1723), as  
7 most recently amended by subsections (b) and (c) of sec-  
8 tion 2806 of the Military Construction Authorization Act  
9 for Fiscal Year 2021 (division B of Public Law 116–283),  
10 is further amended—

11           (1) by striking subparagraphs (A) and (B);

12           (2) by redesignating subparagraph (C) as sub-  
13 paragraph (A); and

14           (3) by adding at the end the following new sub-  
15 paragraphs:

16           “(B) The period beginning October 1, 2021,  
17           and ending on the earlier of December 31, 2022, or  
18           the date of the enactment of an Act authorizing  
19           funds for military activities of the Department of  
20           Defense for fiscal year 2023.

21           “(C) The period beginning October 1, 2022,  
22           and ending on the earlier of December 31, 2023, or  
23           the date of the enactment of an Act authorizing  
24           funds for military activities of the Department of  
25           Defense for fiscal year 2024.”.

1           (c) ESTABLISHMENT OF PROJECT MONETARY LIM-  
2 TATION.—Subsection (c) of section 2808 of the Military  
3 Construction Authorization Act for Fiscal Year 2004 (di-  
4 vision B of Public Law 108–136; 117 Stat. 1723) is  
5 amended by adding at the end the following new para-  
6 graph:

7           “(3) The total amount of operation and maintenance  
8 funds used for a single construction project carried out  
9 under the authority of this section shall not exceed  
10 \$15,000,000. The Secretary of Defense may waive this  
11 limitation on a project-by-project basis. This waiver au-  
12 thority may not be delegated.”.

13           (d) MODIFICATION OF NOTICE AND WAIT REQUIRE-  
14 MENT.—Subsection (b) of section 2808 of the Military  
15 Construction Authorization Act for Fiscal Year 2004 (di-  
16 vision B of Public Law 108–136; 117 Stat. 1723) is  
17 amended—

18           (1) by striking “10-day period” and inserting  
19 “14-day period”; and

20           (2) by striking “or, if earlier, the end of the 7-  
21 day period beginning on the date on which” and in-  
22 serting “, including when”.

1                   **Subtitle B—Continuation of**  
2                   **Military Housing Reforms**

3   **SEC. 2811. MODIFICATION OF CALCULATION OF MILITARY**  
4                   **HOUSING CONTRACTOR PAY FOR**  
5                   **PRIVATIZED MILITARY HOUSING.**

6           Section 606(a) of the John S. McCain National De-  
7 fense Authorization Act for Fiscal Year 2019 (Public Law  
8 115–232; 10 U.S.C. 2871 note), as amended by section  
9 3036 of the Military Construction Authorization Act for  
10 Fiscal Year 2020 (division B of Public Law 116–92; 133  
11 Stat. 1938) and section 2811(i) of the Military Construc-  
12 tion Authorization Act for Fiscal Year 2021 (division B  
13 of Public Law 116–283), is further amended—

14                   (1) in paragraph (1)(B)—

15                           (A) by striking “2.5 percent” and inserting  
16                           “50 percent”; and

17                           (B) by striking “section 403(b)(3)(A)(i)”  
18                           and inserting “section 403(b)(3)(A)(ii)”; and

19                   (2) in paragraph (2)(B)—

20                           (A) by striking “2.5 percent” and inserting  
21                           “50 percent”; and

22                           (B) by striking “section 403(b)(3)(A)(i)”  
23                           and inserting “section 403(b)(3)(A)(ii)”.



1 **SEC. 2812. APPLICABILITY OF WINDOW FALL PREVENTION**  
2 **REQUIREMENTS TO ALL MILITARY FAMILY**  
3 **HOUSING WHETHER PRIVATIZED OR GOV-**  
4 **ERNMENT-OWNED AND GOVERNMENT-CON-**  
5 **TROLLED.**

6 (a) TRANSFER OF WINDOW FALL PREVENTION SEC-  
7 TION TO MILITARY FAMILY HOUSING ADMINISTRATION  
8 SUBCHAPTER.—Section 2879 of title 10, United States  
9 Code—

10 (1) is transferred to appear after section 2856  
11 of such title; and

12 (2) is redesignated as section 2857.

13 (b) APPLICABILITY OF SECTION TO ALL MILITARY  
14 FAMILY HOUSING.—Section 2857 of title 10, United  
15 States Code, as transferred and redesignated by sub-  
16 section (a), is amended—

17 (1) in subsection (a)(1), by striking “acquired  
18 or constructed under this chapter”;

19 (2) in subsection (b)(1), by striking “acquired  
20 or constructed under this chapter”; and

21 (3) by adding at the end the following new sub-  
22 section:

23 “(e) APPLICABILITY TO ALL MILITARY FAMILY  
24 HOUSING.—This section applies to military family housing  
25 under the jurisdiction of the Department of Defense and

1 military family housing acquired or constructed under  
2 subchapter IV of this chapter.”.

3 (c) IMPLEMENTATION PLAN.—In the report required  
4 to be submitted in 2022 pursuant to subsection (d) of sec-  
5 tion 2857 of title 10, United States Code, as transferred  
6 and redesignated by subsection (a) and amended by sub-  
7 section (b), the Secretary of Defense shall include a plan  
8 for implementation of the fall protection devices described  
9 in subsection (a)(3) of such section as required by such  
10 section.

11 (d) LIMITATION ON USE OF FUNDS PENDING SUB-  
12 MISSION OF OVERDUE REPORT.—Of the funds authorized  
13 to be appropriated by this Act or otherwise made available  
14 for fiscal year 2022 for the Office of the Assistant Sec-  
15 retary of Defense for Energy, Installations, and Environ-  
16 ment, not more than 50 percent may be obligated or ex-  
17 pended until the date on which the Secretary of Defense  
18 certifies to the congressional defense committees that—

19 (1) the independent assessment required by sec-  
20 tion 2817(b) of the Military Construction Authoriza-  
21 tion Act of 2018 (division B of Public Law 115–91;  
22 131 Stat. 1852) has been initiated; and

23 (2) the Secretary expects the report containing  
24 the results of the assessment to be submitted to the

1 congressional defense committees by February 1,  
2 2023.

3 **SEC. 2813. APPLICABILITY OF DISABILITY LAWS TO**  
4 **PRIVATIZED MILITARY HOUSING UNITS AND**  
5 **CLARIFICATION OF PROHIBITION AGAINST**  
6 **COLLECTION FROM TENANTS OF AMOUNTS**  
7 **IN ADDITION TO RENT.**

8 (a) **APPLICABILITY OF DISABILITY LAWS.**—Section  
9 2891 of title 10, United States Code, 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 (g):

14 “(g) **APPLICABILITY OF DISABILITY LAWS.**—For  
15 purposes of this subchapter and subchapter IV of this  
16 chapter, housing units shall be considered as military fam-  
17 ily housing for purposes of application of Department of  
18 Defense policy implementing section 804 of the Fair  
19 Housing Act (42 U.S.C. 3604) and title III of the Ameri-  
20 cans with Disabilities Act of 1990 (42 U.S.C. 12181 et  
21 seq.).”.

22 (b) **CLARIFICATION OF PROHIBITION.**—

23 (1) **TREATMENT OF REASONABLE MODIFICA-**  
24 **TION AND ACCOMMODATION REQUIREMENTS.**—Sec-  
25 tion 2891a(e) of title 10, United States Code, is

1 amended by adding at the end the following new  
2 paragraph:

3 “(3)(A) Costs incurred to reasonably modify or up-  
4 grade a housing unit to comply with standards addressing  
5 discrimination against an individual with a disability es-  
6 tablished pursuant to the Americans with Disabilities Act  
7 of 1990 (42 U.S.C. 12101 et seq.), or to meet the reason-  
8 able modification and accommodation requirements of sec-  
9 tion 804 of the Fair Housing Act (42 U.S.C. 3604) and  
10 in order to facilitate occupancy of a housing unit by an  
11 individual with a disability, may not be considered optional  
12 services under paragraph (2)(A)(i) or another exception  
13 to the prohibition in paragraph (1) against collection from  
14 tenants of housing units of amounts in addition to rent.

15 “(B) In subparagraph (A), the term ‘disability’ has  
16 the meaning given that term in section 3 of the Americans  
17 with Disabilities Act of 1990 (42 U.S.C. 12102).”.

18 (2) APPLICABILITY OF REQUIREMENTS.—Sub-  
19 section (e)(3) of section 2891a of title 10, United  
20 States Code, as added by paragraph (1), shall apply  
21 to contracts described in subsection (a) of such sec-  
22 tion entered into on or after the date of the enact-  
23 ment of this Act.

1 **SEC. 2814. REQUIRED INVESTMENTS IN IMPROVING MILI-**  
2 **TARY UNACCOMPANIED HOUSING.**

3 (a) INVESTMENTS IN MILITARY UNACCOMPANIED  
4 HOUSING.—Of the total amount authorized to be appro-  
5 priated by the National Defense Authorization Act for a  
6 covered fiscal year for Facilities Sustainment, Restoration,  
7 and Modernization activities of a military department, the  
8 Secretary of that military department shall reserve an  
9 amount equal to five percent of the estimated replacement  
10 cost of the total inventory of unaccompanied housing  
11 under the jurisdiction of that Secretary for the purpose  
12 of carrying out projects for the improvement of military  
13 unaccompanied housing.

14 (b) DEFINITIONS.—In this section:

15 (1) The term “military unaccompanied hous-  
16 ing” means military housing intended to be occupied  
17 by members of the Armed Forces serving a tour of  
18 duty unaccompanied by dependents.

19 (2) The term “replacement cost”, with respect  
20 to military unaccompanied housing, means the  
21 amount that would be required to replace the re-  
22 maining service potential of that military unaccom-  
23 panied housing.

24 (c) DURATION OF INVESTMENT REQUIREMENT.—  
25 The requirement in subsection (a) shall apply for fiscal  
26 years 2022 through 2026.

1 **SEC. 2815. IMPROVEMENT OF SECURITY OF LODGING AND**  
2 **LIVING SPACES ON MILITARY INSTALLA-**  
3 **TIONS.**

4 (a) **ASSESSMENT.**—Not later than 60 days after the  
5 date of the enactment of this Act, the Secretary of Defense  
6 shall conduct an assessment of all on-base dormitories and  
7 barracks at military installations for purposes of identi-  
8 fying—

9 (1) locking mechanisms on points of entry into  
10 the main facility, including doors and windows, or  
11 interior doors leading into private sleeping areas  
12 that require replacing or repairing;

13 (2) areas, such as exterior sidewalks, entry  
14 points, and other public areas where closed-circuit  
15 television security cameras should be installed; and

16 (3) other passive security measures, such as ad-  
17 ditional lighting, that may be necessary to prevent  
18 crime, including sexual assault.

19 (b) **EMERGENCY REPAIRS.**—The Secretary of De-  
20 fense shall make any necessary repairs of broken locks or  
21 other safety mechanisms discovered during the assessment  
22 conducted under subsection (a) not later than 30 days  
23 after discovering the issue.

24 (c) **REPORT.**—

25 (1) **IN GENERAL.**—Not later than 270 days  
26 after the date of the enactment of this Act, the Sec-

1       retary of Defense shall submit to the congressional  
2       defense committees a report on the results of the as-  
3       sessment conducted under subsection (a).

4               (2) ELEMENTS.—The report under paragraph  
5       (1) shall include—

6                       (A) a cost estimate to make any improve-  
7                       ments recommended pursuant to the assess-  
8                       ment under subsection (a), disaggregated by  
9                       military department and installation; and

10                      (B) an estimated schedule for making such  
11                      improvements.

12 **SEC. 2816. IMPROVEMENT OF DEPARTMENT OF DEFENSE**  
13                       **CHILD DEVELOPMENT CENTERS AND IN-**  
14                       **CREASED AVAILABILITY OF CHILD CARE FOR**  
15                       **CHILDREN OF MILITARY PERSONNEL.**

16       (a) SAFETY INSPECTION OF CHILD DEVELOPMENT  
17       CENTERS.—Not later than one year after the date of the  
18       enactment of this Act, each Secretary of a military depart-  
19       ment shall complete an inspection of all facilities under  
20       the jurisdiction of that Secretary used as a child develop-  
21       ment center to identify any unresolved safety issues, in-  
22       cluding lead, asbestos, and mold, that adversely impact the  
23       facilities.

24       (b) BRIEFING ON RESULTS OF SAFETY INSPECTIONS  
25       AND REMEDIATION PLANS.—

1           (1) BRIEFING REQUIRED.—Not later than  
2           March 1, 2022, each Secretary of a military depart-  
3           ment shall brief the Committees on Armed Services  
4           of the Senate and the House of Representatives re-  
5           garding the results of the safety inspections con-  
6           ducted of child development centers under the juris-  
7           diction of that Secretary.

8           (2) REQUIRED ELEMENTS OF BRIEFING.—In  
9           the briefing required by paragraph (1), the Sec-  
10          retary of a military department shall provide the fol-  
11          lowing:

12                   (A) A list of any child development centers  
13                   under the jurisdiction of that Secretary consid-  
14                   ered to be in poor or failing condition. In the  
15                   case of each child development center included  
16                   on this list, the Secretary shall provide a reme-  
17                   diation plan for the child development center,  
18                   which shall include the following elements:

19                           (i) An estimate of the funding re-  
20                           quired to complete the remediation plan.

21                           (ii) The Secretary's funding strategy  
22                           to complete the remediation plan.

23                           (iii) Any additional statutory authori-  
24                           ties the Secretary needs to complete the re-  
25                           mediation plan



1 (B) A list of life-threatening and non-life-  
2 threatening violations during the previous three  
3 years recorded at child development centers  
4 under the jurisdiction of that Secretary that are  
5 not included on the list required by subpara-  
6 graph (A), which shall include the name of the  
7 installation where the violation occurred and  
8 date of inspection.

9 (C) A list of what that Secretary considers  
10 a life-threatening and non-life-threatening viola-  
11 tion, including with regard to the presence of  
12 lead, asbestos, and mold.

13 (D) A list of how often the 90-day remedi-  
14 ation requirement has been waived and the  
15 name of each child development center under  
16 the jurisdiction of that Secretary at which a  
17 waiver was granted.

18 (E) Data on child development center clo-  
19 sures under the jurisdiction of that Secretary  
20 due to a non-life-threatening violation not rem-  
21 edied within 90 days.

22 (F) An additional plan to conduct preven-  
23 tive maintenance on other child development  
24 centers under the jurisdiction of that Secretary

1 to prevent additional child development centers  
2 from degrading to poor or failing condition.

3 (c) PARTNERSHIPS ENCOURAGED FOR CHILD CARE  
4 FOR CHILDREN OF MILITARY PERSONNEL.—Beginning  
5 one year after the date of the enactment of this Act, and  
6 pursuant to such regulations as the Secretary of Defense  
7 may prescribe, each Secretary of a military department  
8 is encouraged to enter into agreements with public and  
9 private entities to provide child care to the children of per-  
10 sonnel (including members of the Armed Forces and civil-  
11 ian employees of the Department of Defense) under the  
12 jurisdiction of that Secretary.

13 (d) ANNUAL STATUS UPDATES.—Not later than 18  
14 months after the date of the enactment of this Act, and  
15 every 12 months thereafter, each Secretary of a military  
16 department shall brief the Committees on Armed Services  
17 of the Senate and the House of Representatives on the  
18 progress made by that Secretary—

19 (1) in implementing the child development cen-  
20 ter remediation plans required by subsection  
21 (b)(2)(A) for child development centers under the ju-  
22 risdiction of that Secretary considered to be in  
23 “poor” or “failing” condition, including details  
24 about projects planned, funded, under construction,  
25 and completed under the plans;

1           (2) in conducting preventive maintenance on  
2 other child development centers under the jurisdic-  
3 tion of that Secretary pursuant to the preventive  
4 maintenance plan required by subsection (b)(2)(F);  
5 and

6           (3) in entering into partnerships encouraged by  
7 subsection (c), including with regard to each part-  
8 nership—

9           (A) the terms of the agreement, including  
10 cost to the United States;

11           (B) the number of children described in  
12 such subparagraph projected to receive child  
13 care under the partnership; and

14           (C) if applicable, the actual number of  
15 such children who received child care under the  
16 partnership during the previous year.

17       (e) CHILD DEVELOPMENT CENTER DEFINED.—In  
18 this section, the term “child development center” has the  
19 meaning given that term in section 2871(2) of title 10,  
20 United States Code, and includes facilities identified as  
21 a child care center or day care center.

1           **Subtitle C—Real Property and**  
2           **Facilities Administration**

3   **SEC. 2821. SECRETARY OF THE NAVY AUTHORITY TO SUP-**  
4                   **PORT DEVELOPMENT AND OPERATION OF**  
5                   **NATIONAL MUSEUM OF THE UNITED STATES**  
6                   **NAVY.**

7           Chapter 861 of title 10, United States Code, is  
8   amended by inserting after section 8616 the following new  
9   section:

10   **“§ 8617. National Museum of the United States Navy**

11           “(a) AUTHORITY TO SUPPORT DEVELOPMENT AND  
12   OPERATION OF MUSEUM.—(1) The Secretary of the Navy  
13   may select and enter into a contract, cooperative agree-  
14   ment, or other agreement with one or more eligible non-  
15   profit organizations to support the development, design,  
16   construction, renovation, or operation of a multipurpose  
17   museum to serve as the National Museum of the United  
18   States Navy.

19           “(2) The Secretary may—

20                   “(A) authorize a partner organization to con-  
21   tract for each phase of development, design, con-  
22   struction, renovation, or operation of the museum,  
23   or all such phases; or

24                   “(B) authorize acceptance of funds from a part-  
25   ner organization for each or all such phases.

1           “(b) PURPOSES OF MUSEUM.—(1) The museum shall  
2 be used for the identification, curation, storage, and public  
3 viewing of artifacts and artwork of significance to the  
4 Navy, as agreed to by the Secretary of the Navy.

5           “(2) The museum also may be used to support such  
6 education, training, research, and associated activities as  
7 the Secretary considers compatible with and in support of  
8 the museum and the mission of the Naval History and  
9 Heritage Command.

10          “(c) ACCEPTANCE UPON COMPLETION.—Upon the  
11 satisfactory completion, as determined by the Secretary of  
12 the Navy, of any phase of the museum, and upon the satis-  
13 faction of any financial obligations incident thereto, the  
14 Secretary shall accept such phase of the museum from the  
15 partner organization, and all right, title, and interest in  
16 and to such phase of the museum shall vest in the United  
17 States. Upon becoming the property of the United States,  
18 the Secretary shall assume administrative jurisdiction over  
19 such phase of the museum.

20          “(d) LEASE AUTHORITY.—(1) The Secretary of the  
21 Navy may lease portions of the museum to an eligible non-  
22 profit organization for use in generating revenue for the  
23 support of activities of the museum and for such adminis-  
24 trative purposes as may be necessary for support of the

1 museum. Such a lease may not include any part of the  
2 collection of the museum.

3 “(2) Any rent received by the Secretary under a lease  
4 under paragraph (1), including rent-in-kind, shall be used  
5 solely to cover or defray the costs of development, mainte-  
6 nance, or operation of the museum.

7 “(e) AUTHORITY TO ACCEPT GIFTS.—(1) The Sec-  
8 retary of the Navy may accept, hold, administer, and  
9 spend any gift, devise, or bequest of real property, per-  
10 sonal property, or money made on the condition that the  
11 gift, devise, or bequest be used for the benefit, or in con-  
12 nection with, the establishment, operation, or mainte-  
13 nance, of the museum. Section 2601 (other than sub-  
14 sections (b), (c), and (e)) of this title shall apply to gifts  
15 accepted under this subsection.

16 “(2) The Secretary may display at the museum rec-  
17 ognition for an individual or organization that contributes  
18 money to a partner organization, or an individual or orga-  
19 nization that contributes a gift directly to the Navy, for  
20 the benefit of the museum, whether or not the contribution  
21 is subject to the condition that the recognition be provided.  
22 The Secretary shall prescribe regulations governing the  
23 circumstances under which contributor recognition may be  
24 provided, appropriate forms of recognition, and suitable  
25 display standards.

1       “(3) The Secretary may authorize the sale of donated  
2 property received under paragraph (1). A sale under this  
3 paragraph need not be conducted in accordance with dis-  
4 posal requirements that would otherwise apply, so long as  
5 the sale is conducted at arms-length and includes an  
6 auditable transaction record.

7       “(4) Any money received under paragraph (1) and  
8 any proceeds from the sale of property under paragraph  
9 (3) shall be deposited into a fund established in the Treas-  
10 ury to support the museum.

11       “(f) ADDITIONAL TERMS AND CONDITIONS.—The  
12 Secretary of the Navy may require such additional terms  
13 and conditions in connection with a contract, cooperative  
14 agreement, or other agreement under subsection (a) or a  
15 lease under subsection (d) as the Secretary considers ap-  
16 propriate to protect the interests of the United States.

17       “(g) USE OF NAVY INDICATORS.—(1) In a contract,  
18 cooperative agreement, or other agreement under sub-  
19 section (a) or a lease under subsection (d), the Secretary  
20 of the Navy may authorize, consistent with section 2260  
21 (other than subsection (d)) of this title, a partner organi-  
22 zation to enter into licensing, marketing, and sponsorship  
23 agreements relating to Navy indicators, including the  
24 manufacture and sale of merchandise for sale by the mu-

1 seum, subject to the approval of the Department of the  
2 Navy.

3 “(2) No such licensing, marketing, or sponsorship  
4 agreement may be entered into if it would reflect unfavor-  
5 ably on the ability of the Department of the Navy, any  
6 of its employees, or any member of the armed forces to  
7 carry out any responsibility or duty in a fair and objective  
8 manner, or if the Secretary determines that the use of the  
9 Navy indicator would compromise the integrity or appear-  
10 ance of integrity of any program of the Department of  
11 the Navy.

12 “(h) DEFINITIONS.—In this section:

13 “(1) The term ‘eligible nonprofit organization’  
14 means an entity that—

15 “(A) qualifies as an exempt organization  
16 under section 501(c)(3) of the Internal Revenue  
17 Code of 1986; and

18 “(B) has as its primary purpose the pres-  
19 ervation and promotion of the history and herit-  
20 age of the Navy.

21 “(2) The term ‘museum’ means the National  
22 Museum of the United States Navy, including its fa-  
23 cilities and grounds.

24 “(3) The term ‘Navy indicator’ includes trade-  
25 marks and service marks, names, identities, abbreviations,



1 viations, official insignia, seals, emblems, and acro-  
2 nyms of the Navy and Marine Corps, including un-  
3 derlying units, and specifically includes the term  
4 ‘National Museum of the United States Navy’.

5 “(4) The term ‘partner organization’ means an  
6 eligible nonprofit organization with whom the Sec-  
7 retary of the Navy enters into a contract, coopera-  
8 tive agreement, or other agreement under subsection  
9 (a) or a lease under subsection (d).”.

10 **SEC. 2822. EXPANSION OF SECRETARY OF THE NAVY AU-**  
11 **THORITY TO LEASE AND LICENSE UNITED**  
12 **STATES NAVY MUSEUM FACILITIES TO GEN-**  
13 **ERATE REVENUE TO SUPPORT MUSEUM AD-**  
14 **MINISTRATION AND OPERATIONS.**

15 (a) INCLUSION OF ADDITIONAL UNITED STATES  
16 NAVY MUSEUMS.—Section 2852 of the Military Construc-  
17 tion Authorization Act for Fiscal Year 2006 (division B  
18 of Public Law 109–163; 119 Stat. 3530) is amended—

19 (1) in subsection (a)—

20 (A) by striking the text preceding para-  
21 graph (1) and inserting “The Secretary of the  
22 Navy may lease or license any portion of the fa-  
23 cilities of a United States Navy museum to a  
24 foundation established to support that museum

1 for the purpose of permitting the foundation to  
2 carry out the following activities:”; and

3 (B) in paragraphs (1) and (2), by striking  
4 “the United States Navy Museum” and insert-  
5 ing “that United States Navy museum”;

6 (2) in subsection (b), by striking “the United  
7 States Navy Museum” and inserting “the United  
8 States Navy museum of which the facility is a part”;

9 (3) in subsection (c), by striking “the Naval  
10 Historical Foundation” and inserting “a foundation  
11 described in subsection (a)”;

12 (4) in subsection (d)—

13 (A) by striking “the United States Navy  
14 Museum” and inserting “the applicable United  
15 States Navy museum”; and

16 (B) by striking “the Museum” and insert-  
17 ing “that museum”.

18 (b) UNITED STATES NAVY MUSEUM DEFINED.—

19 Section 2852 of the Military Construction Authorization  
20 Act for Fiscal Year 2006 (division B of Public Law 109–  
21 163; 119 Stat. 3530) is amended by adding at the end  
22 the following new subsection:

23 “(f) UNITED STATES NAVY MUSEUM.—In this sec-  
24 tion, the term ‘United States Navy museum’ means a mu-  
25 seum under the jurisdiction of the Secretary of Defense

1 and operated through the Naval History and Heritage  
2 Command.”.

3 (c) CONFORMING CLERICAL AMENDMENT.—The  
4 heading of section 2852 of the Military Construction Au-  
5 thorization Act for Fiscal Year 2006 (division B of Public  
6 Law 109–163; 119 Stat. 3530) is amended by striking  
7 “AT WASHINGTON, NAVY YARD, DISTRICT OF CO-  
8 LUMBIA”.

9 **Subtitle D—Military Facilities**  
10 **Master Plan Requirements**

11 **SEC. 2831. COOPERATION WITH STATE AND LOCAL GOV-**  
12 **ERNMENTS IN DEVELOPMENT OF MASTER**  
13 **PLANS FOR MAJOR MILITARY INSTALLA-**  
14 **TIONS.**

15 Section 2864(a) of title 10, United States Code, is  
16 amended by adding at the end the following new para-  
17 graph:

18 “(3)(A) The commander of a major military installa-  
19 tion shall develop and update the master plan for that  
20 major military installation in consultation with representa-  
21 tives of the government of the State in which the installa-  
22 tion is located and representatives of local governments  
23 in the vicinity of the installation to improve cooperation  
24 and consistency between the Department of Defense and

1 such governments in addressing each component of the  
2 master plan described in paragraph (1).

3 “(B) The consultation required by subparagraph (A)  
4 is in addition to the consultation specifically required by  
5 subsection (b)(1) in connection with the transportation  
6 component of the master plan for a major military instal-  
7 lation.”.

8 **SEC. 2832. ADDITIONAL CHANGES TO REQUIREMENTS RE-**  
9 **GARDING MASTER PLANS FOR MAJOR MILI-**  
10 **TARY INSTALLATIONS.**

11 (a) CONSIDERATION OF MILITARY INSTALLATION  
12 RESILIENCE.—Section 2864(a)(2)(E) of title 10, United  
13 States Code, is amended by inserting before the period at  
14 the end the following: “and military installation resil-  
15 ience”.

16 (b) COORDINATION EFFORTS RELATED TO MILITARY  
17 INSTALLATION RESILIENCE COMPONENT.—Section  
18 2864(c) of title 10, United States Code, is amended—

19 (1) by redesignating paragraph (7) as para-  
20 graph (8); and

21 (2) by inserting after paragraph (6) the fol-  
22 lowing new paragraph:

23 “(7) Extent of current coordination efforts and  
24 plans for additional coordination, as of the time of  
25 the development of the plan, with public or private

1 entities for the purpose of maintaining or enhancing  
2 military installation resilience or resilience of the  
3 community infrastructure and resources described in  
4 paragraph (5).”.

5 (c) CROSS REFERENCE TO DEFINITION OF MILITARY  
6 INSTALLATION RESILIENCE.—Section 2864(f) of title 10,  
7 United States Code, is amended by adding at the end the  
8 following new paragraph:

9 “(6) The term ‘military installation resilience’  
10 has the meaning given that term in section 101(e)  
11 of this title.”.

12 **SEC. 2833. PROMPT COMPLETION OF MILITARY INSTALLA-**  
13 **TION RESILIENCE COMPONENT OF MASTER**  
14 **PLANS FOR AT-RISK MAJOR MILITARY IN-**  
15 **STALLATIONS.**

16 (a) IDENTIFICATION OF AT-RISK INSTALLATIONS.—  
17 Not later than 30 days after the date of the enactment  
18 of this Act, each Secretary of a military department  
19 shall—

20 (1) identify at least two major military installa-  
21 tions under the jurisdiction of that Secretary that  
22 the Secretary considers at risk from extreme weath-  
23 er events; and

24 (2) notify the Committees on Armed Services of  
25 the Senate and the House of Representatives of the

1 major military installations identified under para-  
2 graph (1).

3 (b) COMPLETION DEADLINE.—Not later than one  
4 year after the date of the enactment of this Act, each Sec-  
5 retary of a military department shall ensure that the mili-  
6 tary installation resilience component of the master plan  
7 for each major military installation identified by the Sec-  
8 retary under subsection (a) is completed.

9 (c) BRIEFINGS.—Not later than 60 days after com-  
10 pletion of a master plan component as required by sub-  
11 section (b) for a major military installation, the Secretary  
12 of the military department concerned shall brief the Com-  
13 mittees on Armed Services of the Senate and the House  
14 of Representatives regarding the results of the master  
15 plan efforts for that major military installation.

16 (d) DEFINITIONS.—In this section:

17 (1) The term “major military installation” has  
18 the meaning given that term in section 2864(f) of  
19 title 10, United States Code.

20 (2) The term “master plan” means the master  
21 plan required by section 2864(a) of title 10, United  
22 States Code, for a major military installation.

1 **SEC. 2834. MASTER PLANS AND INVESTMENT STRATEGIES**  
2 **FOR ARMY AMMUNITION PLANTS GUIDING**  
3 **FUTURE INFRASTRUCTURE, FACILITY, AND**  
4 **PRODUCTION EQUIPMENT IMPROVEMENTS.**

5 (a) SUBMISSION OF MASTER PLANS AND INVEST-  
6 MENT STRATEGIES.—Not later than March 31, 2022, the  
7 Secretary of the Army shall submit to the congressional  
8 defense committees a report containing the following:

9 (1) The master plan for each of the ammuni-  
10 tion organic industrial base production facilities  
11 under the jurisdiction of the Secretary of the Army  
12 (in this section referred to as an “ammunition pro-  
13 duction facility”) that was developed to guide plan-  
14 ning and budgeting for future infrastructure con-  
15 struction, facility improvements, and production  
16 equipment needs at the ammunition production facil-  
17 ity.

18 (2) An investment strategy to address the facil-  
19 ity, major equipment, and infrastructure require-  
20 ments at each ammunition production facility in  
21 order to support the readiness and material avail-  
22 ability goals of current and future weapons systems  
23 of the Department of Defense.

24 (b) ELEMENTS OF MASTER PLAN.—To satisfy the  
25 requirements of subsection (a)(1), the master plan for an  
26 ammunition production facility must incorporate the re-

1 sults of a review of industrial processes, logistics streams,  
2 and workload distribution required to support production  
3 objectives and the facility requirements to support opti-  
4 mized processes and include the following specific ele-  
5 ments:

6 (1) A description of all infrastructure construc-  
7 tion and facility improvements planned or being con-  
8 sidered for the ammunition production facility and  
9 production equipment planned or being considered  
10 for installation, modernization, or replacement.

11 (2) An explanation of how the master plan for  
12 the ammunition production facility will promote effi-  
13 cient, effective, resilient, secure, and cost-effective  
14 production of ammunition and ammunition compo-  
15 nents for the Armed Forces.

16 (3) A description of how development of the  
17 master plan for the ammunition production facility  
18 included input from the contractor operating the  
19 ammunition production facility and how implementa-  
20 tion of that master plan will be coordinated with the  
21 contractor.

22 (4) A review of current and projected workload  
23 requirements for the manufacturing of energetic ma-  
24 terials, including propellants, explosives, pyrotech-  
25 nics, and the ingredients for propellants, explosives,



1 and pyrotechnics, to assess efficiencies in the use of  
2 existing facilities, including consideration of new  
3 weapons characteristics and requirements, obsoles-  
4 cence of facilities, siting of facilities and equipment,  
5 and various constrained process flows.

6 (5) An analysis of life-cycle costs to repair and  
7 modernize existing mission-essential facilities versus  
8 the cost to consolidate functions into modern, right-  
9 sized facilities at each location to meet current and  
10 programmed future mission requirements.

11 (6) A review of the progress made in  
12 prioritizing and funding projects that facilitate proc-  
13 ess efficiencies and consolidate and contribute to  
14 availability cost and schedule reductions.

15 (7) An accounting of the backlog of restoration  
16 and modernization projects at the ammunition pro-  
17 duction facility.

18 (c) ELEMENTS OF INVESTMENT STRATEGY.—To sat-  
19 isfy the requirements of subsection (a)(2), the investment  
20 strategy for an ammunition production facility must in-  
21 clude the following specific elements:

22 (1) A description of the funding sources for  
23 such infrastructure construction, facility improve-  
24 ments, and production equipment, including author-  
25 ized military construction projects, appropriations

1 available for operation and maintenance, and appro-  
2 priations available for procurement of Army ammu-  
3 nition in order to support the readiness and material  
4 availability goals of current and future weapons sys-  
5 tems of the Department of Defense.

6 (2) A timeline to complete the investment strat-  
7 egy.

8 (3) A list of projects and a brief scope of work  
9 for each such project.

10 (4) Cost estimates necessary to complete  
11 projects for mission essential facilities.

12 (d) ANNUAL UPDATES.—Not later than March 31,  
13 2023, and each March 31 thereafter through March 31,  
14 2026, the Secretary of the Army shall submit to the con-  
15 gressional defense committees a report containing the fol-  
16 lowing:

17 (1) A description of any revisions made during  
18 the previous year to master plans and investment  
19 strategies submitted under subsection (a).

20 (2) A description of any revisions to be made or  
21 being considered to the master plans and investment  
22 strategies.

23 (3) An explanation of the reasons for each revi-  
24 sion, whether made, to be made, or being considered.

1 (4) A description of the progress made in im-  
2 proving infrastructure, facility, and production  
3 equipment at each ammunition production facility  
4 consistent with the master plans and investment  
5 strategies.

6 (e) DELEGATION AUTHORITY.—The Secretary of the  
7 Army shall carry out this section acting through the As-  
8 sistant Secretary of the Army for Acquisition, Logistics,  
9 and Technology.

10 **Subtitle E—Matters Related to Uni-**  
11 **fied Facilities Criteria and Mili-**  
12 **tary Construction Planning and**  
13 **Design**

14 **SEC. 2841. AMENDMENT OF UNIFIED FACILITIES CRITERIA**  
15 **TO REQUIRE INCLUSION OF PRIVATE NURS-**  
16 **ING AND LACTATION SPACE IN CERTAIN**  
17 **MILITARY CONSTRUCTION PROJECTS.**

18 (a) AMENDMENT REQUIRED.—The Secretary of De-  
19 fense shall amend UFC 1–4.2 (Nursing and Lactation  
20 Rooms) of the Unified Facilities Criteria/DoD Building  
21 Code (UFC 1–200–01) to require that military construc-  
22 tion planning and design for buildings likely to be regu-  
23 larly frequented by nursing mothers who are members of  
24 the uniformed services, civilian employees of the Depart-  
25 ment of Defense, contractor personnel, or visitors include

1 a private nursing and lactation room or other private  
2 space suitable for that purpose.

3 (b) DEADLINE.—The Secretary of Defense shall com-  
4 plete the amendment process required by subsection (a)  
5 and implement the amended UFC 1–4.2 not later than  
6 one year after the date of the enactment of this Act.

7 **SEC. 2842. REVISIONS TO UNIFIED FACILITIES CRITERIA**  
8 **REGARDING USE OF VARIABLE REFRIG-**  
9 **ERANT FLOW SYSTEMS.**

10 (a) PUBLICATION AND COMMENT PERIOD REQUIRE-  
11 MENTS.—The Under Secretary of Defense for Acquisition  
12 and Sustainment shall publish any proposed revisions to  
13 the Unified Facilities Criteria regarding the use of vari-  
14 able refrigerant flow systems in the Federal Register and  
15 shall specify a comment period of at least 60 days.

16 (b) NOTICE AND JUSTIFICATION REQUIREMENTS.—  
17 The Secretary of Defense shall submit to the Committees  
18 on Armed Services of the Senate and the House of Rep-  
19 resentatives a written notice and justification for any pro-  
20 posed revisions to the Unified Facilities Criteria regarding  
21 the use of variable refrigerant flow systems not later than  
22 30 days after the date of publication in the Federal Reg-  
23 ister.

1 **SEC. 2843. AMENDMENT OF UNIFIED FACILITIES CRITERIA**  
2 **TO PROMOTE ENERGY EFFICIENT MILITARY**  
3 **INSTALLATIONS.**

4 (a) UNIFIED FACILITIES CRITERIA AMENDMENT RE-  
5 QUIRED.—To the extent practicable, the Secretary of De-  
6 fense shall amend the Unified Facilities Criteria relating  
7 to military construction planning and design to ensure  
8 that building practices and standards of the Department  
9 of Defense incorporate the latest consensus-based codes  
10 and standards for energy efficiency and conservation, in-  
11 cluding the 2021 International Energy Conservation Code  
12 and the ASHRAE Standard 90.1-2019.

13 (b) IMPLEMENTATION OF AMENDMENT.—The Sec-  
14 retary of Defense shall complete the amendment process  
15 required by subsection (a) in a timely manner so that any  
16 Department of Defense Form 1391 submitted to Congress  
17 in connection with the budget submission for fiscal year  
18 2024 and thereafter complies with the Unified Facilities  
19 Criteria, as amended pursuant to such subsection.

20 (c) REPORTING REQUIREMENT.—Not later than Feb-  
21 ruary 1, 2024, the Secretary of Defense shall submit to  
22 the Committees on Armed Services of the House of Rep-  
23 resentatives and the Senate a report—

24 (1) describing the extent to which the Unified  
25 Facilities Criteria, as amended pursuant to sub-  
26 section (a), incorporate the latest consensus-based

1 codes and standards for energy efficiency and con-  
2 servation, including the 2021 International Energy  
3 Conservation Code and the ASHRAE Standard  
4 90.1-2019, as required by such subsection; and

5 (2) in the case of any instance in which the  
6 Unified Facilities Criteria continues to deviate from  
7 such consensus-based codes and standards for en-  
8 ergy efficiency and conservation, identifying the de-  
9 viation and explaining the reasons for the deviation.

10 **SEC. 2844. ADDITIONAL DEPARTMENT OF DEFENSE ACTIVI-**  
11 **TIES TO IMPROVE ENERGY RESILIENCY OF**  
12 **MILITARY INSTALLATIONS.**

13 (a) CONSIDERATION OF INCLUDING ENERGY  
14 MICROGRID IN MILITARY CONSTRUCTION PROJECTS.—

15 (1) AMENDMENT OF UNIFIED FACILITIES CRI-  
16 TERIA REQUIRED.—The Secretary of Defense shall  
17 amend the Unified Facilities Criteria/DoD Building  
18 Code (UFC 1–200–01) to require that planning and  
19 design for military construction projects inside the  
20 United States include consideration of the feasibility  
21 and cost-effectiveness of installing an energy  
22 microgrid as part of the project, including inten-  
23 tional islanding capability of at least seven consecu-  
24 tive days, for the purpose of—

1 (A) promoting on-installation energy secu-  
2 rity and energy resilience; and

3 (B) facilitating implementation and greater  
4 use of the authority provided by subsection (h)  
5 of section 2911 of title 10, United States Code,  
6 as added and amended by section 2825 of the  
7 Military Construction Authorization Act for  
8 Fiscal Year 2021 (division B of Public Law  
9 116–283).

10 (2) DEADLINE.—The Secretary of Defense shall  
11 complete the amendment process required by para-  
12 graph (1) and implement the amendment not later  
13 than September 1, 2022.

14 (b) CONTRACTS FOR EMERGENCY ACCESS TO EXIST-  
15 ING ON-INSTALLATION RENEWABLE ENERGY SOURCES.—  
16 In the case of a covered renewable energy generating  
17 source located on a military installation pursuant to a  
18 lease of non-excess defense property under section 2667  
19 of title 10, United States Code, the Secretary of the mili-  
20 tary department concerned is encouraged to negotiate with  
21 the owner and operator of the renewable energy gener-  
22 ating source to revise the lease contract to permit the mili-  
23 tary installation to access the renewable energy generating  
24 source during an emergency. The negotiations shall in-  
25 clude consideration of the ease of modifying the renewable

1 energy generating source to include an islanding capa-  
2 bility, the necessity of additional infrastructure to tie the  
3 renewable energy generating source into the installation  
4 energy grid, and the cost of such modifications and infra-  
5 structure.

6 (c) DEFINITIONS.—In this section:

7 (1) The term “covered renewable energy gener-  
8 ating source” means a renewable energy generating  
9 source that, on the date of the enactment of this  
10 Act—

11 (A) is located on a military installation in-  
12 side the United States; but

13 (B) cannot be used as a direct source of  
14 resilient energy for the installation in the event  
15 of a power disruption.

16 (2) The term “islanding capability” refers to  
17 the ability to remove an energy system, such as a  
18 microgrid, from the local utility grid and to operate  
19 the energy system, at least temporarily, as an inte-  
20 grated, stand-alone system, during an emergency in-  
21 volving the loss of external electric power supply.

22 (3) The term “microgrid” means an integrated  
23 energy system consisting of interconnected loads and  
24 energy resources with an islanding capability to per-  
25 mit functioning separate from the local utility grid.



1           **Subtitle F—Land Conveyances**

2   **SEC. 2851. MODIFICATION OF RESTRICTIONS ON USE OF**  
3                   **FORMER NAVY PROPERTY CONVEYED TO**  
4                   **UNIVERSITY OF CALIFORNIA, SAN DIEGO,**  
5                   **CALIFORNIA.**

6           (a) MODIFICATION OF ORIGINAL USE RESTRIC-  
7   TION.—Section 3(a) of Public Law 87–662 (76 Stat. 546)  
8   is amended by inserting after “educational purposes” the  
9   following: “, which may include technology innovation and  
10   entrepreneurship programs and establishment of innova-  
11   tion incubators”.

12          (b) EXECUTION.—If necessary to effectuate the  
13   amendment made by subsection (a), the Secretary of the  
14   Navy shall execute and file in the appropriate office an  
15   amended deed or other appropriate instrument reflecting  
16   the modification of restrictions on the use of former Camp  
17   Matthews conveyed to the regents of the University of  
18   California pursuant to Public Law 87–662.

19   **SEC. 2852. LAND CONVEYANCE, JOINT BASE CAPE COD,**  
20                   **BOURNE, MASSACHUSETTS.**

21          (a) CONVEYANCE AUTHORIZED.—The Secretary of  
22   the Air Force may convey to the Commonwealth of Massa-  
23   chusetts (in this section referred to as the “Common-  
24   wealth”) all right, title, and interest of the United States  
25   in and to a parcel of real property, including improve-

1 ments thereon and related easements, consisting of ap-  
2 proximately 10 acres located on Joint Base Cape Cod,  
3 Bourne, Massachusetts.

4 (b) CONDITIONS OF CONVEYANCE.—The conveyance  
5 under subsection (a) shall be subject to valid existing  
6 rights and the Commonwealth shall accept the real prop-  
7 erty, and any improvements thereon, in its condition at  
8 the time of the conveyance (commonly known as a convey-  
9 ance “as is”).

10 (c) CONSIDERATION.—

11 (1) CONSIDERATION REQUIRED.—As consider-  
12 ation for the conveyance under subsection (a), the  
13 Commonwealth shall pay to the United States an  
14 amount equal to the fair market value of the right,  
15 title, and interest conveyed under subsection (a)  
16 based on an appraisal approved by the Secretary.

17 (2) TREATMENT OF CONSIDERATION RE-  
18 CEIVED.—Consideration received under paragraph  
19 (1) shall be deposited in the special account in the  
20 Treasury established under subsection (b) of section  
21 572 of title 40, United States Code, and shall be  
22 available in accordance with paragraph (5)(B) of  
23 such subsection.

24 (d) PAYMENT OF COSTS OF CONVEYANCE.—

1           (1) PAYMENT REQUIRED.—The Secretary of  
2           the Air Force shall require the Commonwealth to  
3           cover all costs (except costs for environmental reme-  
4           diation of the property) to be incurred by the Sec-  
5           retary, or to reimburse the Secretary for costs in-  
6           curred by the Secretary, to carry out the conveyance  
7           under subsection (a), including survey costs, costs  
8           for environmental documentation, and any other ad-  
9           ministrative costs related to the conveyance. If  
10          amounts are collected from the Commonwealth in  
11          advance of the Secretary incurring the actual costs,  
12          and the amount collected exceeds the costs actually  
13          incurred by the Secretary to carry out the convey-  
14          ance, the Secretary shall refund the excess amount  
15          to the Commonwealth.

16          (2) TREATMENT OF AMOUNTS RECEIVED.—  
17          Amounts received as reimbursement under para-  
18          graph (1) shall be credited to the fund or account  
19          that was used to cover the costs incurred by the Sec-  
20          retary in carrying out the conveyance or, if the pe-  
21          riod of availability for obligations for that appropria-  
22          tion has expired, to an appropriate fund or account  
23          currently available to the Secretary for the same  
24          purpose. Amounts so credited shall be merged with  
25          amounts in such fund or account, and shall be avail-

1       able for the same purposes, and subject to the same  
2       conditions and limitations, as amounts in such fund  
3       or account.

4       (e) DESCRIPTION OF PROPERTY.—The exact acreage  
5       and legal description of the property to be conveyed under  
6       subsection (a) shall be determined by a survey satisfactory  
7       to the Secretary of the Air Force.

8       (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
9       retary of the Air Force may require such additional terms  
10      and conditions in connection with the conveyance under  
11      subsection (a) as the Secretary considers appropriate to  
12      protect the interests of the United States.

13      **SEC. 2853. LAND CONVEYANCE, SAINT JOSEPH, MISSOURI.**

14      (a) CONVEYANCE AUTHORIZED.—At such time as the  
15      Missouri Air National Guard vacates their existing loca-  
16      tion on the southern end of the airfield at Rosecrans Me-  
17      morial Airport in Saint Joseph, Missouri, as determined  
18      by the Secretary of the Air Force, the Secretary may con-  
19      vey to the City of Saint Joseph, Missouri (in this section  
20      referred to as the “City”), all right, title, and interest of  
21      the United States in and to a parcel of real property, in-  
22      cluding any improvements thereon, consisting of approxi-  
23      mately 54 acres at the Rosecrans Air National Guard  
24      Base in Saint Joseph, Missouri, for the purpose of remov-  
25      ing the property from the boundaries of the Rosecrans Air

1 National Guard Base and accommodating the operations  
2 and maintenance needs of the Rosecrans Memorial Airport  
3 as well as the development of the parcels and buildings  
4 for economic purposes.

5 (b) CONDITION OF CONVEYANCE.—The conveyance  
6 under subsection (a) shall be subject to valid existing  
7 rights and the City shall accept the real property (and any  
8 improvements thereon) in its condition at the time of the  
9 conveyance (commonly known as a conveyance “as is”).

10 (c) CONSIDERATION.—

11 (1) REQUIREMENT.—As consideration for the  
12 conveyance of the property under subsection (a), the  
13 City shall provide the United States an amount that  
14 is equivalent to the fair market value of the right,  
15 title, and interest conveyed under subsection (a)  
16 based on an appraisal approved by the Secretary of  
17 the Air Force.

18 (2) TYPES OF CONSIDERATION.—

19 (A) IN GENERAL.—Except as provided in  
20 subparagraph (B), the consideration required to  
21 be provided under paragraph (1) may be pro-  
22 vided by land exchange, in-kind consideration  
23 described in subparagraph (D), or a combina-  
24 tion thereof.

1 (B) LESS THAN FAIR MARKET VALUE.—If  
2 the value of the land exchange or in-kind con-  
3 sideration provided under subparagraph (A) is  
4 less than the fair market value of the property  
5 interest to be conveyed under subsection (a),  
6 the City shall pay to the United States an  
7 amount equal to the difference between the fair  
8 market value of the property interest and the  
9 value of the consideration provided under sub-  
10 subparagraph (A).

11 (C) CASH CONSIDERATION.—Any cash  
12 consideration received by the United States  
13 under this subsection shall be deposited in the  
14 special account in the Treasury established  
15 under section 572(b)(5) of title 40, United  
16 States Code, and available in accordance with  
17 the provisions of subparagraph (B)(ii) of such  
18 section.

19 (D) IN-KIND CONSIDERATION.—In-kind  
20 consideration described in this subparagraph  
21 may include the construction, provision, im-  
22 provement, alteration, protection, maintenance,  
23 repair, or restoration (including environmental  
24 restoration), or a combination thereof, of any  
25 facilities or infrastructure relating to the needs

1 of the Missouri Air National Guard at Rose-  
2 crans Air National Guard Base that the Sec-  
3 retary considers appropriate.

4 (d) PAYMENT OF COSTS OF CONVEYANCE.—

5 (1) PAYMENT REQUIRED.—The Secretary of  
6 the Air Force may require the City to cover all costs  
7 to be incurred by the Secretary, or to reimburse the  
8 Secretary for costs incurred by the Secretary, to  
9 carry out the conveyance under subsection (a), in-  
10 cluding survey costs, costs related to environmental  
11 documentation, and any other administrative costs  
12 related to the conveyance. If amounts paid by the  
13 City to the Secretary in advance exceed the costs ac-  
14 tually incurred by the Secretary to carry out the  
15 conveyance, the Secretary shall refund the excess  
16 amount to the City.

17 (2) TREATMENT OF AMOUNTS RECEIVED.—  
18 Amounts received under paragraph (1) as reim-  
19 bursement for costs incurred by the Secretary to  
20 carry out the conveyance under subsection (a) shall  
21 be credited to the fund or account that was used to  
22 cover the costs incurred by the Secretary in carrying  
23 out the conveyance, or to an appropriate fund or ac-  
24 count currently available to the Secretary for the  
25 purposes for which the costs were paid. Amounts so

1 credited shall be merged with amounts in such fund  
2 or account and shall be available for the same pur-  
3 poses, and subject to the same conditions and limita-  
4 tions, as amounts in such fund or account.

5 (e) DESCRIPTION OF PROPERTY.—The exact acreage  
6 and legal description of the property to be conveyed under  
7 subsection (a) shall be determined by a survey satisfactory  
8 to the Secretary of the Air Force.

9 (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
10 retary of the Air Force may require such additional terms  
11 and conditions in connection with the conveyance under  
12 subsection (a) as the Secretary considers appropriate to  
13 protect the interests of the United States.

14 **SEC. 2854. LAND CONVEYANCE, DEPARTMENT OF DEFENSE**  
15 **EXCESS PROPERTY, ST. LOUIS, MISSOURI.**

16 (a) CONVEYANCE TO LAND CLEARANCE FOR REDE-  
17 VELOPMENT AUTHORITY OF THE CITY OF ST. LOUIS.—

18 (1) CONVEYANCE AUTHORIZED.—The Secretary  
19 of the Air Force may convey to the Land Clearance  
20 for Redevelopment Authority of the City of St. Louis  
21 (in this section referred to as the “Authority”) all  
22 right, title, and interest of the United States in and  
23 to a parcel of real property, including all improve-  
24 ments thereon, consisting of approximately 24 acres  
25 located at 3200 S. 2nd Street, St. Louis, Missouri,



1 for purpose of permitting the Authority to redevelop  
2 the property.

3 (2) LIMITATION.—The Secretary may convey to  
4 the Authority only that portion of the parcel of real  
5 property described in paragraph (1) that is declared  
6 excess to the needs of the Department of Defense.

7 (b) CONSIDERATION.—

8 (1) CONSIDERATION REQUIRED.—As consider-  
9 ation for the conveyance under subsection (a), the  
10 Authority shall pay to the Secretary of the Air Force  
11 an amount that is not less than the fair market  
12 value of the property conveyed, as determined by the  
13 Secretary, whether by cash payment, in-kind consid-  
14 eration as described under paragraph (2), or a com-  
15 bination thereof.

16 (2) IN-KIND CONSIDERATION.—In-kind consid-  
17 eration provided by the Authority under this sub-  
18 section may include the acquisition, construction,  
19 provision, improvement, maintenance, repair, or res-  
20 toration (including environmental restoration), or  
21 combination thereof, of any facilities or infrastruc-  
22 ture, or delivery of services relating to the needs  
23 that the Secretary considers acceptable.

24 (c) TERMS OF CONVEYANCE.—

1           (1) INSTRUMENT OF CONVEYANCE; ACCEPT-  
2           ANCE.—The conveyance under subsection (a) shall  
3           be subject to valid existing rights and shall be ac-  
4           complished using a quitclaim deed or other legal in-  
5           strument.

6           (2) CONDITIONS.—

7           (A) IN GENERAL.—Subject to paragraph  
8           (3), the Authority shall accept the real property  
9           conveyed under subsection (a), and any im-  
10          provements thereon, in its condition at the time  
11          of the conveyance (commonly known as a con-  
12          veyance “as is”).

13          (B) ENVIRONMENTAL CONDITIONS.—The  
14          conveyance under subsection (a) may include  
15          conditions, restrictions, or covenants related the  
16          environmental condition of the conveyed prop-  
17          erty, which shall not adversely interfere with  
18          the use of existing structures and the develop-  
19          ment of the property for commercial or indus-  
20          trial uses.

21          (C) HISTORICAL PROPERTY CONDITIONS.—  
22          The conveyance under subsection (a) may in-  
23          clude conditions, restrictions, or covenants to  
24          ensure preservation of historic property, not-  
25          withstanding the effect such conditions, restric-

1           tions, or covenants may have on reuse of the  
2           property.

3           (3) CONDUCT OF REMEDIATION.—

4                   (A) IN GENERAL.—The Secretary of the  
5           Air Force shall conduct all remediation at the  
6           real property conveyed under subsection (a)  
7           pursuant to approved activities under the Com-  
8           prehensive Environmental Response, Compensa-  
9           tion, and Liability Act of 1980 (42 U.S.C. 9601  
10          et seq.) and the Defense Environmental Res-  
11          toration Program under section 2701 of title  
12          10, United States Code.

13                   (B) COMPLETION OF REMEDIATION.—The  
14          Secretary shall complete all remediation at the  
15          parcel of land conveyed under subsection (a) in  
16          accordance with the requirements selected in  
17          the Record of Decision, Scott Air Force Base  
18          Environmental Restoration Program Site  
19          SS018, National Imagery and Mapping Agency,  
20          Second Street, dated August 2019.

21          (d) PAYMENT OF COSTS OF CONVEYANCE.—

22                   (1) PAYMENT REQUIRED.—The Secretary of  
23          the Air Force shall require the Authority to cover  
24          costs to be incurred by the Secretary, or to reim-  
25          burse the Secretary for costs incurred by the Sec-

1       retary, to carry out the conveyance under subsection  
2       (a), including costs related to environmental and real  
3       estate due diligence, and any other administrative  
4       costs related to the conveyance. If amounts are col-  
5       lected in advance of the Secretary incurring the ac-  
6       tual costs, and the amount collected exceeds the  
7       costs actually incurred by the Secretary to carry out  
8       the conveyance, the Secretary shall refund the excess  
9       amount to the Authority.

10               (2) TREATMENT OF AMOUNTS RECEIVED.—

11       Amounts received as reimbursement under para-  
12       graph (1) shall be credited to the fund or account  
13       that was used to cover those costs incurred by the  
14       Secretary in carrying out the conveyance or, if the  
15       period of availability for obligations for that appro-  
16       priation has expired, to the fund or account cur-  
17       rently available to the Secretary for the same pur-  
18       pose. Amounts so credited shall be merged with  
19       amounts in such fund or account, and shall be avail-  
20       able for the same purposes, and subject to the same  
21       conditions and limitations, as amounts in such fund  
22       or account.

23               (e) RELATION TO OTHER LAWS.—

24               (1) HISTORIC PRESERVATION.—The conveyance  
25       under subsection (a) shall be carried out in compli-



1 sisting of approximately 30 acres, known as the former  
2 Fort Macon Housing Area, located within the City limits.

3 (b) INTERIM LEASE.—Until such time as the real  
4 property described in subsection (a) is conveyed to the  
5 City, the Secretary of the Navy may lease the property  
6 to the City for 20 years.

7 (c) CONSIDERATION.—

8 (1) IN GENERAL.—As consideration for the con-  
9 veyance under subsection (a) and interim lease  
10 under subsection (b), the City shall pay to the Sec-  
11 retary of the Navy an amount that is not less than  
12 the fair market value of the property conveyed, as  
13 determined by the Secretary, whether by cash pay-  
14 ment, in-kind consideration as described under para-  
15 graph (2), or a combination thereof.

16 (2) IN-KIND CONSIDERATION.—In-kind consid-  
17 eration provided by the City under this subsection  
18 may include the acquisition, construction, provision,  
19 improvement, maintenance, repair, or restoration  
20 (including environmental restoration), or combina-  
21 tion thereof, of any facilities or infrastructure, or de-  
22 livery of services relating to the needs of Marine  
23 Corps Air Station Cherry Point, North Carolina,  
24 that the Secretary considers acceptable.

25 (3) DISPOSITION OF AMOUNTS.—

1 (A) CONVEYANCE.—Amounts received by  
2 the Secretary in exchange for the fee title of the  
3 real property described in subsection (a) shall  
4 be deposited in the special account in the  
5 Treasury established under section 572(b)(5) of  
6 title 40, United States Code, and shall be avail-  
7 able in accordance with subparagraph (B)(ii) of  
8 such section.

9 (B) INTERIM LEASE.—Amounts received  
10 by the Secretary for the interim lease of the  
11 real property described in subsection (a) shall  
12 be deposited in the special account in the  
13 Treasury established for the Secretary under  
14 subsection (e) of section 2667 of title 10,  
15 United States Code, and shall be available for  
16 use in accordance with paragraph (1)(D) of  
17 such subsection.

18 (d) PAYMENT OF COSTS OF CONVEYANCE.—

19 (1) IN GENERAL.—The Secretary of the Navy  
20 shall require the City to cover costs (except costs for  
21 environmental remediation of the property) to be in-  
22 curred by the Secretary, or to reimburse the Sec-  
23 retary for such costs incurred by the Secretary, to  
24 carry out the conveyance under subsection (a) and  
25 interim lease under subsection (b), including costs

1 for environmental and real estate due diligence and  
2 any other administrative costs related to the convey-  
3 ance.

4 (2) REFUND OF EXCESS AMOUNTS.—If  
5 amounts are collected from the City under para-  
6 graph (1) in advance of the Secretary incurring the  
7 actual costs, and the amount collected exceeds the  
8 costs actually incurred by the Secretary to carry out  
9 the conveyance under subsection (a) and interim  
10 lease under subsection (b), the Secretary shall re-  
11 fund the excess amount to the City.

12 (e) CONDITION OF CONVEYANCE.—Conveyance of  
13 real property shall be subject to all existing easements,  
14 restrictions, and covenants of record and conditioned upon  
15 the following:

16 (1) Real property shall be used for municipal  
17 park and recreational purposes, which may include  
18 ancillary uses such as vending and restrooms.

19 (2) The City shall not use Federal funds to  
20 cover any portion of the amounts required by sub-  
21 sections (c) and (d) to be paid by the City.

22 (f) DESCRIPTION OF PROPERTY.—The exact acreage  
23 and legal description of the property to be conveyed under  
24 subsection (a) shall be determined by a survey satisfactory  
25 to the Secretary of the Navy.



1 (g) EXCLUSION OF REQUIREMENTS FOR PRIOR  
2 SCREENING BY GENERAL SERVICES ADMINISTRATION  
3 FOR ADDITIONAL FEDERAL USE.—Section 2696(b) of  
4 title 10, United States Code, does not apply to the convey-  
5 ance of real property authorized under subsection (a).

6 (h) ADDITIONAL TERMS.—The Secretary of the Navy  
7 may require such additional terms and conditions in con-  
8 nection with the conveyance under subsection (a) as the  
9 Secretary considers appropriate to protect the interests of  
10 the United States.

11 **SEC. 2856. LAND CONVEYANCE, NAVAL AIR STATION**  
12 **OCEANA, VIRGINIA BEACH, VIRGINIA, TO**  
13 **CITY OF VIRGINIA BEACH, VIRGINIA.**

14 (a) CONVEYANCE AUTHORIZED.—

15 (1) IN GENERAL.—The Secretary of the Navy  
16 may convey to the City of Virginia Beach, Virginia  
17 (in this section referred to as the “City”), all right,  
18 title, and interest of the United States in and to a  
19 parcel of real property located at 4200 C Avenue,  
20 Virginia Beach, Virginia, including any improve-  
21 ments thereon, consisting of approximately 8 acres.

22 (2) AUTHORITY TO VOID LAND USE RESTRIC-  
23 TIONS.—The Secretary may void any land use re-  
24 strictions associated with the property to be con-  
25 veyed under paragraph (1).

1 (b) CONSIDERATION.—

2 (1) IN GENERAL.—As consideration for the con-  
3 veyance under subsection (a)(1), the City shall pay  
4 to the Secretary of the Navy an amount that is not  
5 less than the fair market value of the property con-  
6 veyed, as determined by the Secretary, whether by  
7 cash payment, in-kind consideration as described in  
8 paragraph (2), or a combination thereof.

9 (2) IN-KIND CONSIDERATION.—In-kind consid-  
10 eration provided by the City under this subsection  
11 may include the acquisition, construction, provision,  
12 improvement, maintenance, repair, or restoration  
13 (including environmental restoration), or combina-  
14 tion thereof, of any facilities or infrastructure, or de-  
15 livery of services relating to the needs of Naval Air  
16 Station Oceana, Virginia, that the Secretary con-  
17 siders acceptable.

18 (3) DISPOSITION OF FUNDS.—Cash received in  
19 exchange for the fee title of the property conveyed  
20 under subsection (a)(1) shall be deposited in the spe-  
21 cial account in the Treasury established under sub-  
22 paragraph (A) of section 572(b)(5) of title 40,  
23 United States Code, and shall be available for use in  
24 accordance with subparagraph (B)(ii) of such sec-  
25 tion.

1 (c) PAYMENT OF COSTS OF CONVEYANCE.—

2 (1) PAYMENT REQUIRED.—The Secretary of  
3 the Navy shall require the City to cover costs to be  
4 incurred by the Secretary, or to reimburse the Sec-  
5 retary for costs incurred by the Secretary, to carry  
6 out the conveyance under subsection (a)(1), includ-  
7 ing costs related to environmental and real estate  
8 due diligence, and any other administrative costs re-  
9 lated to the conveyance.

10 (2) REFUND OF EXCESS AMOUNTS.—If  
11 amounts are collected under paragraph (1) in ad-  
12 vance of the Secretary incurring the actual costs,  
13 and the amount collected exceeds the costs actually  
14 incurred by the Secretary to carry out the convey-  
15 ance under subsection (a)(1), the Secretary shall re-  
16 fund the excess amount to the City.

17 (3) TREATMENT OF AMOUNTS RECEIVED.—  
18 Amounts received as reimbursement under para-  
19 graph (1) shall be credited to the fund or account  
20 that was used to cover the costs incurred by the Sec-  
21 retary in carrying out the conveyance under sub-  
22 section (a)(1). Amounts so credited shall be merged  
23 with amounts in such fund or account and shall be  
24 available for the same purposes, and subject to the

1 same conditions and limitations, as amounts in such  
2 fund or account.

3 (d) DESCRIPTION OF PROPERTY.—The exact acreage  
4 and legal description of the parcel of real property to be  
5 conveyed under subsection (a)(1) shall be determined by  
6 a survey satisfactory to the Secretary of the Navy.

7 (e) ADDITIONAL TERMS AND CONDITIONS.—The  
8 Secretary of the Navy may require such additional terms  
9 and conditions in connection with the conveyance under  
10 subsection (a)(1) as the Secretary considers appropriate  
11 to protect the interests of the United States.

12 **SEC. 2857. LAND CONVEYANCE, NAVAL AIR STATION**  
13 **OCEANA, VIRGINIA BEACH, VIRGINIA, TO**  
14 **SCHOOL BOARD OF CITY OF VIRGINIA**  
15 **BEACH, VIRGINIA.**

16 (a) CONVEYANCE AUTHORIZED.—

17 (1) IN GENERAL.—The Secretary of the Navy  
18 may convey to the School Board of the City of Vir-  
19 ginia Beach, Virginia (in this section referred to as  
20 “VBCPS”) all right, title, and interest of the United  
21 States in and to a parcel of real property, including  
22 any improvements thereon, consisting of approxi-  
23 mately 2.77 acres at Naval Air Station Oceana, Vir-  
24 ginia Beach, Virginia, located at 121 West Lane  
25 (GPIN: 2407-94-0772) for the purpose of permitting

1 VBCPS to use the property for educational pur-  
2 poses.

3 (2) CONTINUATION OF EXISTING EASEMENTS,  
4 RESTRICTIONS, AND COVENANTS.—The conveyance  
5 of the property under paragraph (1) shall be subject  
6 to any easement, restriction, or covenant of record  
7 applicable to the property and in existence on the  
8 date of the enactment of this Act.

9 (b) CONSIDERATION.—

10 (1) CONSIDERATION REQUIRED; AMOUNT.—As  
11 consideration for the conveyance under subsection  
12 (a), VBCPS shall pay to the Secretary of the Navy  
13 an amount that is not less than the fair market  
14 value of the property to be conveyed, as determined  
15 by the Secretary. The Secretary's determination of  
16 fair market value shall be final of the property to be  
17 conveyed.

18 (2) FORM OF CONSIDERATION.—The consider-  
19 ation required by paragraph (1) may be in the form  
20 of a cash payment, in-kind consideration as de-  
21 scribed in paragraph (3), or a combination thereof,  
22 as acceptable to the Secretary. Cash consideration  
23 shall be deposited in the special account in the  
24 Treasury established under section 572 of title 40,  
25 United States Code, and the entire amount depos-

1       ited shall be available for use in accordance with  
2       subsection (b)(5)(ii) of such section.

3           (3) IN-KIND CONSIDERATION.—The Secretary  
4       may accept as in-kind consideration under this sub-  
5       section the acquisition, construction, provision, im-  
6       provement, maintenance, repair, or restoration (in-  
7       cluding environmental restoration), or combination  
8       thereof, of any facilities or infrastructure, or the de-  
9       livery of services, relating to the needs of Naval Air  
10      Station Oceana.

11      (c) PAYMENT OF COSTS OF CONVEYANCE.—

12           (1) PAYMENT REQUIRED.—The Secretary of  
13      the Navy shall require VBCPS to cover costs to be  
14      incurred by the Secretary, or to reimburse the Sec-  
15      retary for costs incurred by the Secretary, to carry  
16      out the conveyance under subsection (a), including  
17      costs related to environmental and real estate due  
18      diligence, and any other administrative costs related  
19      to the conveyance. If amounts are collected in ad-  
20      vance of the Secretary incurring the actual costs,  
21      and the amount collected exceeds the costs actually  
22      incurred by the Secretary to carry out the convey-  
23      ance, the Secretary shall refund the excess amount  
24      to VBCPS.

1           (2) TREATMENT OF AMOUNTS RECEIVED.—

2       Amounts received as reimbursement under para-  
3       graph (1) shall be credited to the fund or account  
4       that was used to cover those costs incurred by the  
5       Secretary in carrying out the conveyance or, if the  
6       period of availability for obligations for that appro-  
7       priation has expired, to the fund or account cur-  
8       rently available to the Secretary for the same pur-  
9       pose. Amounts so credited shall be merged with  
10      amounts in such fund or account, and shall be avail-  
11      able for the same purposes, and subject to the same  
12      conditions and limitations, as amounts in such fund  
13      or account.

14      (d) LIMITATION ON SOURCE OF FUNDS.—VBCPS  
15      may not use Federal funds to cover any portion of the  
16      costs required by subsections (b) and (c) to be paid by  
17      VBCPS.

18      (e) DESCRIPTION OF PROPERTY.—The exact acreage  
19      and legal description of the parcel of real property to be  
20      conveyed under subsection (a) shall be determined by a  
21      survey satisfactory to the Secretary of the Navy.

22      (f) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
23      retary of the Navy may require such additional terms and  
24      conditions in connection with the conveyance under sub-

1 section (a) as the Secretary considers appropriate to pro-  
2 tect the interests of the United States.

3 **Subtitle G—Authorized Pilot**  
4 **Programs**

5 **SEC. 2861. PILOT PROGRAM ON INCREASED USE OF SUS-**  
6 **TAINABLE BUILDING MATERIALS IN MILI-**  
7 **TARY CONSTRUCTION.**

8 (a) PILOT PROGRAM REQUIRED.—Each Secretary of  
9 a military department shall conduct a pilot program to  
10 evaluate the effect that the use of sustainable building ma-  
11 terials as the primary construction material in military  
12 construction may have on the environmental sustain-  
13 ability, infrastructure resilience, cost effectiveness, and  
14 construction timeliness of military construction.

15 (b) PROJECT SELECTION AND LOCATIONS.—

16 (1) MINIMUM NUMBER OF PROJECTS.—Each  
17 Secretary of a military department shall carry out at  
18 least one military construction project under the  
19 pilot program.

20 (2) PROJECT LOCATIONS.—The pilot program  
21 shall be conducted at military installations in the  
22 continental United States—

23 (A) that are identified as vulnerable to ex-  
24 treme weather events; and—



1 (B) for which a military construction  
2 project is authorized but a request for proposal  
3 has not been released.

4 (c) INCLUSION OF MILITARY UNACCOMPANIED  
5 HOUSING PROJECT.—The Secretaries of the military de-  
6 partments shall coordinate the selection of military con-  
7 struction projects to be carried out under the pilot pro-  
8 gram so that at least one of the military construction  
9 projects involves construction of military unaccompanied  
10 housing.

11 (d) DURATION OF PROGRAM.—The authority of the  
12 Secretary of a military department to carry out a military  
13 construction project under the pilot program shall expire  
14 on September 30, 2024. Any construction commenced  
15 under the pilot program before the expiration date may  
16 continue to completion.

17 (e) REPORTING REQUIREMENT.—

18 (1) REPORT REQUIRED.—Not later than 180  
19 days after the date of the enactment of this Act, and  
20 every 180 days thereafter through December 31,  
21 2024, the Secretaries of the military departments  
22 shall submit to the congressional defense committees  
23 a report on the progress of the pilot program.

24 (2) REPORT ELEMENTS.—The report shall in-  
25 clude the following:

1 (A) A description of the status of the mili-  
2 tary construction projects selected to be con-  
3 ducted under the pilot program.

4 (B) An explanation of the reasons why  
5 those military construction projects were se-  
6 lected.

7 (C) An analysis of the following:

8 (i) The projected or actual carbon  
9 footprint over the full life cycle of the var-  
10 ious sustainable building materials evalu-  
11 ated in the pilot program.

12 (ii) The life cycle costs of the various  
13 sustainable building materials evaluated in  
14 the pilot program.

15 (iii) The resilience to extreme weather  
16 events of the various sustainable building  
17 materials evaluated in the pilot program.

18 (iv) Any impact on construction time-  
19 liness of using the various sustainable  
20 building materials evaluated in the pilot  
21 program.

22 (v) The cost effectiveness of the mili-  
23 tary construction projects conducted under  
24 the pilot program using sustainable build-  
25 ing materials as compared to other mate-

1                   rials historically used in military construc-  
2                   tion.

3                   (D) Any updated guidance the Under Sec-  
4                   retary of Defense for Acquisition and  
5                   Sustainment has released in relation to the pro-  
6                   curement policy for future military construction  
7                   projects based on comparable benefits realized  
8                   from use of sustainable building materials, in-  
9                   cluding guidance on prioritizing sustainable ma-  
10                  terials in establishing evaluation criteria for  
11                  military construction project contracts when  
12                  technically feasible.

13                  (f) SUSTAINABLE BUILDING MATERIALS DE-  
14                  FINED.—In this section, the term “sustainable building  
15                  material” means any building material the use of which  
16                  will reduce carbon emissions over the life cycle of the  
17                  building. The term includes mass timber, concrete, and  
18                  other carbon-reducing materials.

19                  **SEC. 2862. PILOT PROGRAM ON ESTABLISHMENT OF AC-  
20                  COUNT FOR REIMBURSEMENT FOR USE OF  
21                  TESTING FACILITIES AT INSTALLATIONS OF  
22                  THE DEPARTMENT OF THE AIR FORCE.**

23                  (a) PILOT PROGRAM REQUIRED.—Not later than 180  
24                  days after the date of the enactment of this Act, the Sec-  
25                  retary of the Air Force shall establish a pilot program to

1 authorize installations of the Department of the Air Force  
2 to establish a reimbursable account for the purpose of  
3 being reimbursed for the use of testing facilities on such  
4 installation.

5 (b) INSTALLATIONS SELECTED.—The Secretary of  
6 the Air Force shall select not more than two installations  
7 of the Department of the Air Force to participate in the  
8 pilot program from among any such installations that are  
9 part of the Air Force Flight Test Center construct and  
10 are currently funded for Facility, Sustainment, Restora-  
11 tion, and Modernization (FSRM) through the Research,  
12 Development, Test, and Evaluation account of the Depart-  
13 ment of the Air Force.

14 (c) OVERSIGHT OF FUNDS.—

15 (1) INSTALLATION COMMANDER.—The com-  
16 mander of an installation selected for the pilot pro-  
17 gram shall have direct oversight over 50 percent of  
18 the funds allocated to the installation for Facility,  
19 Sustainment, Restoration, and Modernization.

20 (2) AIR FORCE CIVIL ENGINEER CENTER COM-  
21 MANDER.—The Commander of the Air Force Civil  
22 Engineer Center shall have direct oversight over the  
23 remaining 50 percent of Facility, Sustainment, Res-  
24 toration, and Modernization funds allocated to an in-  
25 stallation selected for the pilot program.

1 (d) BRIEFING AND REPORT.—

2 (1) BRIEFING.—Not later than 30 days after  
3 establishing the pilot program, the Secretary of the  
4 Air Force shall brief the congressional defense com-  
5 mittees on the pilot program.

6 (2) ANNUAL REPORT.—Not later than one year  
7 after establishing the pilot program under subsection  
8 (a), and annually thereafter through the year fol-  
9 lowing termination of the pilot program, the Sec-  
10 retary of the Air Force shall submit to the congres-  
11 sional defense committees a report on the pilot pro-  
12 gram.

13 (e) TERMINATION.—The pilot program shall termi-  
14 nate on December 1, 2026.

15 **Subtitle H—Asia-Pacific and Indo-**  
16 **Pacific Issues**

17 **SEC. 2871. IMPROVED OVERSIGHT OF CERTAIN INFRA-**  
18 **STRUCTURE SERVICES PROVIDED BY NAVAL**  
19 **FACILITIES ENGINEERING SYSTEMS COM-**  
20 **MAND PACIFIC.**

21 The Secretary of the Navy shall designate an admin-  
22 istrative position within the Naval Facilities Engineering  
23 Systems Command Pacific for the purpose of improving  
24 the continuity of management and oversight of real prop-  
25 erty and infrastructure assets in the Pacific Area of Re-

1 sponsibility related to the training needs of the Armed  
2 Forces, particularly regarding leased property for which  
3 the lease will expire within 10 years after the date of the  
4 enactment of this Act.

5 **SEC. 2872. ANNUAL CONGRESSIONAL BRIEFING ON RE-**  
6 **NEWAL OF DEPARTMENT OF DEFENSE EASE-**  
7 **MENTS AND LEASES OF LAND IN HAWAI'I.**

8 (a) ANNUAL BRIEFING REQUIRED.—Not later than  
9 February 1 of each year, the Secretary of Defense shall  
10 brief the congressional defense committee on the progress  
11 being made by the Department of Defense to renew each  
12 Department of Defense land lease and easement in the  
13 State of Hawai'i that—

14 (1) encompasses one acre or more; and

15 (2) will expire within 10 years after the date of  
16 the briefing.

17 (b) REQUIRED ELEMENTS OF BRIEFING.—Each  
18 briefing provided under subsection (a) shall include the  
19 following:

20 (1) The location, size, and expiration date of  
21 each lease and easement described in such sub-  
22 section.

23 (2) Major milestones and expected timelines for  
24 maintaining access to the land covered by such lease  
25 and easement.

1           (3) Actions completed over the preceding two  
2 years for such lease and easement.

3           (4) Department-wide and service-specific au-  
4 thorities governing the extension of such lease and  
5 easement.

6           (5) A summary of coordination efforts between  
7 the Secretary of Defense and the Secretaries of the  
8 military departments.

9           (6) The status of efforts to develop an inven-  
10 tory of military land in Hawai'i, including current  
11 and possible future uses of the land, that would as-  
12 sist in land negotiations with the State of Hawai'i.

13           (7) The risks and potential solutions to ensure  
14 the renewability of required and critical leases and  
15 easements.

16 **SEC. 2873. HAWAI'I MILITARY LAND USE MASTER PLAN.**

17           (a) UPDATE OF MASTER PLAN REQUIRED.—Not  
18 later than December 31, 2025, the Commander of the  
19 United States Indo-Pacific Command shall update the  
20 Hawai'i Military Land Use Master Plan, which was first  
21 produced by the Department of Defense in 1995 and last  
22 updated in 2021.

23           (b) ELEMENTS.—In updating the Hawai'i Military  
24 Land Use Master Plan as required by subsection (a), the

1 Commander of the United States Indo-Pacific Command  
2 shall consider, address, and include the following:

3 (1) The priorities of each individual Armed  
4 Force and joint priorities within the State of  
5 Hawai'i.

6 (2) The historical background of Armed Forces  
7 and Department of Defense use of lands in Hawai'i  
8 and the cultural significance of the historical land  
9 holdings.

10 (3) A summary of all leases and easements held  
11 by the Department of Defense.

12 (4) An overview of Army, Navy, Marine Corps,  
13 Air Force, Space Force, Coast Guard, Hawai'i Na-  
14 tional Guard, and Hawai'i Air National Guard as-  
15 sets in the State, including the following for each  
16 asset:

17 (A) The location and size of facilities.

18 (B) Any tenet commands.

19 (C) Training lands.

20 (D) Purpose of the asset.

21 (E) Priorities for the asset for the next  
22 five years, including any planned divestitures  
23 and expansions.

24 (5) A summary of encroachment planning ef-  
25 forts.





1 the International Code Council” and inserting “NFPA 1,  
2 Fire Code of the National Fire Protection Association and  
3 applicable requirements of the international building code  
4 and international fire code of the International Code  
5 Council”.

6 **SEC. 2882. GAO REVIEW AND REPORT OF MILITARY CON-**  
7 **STRUCTION CONTRACTING AT MILITARY IN-**  
8 **STALLATIONS INSIDE THE UNITED STATES.**

9 (a) REVIEW REQUIRED.—The Comptroller General  
10 of the United States shall perform a review to assess the  
11 contracting approaches authorized pursuant to section  
12 2802 of title 10, United States Code, used to maintain  
13 and upgrade military installations inside the United  
14 States.

15 (b) ELEMENTS OF REVIEW.—In conducting the re-  
16 view required by subsection (a), the Comptroller General  
17 should consider, to the extent practicable, such issues as  
18 the following:

19 (1) The extent to which the Department of De-  
20 fense uses competitive procedures when awarding  
21 contracts to contractors to maintain or upgrade mili-  
22 tary installations inside the United States.

23 (2) The number of contractors awarded such a  
24 contract that are considered a small business, and

1 the percentage that these contracts comprise of all  
2 such contracts.

3 (3) The extent to which the primary business  
4 location of each contractor awarded such a contract  
5 is located within 60 miles of the military installation  
6 where the contract is to be performed.

7 (4) The extent to which contractors awarded  
8 such a contract in turn use subcontractors and sup-  
9 pliers whose primary business location is located  
10 within 60 miles of the military installation where the  
11 contract is to be performed.

12 (5) The extent to which the source selection  
13 procedures used by the responsible contracting orga-  
14 nization considers whether offerors are small busi-  
15 nesses or are businesses that are located within 60  
16 miles of the military installation where the contract  
17 is to be performed.

18 (6) Any other matters the Comptroller General  
19 determines relevant to the review.

20 (c) REPORT REQUIRED.—Not later than March 31,  
21 2023, the Comptroller General shall submit to the Com-  
22 mittees on Armed Services of the Senate and the House  
23 of Representatives a report containing the results of the  
24 review required by subsection (a).

1 (d) SMALL BUSINESS DEFINED.—In this section, the  
2 term “small business” means a contractor that is a small-  
3 business concern as such term is defined under section 3  
4 of the Small Business Act (15 U.S.C. 632).

5 **DIVISION C—DEPARTMENT OF**  
6 **ENERGY NATIONAL SECURITY**  
7 **AUTHORIZATIONS AND**  
8 **OTHER AUTHORIZATIONS**  
9 **TITLE XXXI—DEPARTMENT OF**  
10 **ENERGY NATIONAL SECURITY**  
11 **PROGRAMS**

Subtitle A—National Security Programs and Authorizations

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

Subtitle B—Program Authorizations, Restrictions, and Limitations

- Sec. 3111. Plutonium pit production capacity.
- Sec. 3112. Improvements to cost estimates informing analyses of alternatives.
- Sec. 3113. University-based defense nuclear policy collaboration program.
- Sec. 3114. Defense environmental cleanup programs.
- Sec. 3115. Modification of requirements for certain construction projects.
- Sec. 3116. Updates to infrastructure modernization initiative.
- Sec. 3117. Extension of authority for appointment of certain scientific, engineering, and technical personnel.
- Sec. 3118. Extension of authority for acceptance of contributions for acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.
- Sec. 3119. Extension of enhanced procurement authority to manage supply chain risk.
- Sec. 3120. Prohibition on availability of funds to reconvert or retire W76–2 warheads.
- Sec. 3121. Portfolio management framework for National Nuclear Security Administration.

Subtitle C—Reports and Other Matters

- Sec. 3131. Modifications to certain reporting requirements.
- Sec. 3132. Modification to terminology for reports on financial balances for atomic energy defense activities.



1 Project 22–D–514, Digital Infrastructure Capa-  
2 bility Expansion, Lawrence Livermore National Lab-  
3 oratory, Livermore, California, \$8,000,000.

4 Project 22–D–531, KL Chemistry and Radio-  
5 logical Health Building, Knolls Atomic Power Lab-  
6 oratory, Schenectady, New York, \$41,620,000.

7 Project 22–D–532, KL Security Upgrades,  
8 Knolls Atomic Power Laboratory, Schenectady, New  
9 York, \$5,100,000.

10 Shipping & Receiving (Exterior), Los Alamos  
11 National Laboratory, Los Alamos, New Mexico,  
12 \$9,700,000.

13 TCAP Restoration Column A, Savannah River  
14 Site, Aiken, South Carolina, \$4,700,000.

15 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—Funds  
17 are hereby authorized to be appropriated to the Depart-  
18 ment of Energy for fiscal year 2022 for defense environ-  
19 mental cleanup activities in carrying out programs as  
20 specified in the funding table in section 4701.

21 (b) AUTHORIZATION OF NEW PLANT PROJECTS.—  
22 From funds referred to in subsection (a) that are available  
23 for carrying out plant projects, the Secretary of Energy  
24 may carry out, for defense environmental cleanup activi-  
25 ties, the following new plant projects:

1 Project 22–D–401, 400 Area Fire Station, Hanford  
2 Site, Richland, Washington, \$15,200,000.

3 Project 22–D–402, 200 Area Water Treatment Facil-  
4 ity, Hanford Site, Richland, Washington, \$12,800,000.

5 Project 22–D–403, Idaho Spent Nuclear Fuel Stag-  
6 ing Facility, Idaho National Laboratory, Idaho Falls,  
7 Idaho, \$3,000,000.

8 Project 22–D–404, Additional ICDF Landfill Dis-  
9 posal Cell and Evaporation Ponds Project, Idaho National  
10 Laboratory, Idaho Falls, Idaho, \$5,000,000.

11 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

12 Funds are hereby authorized to be appropriated to  
13 the Department of Energy for fiscal year 2022 for other  
14 defense activities in carrying out programs as specified in  
15 the funding table in section 4701.

16 **SEC. 3104. NUCLEAR ENERGY.**

17 Funds are hereby authorized to be appropriated to  
18 the Department of Energy for fiscal year 2022 for nuclear  
19 energy as specified in the funding table in section 4701.

1 **Subtitle B—Program Authoriza-**  
2 **tions, Restrictions, and Limita-**  
3 **tions**

4 **SEC. 3111. PLUTONIUM PIT PRODUCTION CAPACITY.**

5 (a) CERTIFICATIONS.—Section 4219 of the Atomic  
6 Energy Defense Act (50 U.S.C. 2538a) is amended by  
7 adding at the end the following new subsections:

8 “(d) CERTIFICATIONS ON PLUTONIUM ENTER-  
9 PRISE.—

10 “(1) REQUIREMENT.—Not later than 30 days  
11 after the date on which a covered project achieves a  
12 critical decision milestone, the Assistant Secretary  
13 for Environmental Management and the Deputy Ad-  
14 ministrator for Defense Programs shall jointly cer-  
15 tify to the congressional defense committees that the  
16 operations, infrastructure, and workforce of such  
17 project are adequate to carry out the delivery and  
18 disposal of planned waste shipments relating to the  
19 plutonium enterprise, as outlined in the critical deci-  
20 sion memoranda of the Department of Energy with  
21 respect to such project.

22 “(2) FAILURE TO CERTIFY.—If the Assistant  
23 Secretary for Environmental Management and the  
24 Deputy Administrator for Defense Programs fail to  
25 make a certification under paragraph (1) by the



1 date specified in such paragraph with respect to a  
2 covered project achieving a critical decision mile-  
3 stone, the Assistant Secretary and the Deputy Ad-  
4 ministrator shall jointly submit to the congressional  
5 defense committees, by not later than 30 days after  
6 such date, a plan to ensure that the operations, in-  
7 frastructure, and workforce of such project will be  
8 adequate to carry out the delivery and disposal of  
9 planned waste shipments described in such para-  
10 graph.

11 “(e) REPORTS.—

12 “(1) REQUIREMENT.—Not later than March 1  
13 of each year during the period beginning on the date  
14 on which the first covered project achieves critical  
15 decision 2 in the acquisition process and ending on  
16 the date on which the second project achieves critical  
17 decision 4 and begins operations, the Administrator  
18 for Nuclear Security shall submit to the congress-  
19 sional defense committees a report on the planned  
20 production goals of both covered projects during the  
21 first 10 years of the operation of the projects.

22 “(2) ELEMENTS.—Each report under para-  
23 graph (1) shall include—

1           “(A) the number of war reserve plutonium  
2 pits planned to be produced during each year,  
3 including the associated warhead type;

4           “(B) a description of risks and challenges  
5 to meeting the performance baseline for the  
6 covered projects, as approved in critical decision  
7 2 in the acquisition process;

8           “(C) options available to the Administrator  
9 to balance scope, costs, and production require-  
10 ments at the projects to decrease overall risk to  
11 the plutonium enterprise and enduring pluto-  
12 nium pit requirements; and

13           “(D) an explanation of any changes to the  
14 production goals or requirements as compared  
15 to the report submitted during the previous  
16 year.

17           “(f) COVERED PROJECT DEFINED.—In this sub-  
18 section, the term ‘covered project’ means—

19           “(1) the Savannah River Plutonium Processing  
20 Facility, Savannah River Site, Aiken, South Carolina  
21 (Project 21–D–511); or

22           “(2) the Plutonium Pit Production Project, Los  
23 Alamos National Laboratory, Los Alamos, New  
24 Mexico (Project 21–D–512).”.

1 (b) BRIEFING.—Not later than May 1, 2022, the Ad-  
2 ministrator for Nuclear Security and the Director for Cost  
3 Estimating and Program Evaluation shall jointly provide  
4 to the congressional defense committees a briefing on the  
5 ability of the National Nuclear Security Administration to  
6 carry out the plutonium enterprise of the Administration,  
7 including with respect to the adequacy of the program  
8 management staff of the Administration to execute cov-  
9 ered projects (as defined in subsection (f) of section 4219  
10 of the Atomic Energy Defense Act (50 U.S.C. 2538a), as  
11 amended by subsection (a)).

12 **SEC. 3112. IMPROVEMENTS TO COST ESTIMATES INFORM-**  
13 **ING ANALYSES OF ALTERNATIVES.**

14 (a) IN GENERAL.—Subtitle A of title XLVII of the  
15 Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is  
16 amended by adding at the end the following new section:

17 **“SEC. 4718. IMPROVEMENTS TO COST ESTIMATES INFORM-**  
18 **ING ANALYSES OF ALTERNATIVES.**

19 “(a) REQUIREMENT FOR ANALYSES OF ALTER-  
20 NATIVES.—The Administrator shall ensure that any cost  
21 estimate used in an analysis of alternatives for a project  
22 carried out using funds authorized by a DOE national se-  
23 curity authorization is designed to fully satisfy the require-  
24 ments outlined in the mission needs statement approved  
25 at critical decision 0 in the acquisition process, as set forth

1 in Department of Energy Order 413.3B (relating to pro-  
2 gram management and project management for the acqui-  
3 sition of capital assets) or a successor order.

4 “(b) USE OF PROJECT ENGINEERING AND DESIGN  
5 FUNDS.—In the case of a project the total estimated cost  
6 of which exceeds \$500,000,000 and that has not reached  
7 critical decision 1 in the acquisition process, the Adminis-  
8 trator may use funds authorized by a DOE national secu-  
9 rity authorization for project engineering and design to  
10 begin the development of a conceptual design to facilitate  
11 the development of a cost estimate for the project during  
12 the analysis of alternatives for the project if—

13 “(1) the Administrator—

14 “(A) determines that such use of funds  
15 would improve the quality of the cost estimate  
16 for the project; and

17 “(B) notifies the congressional defense  
18 committees of that determination; and

19 “(2) a period of 15 days has elapsed after the  
20 date on which such committees receive the notifica-  
21 tion.”.

22 (b) CLERICAL AMENDMENT.—The table of contents  
23 for the Atomic Energy Defense Act is amended by insert-  
24 ing after the item relating to section 4717 the following  
25 new item:

“Sec. 4718. Improvements to cost estimates informing analyses of alternatives.”.

1 **SEC. 3113. UNIVERSITY-BASED DEFENSE NUCLEAR POLICY**  
2 **COLLABORATION PROGRAM.**

3 Title XLVIII of the Atomic Energy Defense Act (50  
4 U.S.C. 2781 et seq.) is amended by adding at the end  
5 the following new section (and conforming the table of  
6 contents accordingly):

7 **“SEC. 4853. UNIVERSITY-BASED DEFENSE NUCLEAR POLICY**  
8 **COLLABORATION PROGRAM.**

9 “(a) PROGRAM.—The Administrator shall carry out  
10 a program under which the Administrator establishes a  
11 policy research consortium of institutions of higher edu-  
12 cation and nonprofit entities in support of implementing  
13 and innovating the defense nuclear policy programs of the  
14 Administration. The Administrator shall establish and  
15 carry out such program in a manner similar to the pro-  
16 gram established under section 4814.

17 “(b) PURPOSES.—The purposes of the consortium  
18 under subsection (a) are as follows:

19 “(1) To shape the formulation and application  
20 of policy through the conduct of research and anal-  
21 ysis regarding defense nuclear policy programs.

22 “(2) To maintain open-source databases on  
23 issues relevant to understanding defense nuclear

1 nonproliferation, arms control, nuclear deterrence,  
2 foreign nuclear programs, and nuclear security.

3 “(3) To facilitate the collaboration of research  
4 centers of excellence relating to defense nuclear pol-  
5 icy to better distribute expertise to specific issues  
6 and scenarios regarding such threats.

7 “(c) DUTIES.—

8 “(1) SUPPORT.—The Administrator shall en-  
9 sure that the consortium established under sub-  
10 section (a) provides support to individuals described  
11 in paragraph (2) through the use of nongovern-  
12 mental fellowships, scholarships, research intern-  
13 ships, workshops, short courses, summer schools,  
14 and research grants.

15 “(2) INDIVIDUALS DESCRIBED.—The individ-  
16 uals described in this paragraph are graduate stu-  
17 dents, academics, and policy specialists, who are fo-  
18 cused on policy innovation related to—

19 “(A) defense nuclear nonproliferation;

20 “(B) arms control;

21 “(C) nuclear deterrence;

22 “(D) the study of foreign nuclear pro-  
23 grams;

24 “(E) nuclear security; or

1                   “(F) educating and training the next gen-  
2                   eration of defense nuclear policy experts.”.

3 **SEC. 3114. DEFENSE ENVIRONMENTAL CLEANUP PRO-**  
4 **GRAMS.**

5           (a) ESTABLISHMENT OF PROGRAMS.—Subtitle A of  
6 title XLIV of the Atomic Energy Defense Act (50 U.S.C.  
7 2581 et seq.) is amended by inserting after section 4406  
8 the following new section (and conforming the table of  
9 contents at the beginning of such Act accordingly):

10 **“SEC. 4406A. OTHER PROGRAMS RELATING TO TECH-**  
11 **NOLOGY DEVELOPMENT.**

12           “(a) INCREMENTAL TECHNOLOGY DEVELOPMENT  
13 PROGRAM.—

14                   “(1) ESTABLISHMENT.—The Secretary may es-  
15                   tablish a program, to be known as the ‘Incremental  
16                   Technology Development Program’, to improve the  
17                   efficiency and effectiveness of the defense environ-  
18                   mental cleanup processes of the Office.

19                   “(2) FOCUS.—

20                           “(A) IMPROVEMENTS.—In carrying out the  
21                           Incremental Technology Development Program,  
22                           the Secretary shall focus on the continuous im-  
23                           provement of new or available technologies, in-  
24                           cluding—

1 “(i) decontamination chemicals and  
2 techniques;

3 “(ii) remote sensing and wireless com-  
4 munication to reduce manpower and lab-  
5 oratory efforts;

6 “(iii) detection, assay, and certifi-  
7 cation instrumentation; and

8 “(iv) packaging materials, methods,  
9 and shipping systems.

10 “(B) OTHER AREAS.—The Secretary may  
11 include in the Incremental Technology Develop-  
12 ment Program mission-relevant development,  
13 demonstration, and deployment activities unre-  
14 lated to the focus areas described in subpara-  
15 graph (A).

16 “(3) USE OF NEW AND EMERGING TECH-  
17 NOLOGIES.—

18 “(A) DEVELOPMENT AND DEMONSTRA-  
19 TION.—In carrying out the Incremental Tech-  
20 nology Development Program, the Secretary  
21 shall ensure that site offices of the Office con-  
22 duct technology development, demonstration,  
23 testing, permitting, and deployment of new and  
24 emerging technologies to establish a sound tech-  
25 nical basis for the selection of technologies for



1 defense environmental cleanup or infrastructure  
2 operations.

3 “(B) COLLABORATION REQUIRED.—The  
4 Secretary shall collaborate, to the extent prac-  
5 ticable, with the heads of other departments  
6 and agencies of the Federal Government, the  
7 National Laboratories, other Federal labora-  
8 tories, appropriate State regulators and agen-  
9 cies, and the Department of Labor in the devel-  
10 opment, demonstration, testing, permitting, and  
11 deployment of new technologies under the In-  
12 cremental Technology Development Program.

13 “(4) AGREEMENTS TO CARRY OUT PROJECTS.—

14 “(A) AUTHORITY.—In carrying out the In-  
15 cremental Technology Development Program,  
16 the Secretary may enter into agreements with  
17 nongovernmental entities for technology devel-  
18 opment, demonstration, testing, permitting, and  
19 deployment projects to improve technologies in  
20 accordance with paragraph (2).

21 “(B) SELECTION.—The Secretary shall se-  
22 lect projects under subparagraph (A) through a  
23 rigorous process that involves—

24 “(i) transparent and open competi-  
25 tion; and

1           “(ii) a review process that, if prac-  
2           ticable, is conducted in an independent  
3           manner consistent with Department guid-  
4           ance on selecting and funding public-pri-  
5           vate partnerships.

6           “(C) COST-SHARING.—The Federal share  
7           of the costs of the development, demonstration,  
8           testing, permitting, and deployment of new  
9           technologies carried out under this paragraph  
10          shall be not more than 70 percent.

11          “(D) BRIEFING.—Not later than 120 days  
12          before the date on which the Secretary enters  
13          into the first agreement under subparagraph  
14          (A), the Secretary shall provide to the congres-  
15          sional defense committees a briefing on the  
16          process of selecting and funding efforts within  
17          the Incremental Technology Development Pro-  
18          gram, including with respect to the plans of the  
19          Secretary to ensure a scientifically rigorous  
20          process that minimizes potential conflicts of in-  
21          terest.

22          “(b) HIGH-IMPACT TECHNOLOGY DEVELOPMENT  
23          PROGRAM.—

24                 “(1) ESTABLISHMENT.—The Secretary shall es-  
25          tablish a program, to be known as the ‘High-Impact

1 Technology Development Program’, under which the  
2 Secretary shall enter into agreements with non-  
3 governmental entities for projects that pursue tech-  
4 nologies that, with respect to the mission—

5 “(A) holistically address difficult chal-  
6 lenges;

7 “(B) hold the promise of breakthrough im-  
8 provements; or

9 “(C) align existing or in-use technologies  
10 with difficult challenges.

11 “(2) AREAS OF FOCUS.—The Secretary may in-  
12 clude as areas of focus for a project carried out  
13 under the High-Impact Technology Development  
14 Program the following:

15 “(A) Developing and demonstrating im-  
16 proved methods for source and plume charac-  
17 terization and monitoring, with an emphasis  
18 on—

19 “(i) real-time field acquisition; and

20 “(ii) the use of indicator species anal-  
21 yses with advanced contaminant transport  
22 models to enable better understanding of  
23 contaminant migration.

24 “(B) Developing and determining the lim-  
25 its of performance for remediation technologies

1 and integrated remedial systems that prevent  
2 migration of contaminants, including by pro-  
3 ducing associated guidance and design manuals  
4 for technologies that could be widely used  
5 across the complex.

6 “(C) Demonstrating advanced monitoring  
7 approaches that use multiple lines of evidence  
8 for monitoring long-term performance of—

9 “(i) remediation systems; and

10 “(ii) noninvasive near-field monitoring  
11 techniques.

12 “(D) Developing and demonstrating meth-  
13 ods to characterize the physical and chemical  
14 attributes of waste that control behavior, with  
15 an emphasis on—

16 “(i) rapid and nondestructive exam-  
17 ination and assay techniques; and

18 “(ii) methods to determine radio-nu-  
19 clide, heavy metals, and organic constitu-  
20 ents.

21 “(E) Demonstrating the technical basis for  
22 determining when enhanced or natural attenu-  
23 ation is an appropriate approach for remedi-  
24 ation of complex sites.

1           “(F) Developing and demonstrating inno-  
2 vative methods to achieve real-time and, if prac-  
3 ticable, in situ characterization data for tank  
4 waste and process streams that could be useful  
5 for all phases of the waste management pro-  
6 gram, including improving the accuracy and  
7 representativeness of characterization data for  
8 residual waste in tanks and ancillary equip-  
9 ment.

10           “(G) Adapting existing waste treatment  
11 technologies or demonstrating new waste treat-  
12 ment technologies at the pilot plant scale using  
13 real wastes or realistic surrogates—

14                   “(i) to address engineering adapta-  
15 tions;

16                   “(ii) to ensure compliance with waste  
17 treatment standards and other applicable  
18 requirements under Federal and State law  
19 and any existing agreements or consent de-  
20 crees to which the Department is a party;  
21 and

22                   “(iii) to enable successful deployment  
23 at full-scale and in support of operations.

24           “(H) Developing and demonstrating rapid  
25 testing protocols that—

1           “(i) are accepted by the Environ-  
2           mental Protection Agency, the Nuclear  
3           Regulatory Commission, the Department,  
4           and the scientific community;

5           “(ii) can be used to measure long-  
6           term waste form performance under real-  
7           istic disposal environments;

8           “(iii) can determine whether a sta-  
9           bilized waste is suitable for disposal; and

10          “(iv) reduce the need for extensive,  
11          time-consuming, and costly analyses on  
12          every batch of waste prior to disposal.

13          “(I) Developing and demonstrating direct  
14          stabilization technologies to provide waste forms  
15          for disposing of elemental mercury.

16          “(J) Developing and demonstrating inno-  
17          vative and effective retrieval methods for re-  
18          moval of waste residual materials from tanks  
19          and ancillary equipment, including mobile re-  
20          trieval equipment or methods capable of imme-  
21          diately removing waste from leaking tanks, and  
22          connecting pipelines.

23          “(3) PROJECT SELECTION.—

24                 “(A) SELECTION.—The Secretary shall se-  
25          lect projects to be carried out under the High-

1 Impact Technology Development Program  
2 through a rigorous process that involves—

3 “(i) transparent and open competi-  
4 tion; and

5 “(ii) a review process that, if prac-  
6 ticable, is conducted in an independent  
7 manner consistent with Department guid-  
8 ance on selecting and funding public-pri-  
9 vate partnerships.

10 “(B) BRIEFING.—Not later than 120 days  
11 before the date on which the Secretary enters  
12 into the first agreement under paragraph (1),  
13 the Secretary shall provide to the congressional  
14 defense committees a briefing on the process of  
15 selecting and funding efforts within the High-  
16 Impact Technology Development Program, in-  
17 cluding with respect to the plans of the Sec-  
18 retary to ensure a scientifically rigorous process  
19 that minimizes potential conflicts of interest.

20 “(c) ENVIRONMENTAL MANAGEMENT UNIVERSITY  
21 PROGRAM.—

22 “(1) ESTABLISHMENT.—The Secretary shall es-  
23 tablish a program, to be known as the ‘Environ-  
24 mental Management University Program’, to—

1           “(A) engage faculty, post-doctoral fellows  
2 or researchers, and graduate students of insti-  
3 tutions of higher education on subjects relating  
4 to the mission to show a clear path for students  
5 for employment within the environmental man-  
6 agement enterprise;

7           “(B) provide institutions of higher edu-  
8 cation and the Department access to advances  
9 in engineering and science;

10           “(C) clearly identify to institutions of high-  
11 er education the tools necessary to enter into  
12 the environmental management field profes-  
13 sionally; and

14           “(D) encourage current employees of the  
15 Department to pursue advanced degrees.

16           “(2) AREAS OF FOCUS.—The Secretary may in-  
17 clude as areas of focus for a grant made under the  
18 Environmental Management University Program the  
19 following:

20           “(A) The atomic- and molecular-scale  
21 chemistries of waste processing.

22           “(B) Contaminant immobilization in engi-  
23 neered and natural systems.

24           “(C) Developing innovative materials, with  
25 an emphasis on nanomaterials or biomaterials,



1 that could enable sequestration of challenging  
2 hazardous or radioactive constituents such as  
3 technetium and iodine.

4 “(D) Elucidating and exploiting complex  
5 speciation and reactivity far from equilibrium.

6 “(E) Understanding and controlling chem-  
7 ical and physical processes at interfaces.

8 “(F) Harnessing physical and chemical  
9 processes to revolutionize separations.

10 “(G) Tailoring waste forms for contami-  
11 nants in harsh chemical environments.

12 “(H) Predicting and understanding sub-  
13 surface system behavior and response to pertur-  
14 bations.

15 “(3) INDIVIDUAL RESEARCH GRANTS.—In car-  
16 rying out the Environmental Management University  
17 Program, the Secretary may make individual re-  
18 search grants to faculty, post-doctoral fellows or re-  
19 searchers, and graduate students of institutions of  
20 higher education for three-year research projects,  
21 with an option for an extension of one additional  
22 two-year period.

23 “(4) GRANTS FOR INTERDISCIPLINARY COL-  
24 LABORATIONS.—In carrying out the Environmental  
25 Management University Program, the Secretary may

1 make research grants for strategic partnerships  
2 among scientists, faculty, post-doctoral fellows or re-  
3 searchers, and graduate students of institutions of  
4 higher education for three-year research projects.

5 “(5) HIRING OF UNDERGRADUATES.—In car-  
6 rying out the Environmental Management University  
7 Program, the Secretary may establish a summer in-  
8 ternship program for undergraduates of institutions  
9 of higher education to work on projects relating to  
10 environmental management.

11 “(6) WORKSHOPS.—In carrying out the Envi-  
12 ronmental Management University Program, the  
13 Secretary may hold workshops with the Office of  
14 Environmental Management, the Office of Science,  
15 and members of academia and industry concerning  
16 environmental management challenges and solutions.

17 “(d) DEFINITIONS.—In this section:

18 “(1) The term ‘complex’ means all sites man-  
19 aged in whole or in part by the Office.

20 “(2) The term ‘Department’ means the Depart-  
21 ment of Energy.

22 “(3) The term ‘institution of higher education’  
23 has the meaning given the term in section 101(a) of  
24 the Higher Education Act of 1965 (20 U.S.C.  
25 1001(a)).

1           “(4) The term ‘mission’ means the mission of  
2 the Office.

3           “(5) The term ‘National Laboratory’ has the  
4 meaning given the term in section 2 of the Energy  
5 Policy Act of 2005 (42 U.S.C. 15801).

6           “(6) The term ‘Office’ means the Office of En-  
7 vironmental Management of the Department.

8           “(7) The term ‘Secretary’ means the Secretary  
9 of Energy, acting through the Assistant Secretary  
10 for Environmental Management.”.

11       (b) INDEPENDENT ASSESSMENT OF DEFENSE ENVI-  
12 RONMENTAL CLEANUP PROGRAMS.—

13           (1) INDEPENDENT ASSESSMENT.—Not later  
14 than one year after the date of the enactment of this  
15 Act, the Chief of Engineers of the Army shall de-  
16 velop and transmit to the Secretary of Energy and  
17 the congressional defense committees an independent  
18 assessment of the lifecycle costs and schedules of the  
19 defense environmental cleanup programs of the Of-  
20 fice of Environmental Management of the Depart-  
21 ment of Energy.

22           (2) FOCUS OF ASSESSMENT.—The Chief of En-  
23 gineers shall ensure that the assessment under para-  
24 graph (1) is focused on—

1 (A) identifying key remaining technical  
2 risks and uncertainties of the defense environ-  
3 mental cleanup programs; and

4 (B) providing recommendations to the Sec-  
5 retary and to the congressional defense commit-  
6 tees with respect to the annual funding levels  
7 for the Incremental Technology Development  
8 Program and the High-Impact Technology De-  
9 velopment Program established under section  
10 4406A of the Atomic Energy Defense Act, as  
11 added by subsection (a), that will ensure max-  
12 imum cost-savings over the life of the defense  
13 environmental cleanup programs of the Office.

14 (3) NO EFFECT ON PROGRAM IMPLEMENTA-  
15 TION.—Nothing in this subsection affects the estab-  
16 lishment, implementation, or carrying out of any  
17 project or program under any other provision of law,  
18 including under section 4406A of the Atomic Energy  
19 Defense Act, as added by subsection (a), or under  
20 any existing agreement or consent decree to which  
21 the Department is a party, during the period in  
22 which the assessment under paragraph (1) is carried  
23 out.

1 **SEC. 3115. MODIFICATION OF REQUIREMENTS FOR CER-**  
2 **TAIN CONSTRUCTION PROJECTS.**

3 (a) INCREASE IN MINOR CONSTRUCTION THRESH-  
4 OLD FOR PLANT PROJECTS.—Section 4701(2) of the  
5 Atomic Energy Defense Act (50 U.S.C. 2741(2)) is  
6 amended by striking “\$20,000,000” and inserting  
7 “\$25,000,000”.

8 (b) NOTIFICATION REQUIREMENT FOR CERTAIN  
9 MINOR CONSTRUCTION PROJECTS.—

10 (1) IN GENERAL.—Section 4703 of the Atomic  
11 Energy Defense Act (50 U.S.C. 2743) is amended—

12 (A) by redesignating subsection (d) as sub-  
13 section (e); and

14 (B) by inserting after subsection (c) the  
15 following new subsection (d):

16 “(d) NOTIFICATION REQUIRED FOR CERTAIN  
17 PROJECTS.—Notwithstanding subsection (a), the Sec-  
18 retary may not start a minor construction project with a  
19 total estimated cost of more than \$5,000,000 until—

20 “(1) the Secretary notifies the congressional de-  
21 fense committees of such project and total estimated  
22 cost; and

23 “(2) a period of 15 days has elapsed after the  
24 date on which such notification is received.”.

25 (2) CONFORMING REPEAL.—Section 3118(e) of  
26 the National Defense Authorization Act for Fiscal

1 Year 2010 (Public Law 111–84; 50 U.S.C. 2743  
2 note) is repealed.

3 (c) INCREASE IN CONSTRUCTION DESIGN THRESH-  
4 OLD.—Section 4706(b) of the Atomic Energy Defense Act  
5 (50 U.S.C. 2746(b)) is amended by striking “\$2,000,000”  
6 each place it appears and inserting “\$5,000,000”.

7 **SEC. 3116. UPDATES TO INFRASTRUCTURE MODERNIZA-**  
8 **TION INITIATIVE.**

9 Section 3111(b) of the National Defense Authoriza-  
10 tion Act for Fiscal Year 2018 (Public Law 115–91; 50  
11 U.S.C. 2402 note) is amended—

12 (1) in paragraph (1), by striking “reduce the  
13 deferred maintenance and repair needs of the nu-  
14 clear security enterprise by not less than 30 percent  
15 by 2025” and inserting “reduce the total deferred  
16 maintenance per replacement plant value of the nu-  
17 clear security enterprise by not less than 45 percent  
18 by 2030”;

19 (2) in paragraph (2)(A)(i)(II), by striking  
20 “\$50,000,000” and inserting “\$75,000,000”;

21 (3) in paragraph (3)—

22 (A) in the paragraph heading, by striking  
23 “INITIAL PLAN” and inserting “PLAN RE-  
24 QUIRED”; and

1 (B) in the matter preceding subparagraph

2 (A)—

3 (i) by striking “2018” and inserting

4 “2022”; and

5 (ii) by striking “an initial plan” and

6 inserting “a plan”;

7 (4) in paragraph (4)—

8 (A) by striking “2024” and inserting

9 “2023”; and

10 (B) by striking “2025” and inserting

11 “2030”; and

12 (5) by adding at the end the following new

13 paragraphs:

14 “(5) ANNUAL REPORTS.—Not later than March

15 1, 2023, and annually thereafter through 2030, the

16 Administrator for Nuclear Security shall submit to

17 the congressional defense committees a report with

18 respect to whether the updated plan under para-

19 graph (3) is being implemented in a manner ade-

20 quate to achieve the goal specified in paragraph

21 (1).”.

1 **SEC. 3117. EXTENSION OF AUTHORITY FOR APPOINTMENT**  
2 **OF CERTAIN SCIENTIFIC, ENGINEERING, AND**  
3 **TECHNICAL PERSONNEL.**

4 Section 4601(c)(1) of the Atomic Energy Defense Act  
5 (50 U.S.C. 2701(c)(1)) is amended by striking “Sep-  
6 tember 30, 2021” and inserting “September 30, 2026”.

7 **SEC. 3118. EXTENSION OF AUTHORITY FOR ACCEPTANCE**  
8 **OF CONTRIBUTIONS FOR ACCELERATION OF**  
9 **REMOVAL OR SECURITY OF FISSILE MATE-**  
10 **RIALS, RADIOLOGICAL MATERIALS, AND RE-**  
11 **LATED EQUIPMENT AT VULNERABLE SITES**  
12 **WORLDWIDE.**

13 (a) **IN GENERAL.**—Section 3132 of the Ronald W.  
14 Reagan National Defense Authorization Act for Fiscal  
15 Year 2005 (50 U.S.C. 2569) is—

16 (1) transferred to title XLIII of the Atomic En-  
17 ergy Defense Act (50 U.S.C. 2565 et seq.);

18 (2) redesignated as section 4306B;

19 (3) inserted after section 4306A; and

20 (4) amended, in subsection (f)(6), by striking  
21 “December 31, 2023” and inserting “December 31,  
22 2028”.

23 (b) **CLERICAL AMENDMENT.**—The table of contents  
24 for the Atomic Energy Defense Act is amended by insert-  
25 ing after the item relating to section 4306A the following  
26 new item:



“Sec. 4306B. Acceleration of removal or security of fissile materials, radiological materials, and related equipment at vulnerable sites worldwide.”.

1 **SEC. 3119. EXTENSION OF ENHANCED PROCUREMENT AU-**  
2 **THORITY TO MANAGE SUPPLY CHAIN RISK.**

3 Section 4806(g) of the Atomic Energy Defense Act  
4 (50 U.S.C. 2786(g)) is amended by striking “June 30,  
5 2023” and inserting “December 31, 2028”.

6 **SEC. 3120. PROHIBITION ON AVAILABILITY OF FUNDS TO**  
7 **RECONVERT OR RETIRE W76-2 WARHEADS.**

8 (a) PROHIBITION.—Except as provided in subsection  
9 (b), none of the funds authorized to be appropriated by  
10 this Act or otherwise made available for fiscal year 2022  
11 for the National Nuclear Security Administration may be  
12 obligated or expended to reconvert or retire a W76-2 war-  
13 head.

14 (b) WAIVER.—The Administrator for Nuclear Secu-  
15 rity may waive the prohibition in subsection (a) if the Ad-  
16 ministrator, in consultation with the Secretary of Defense,  
17 the Director of National Intelligence, and the Chairman  
18 of the Joint Chiefs of Staff, certifies in writing to the con-  
19 gressional defense committees—

20 (1) that Russia and China do not possess naval  
21 capabilities similar to the W76-2 warhead in the ac-  
22 tive stockpiles of the respective country; or

1           (2) that the Department of Defense does not  
2           have a valid military requirement for the W76–2  
3           warhead.

4 **SEC. 3121. PORTFOLIO MANAGEMENT FRAMEWORK FOR**  
5                                   **NATIONAL NUCLEAR SECURITY ADMINISTRA-**  
6                                   **TION.**

7           (a) IN GENERAL.—Not later than one year after the  
8           date of the enactment of this Act, the Administrator for  
9           Nuclear Security shall—

10           (1) in consultation with the Nuclear Weapons  
11           Council established under section 179 of title 10,  
12           United States Code, develop and implement a port-  
13           folio management framework for the nuclear security  
14           enterprise that—

15                           (A) defines the National Nuclear Security  
16                           Administration’s portfolio of nuclear weapons  
17                           stockpile and infrastructure maintenance and  
18                           modernization programs;

19                           (B) establishes a portfolio governance  
20                           structure, including portfolio-level selection cri-  
21                           teria, prioritization criteria, and performance  
22                           metrics;

23                           (C) outlines the approach of the National  
24                           Nuclear Security Administration to managing  
25                           that portfolio; and

1 (D) incorporates the leading practices  
2 identified by the Comptroller General of the  
3 United States in the report titled “Nuclear Se-  
4 curity Enterprise: NNSA Should Use Portfolio  
5 Management Leading Practices to Support  
6 Modernization Efforts” (GAO–21–398) and  
7 dated June 2021; and

8 (2) complete an integrated, comprehensive as-  
9 sessment of the portfolio management capabilities  
10 required to execute the weapons activities portfolio  
11 of the National Nuclear Security Administration.

12 (b) BRIEFING REQUIREMENT.—Not later than June  
13 1, 2022, the Administrator shall provide to the congres-  
14 sional defense committees a briefing on—

15 (1) the progress of the Administrator in devel-  
16 oping the framework described in paragraph (1) of  
17 subsection (a) and completing the assessment re-  
18 quired by paragraph (2) of that subsection; and

19 (2) the plans of the Administrator for imple-  
20 menting the recommendations of the Comptroller  
21 General in the report referred to in paragraph  
22 (1)(D) of that subsection.

23 (c) NUCLEAR SECURITY ENTERPRISE DEFINED.—In  
24 this section, the term “nuclear security enterprise” has

1 the meaning given that term in section 4002 of the Atomic  
2 Energy Defense Act (50 U.S.C. 2501).

3 **Subtitle C—Reports and Other**  
4 **Matters**

5 **SEC. 3131. MODIFICATIONS TO CERTAIN REPORTING RE-**  
6 **QUIREMENTS.**

7 (a) NOTIFICATION OF EMPLOYEE PRACTICES AF-  
8 FECTING NATIONAL SECURITY.—Section 3245 of the Na-  
9 tional Nuclear Security Administration Act (50 U.S.C.  
10 2443) is amended by striking subsections (a) and (b) and  
11 inserting the following new subsections:

12 “(a) ANNUAL NOTIFICATION OF SECURITY CLEAR-  
13 ANCE REVOCATIONS.—At or about the time that the  
14 President’s budget is submitted to Congress under section  
15 1105(a) of title 31, United States Code, the Administrator  
16 shall notify the appropriate congressional committees of—

17 “(1) the number of covered employees whose se-  
18 curity clearance was revoked during the year prior  
19 to the year in which the notification is made; and

20 “(2) for each employee counted under para-  
21 graph (1), the length of time such employee has  
22 been employed at the Administration, as the case  
23 may be, since such revocation.

24 “(b) ANNUAL NOTIFICATION OF TERMINATIONS AND  
25 REMOVALS.—Not later than December 31 of each year,

1 the Administrator shall notify the appropriate congres-  
2 sional committees of each instance in which the Adminis-  
3 trator terminated the employment of a covered employee  
4 or removed and reassigned a covered employee for cause  
5 during that year.”.

6 (b) REPORTS ON CERTAIN TRANSFERS OF CIVIL NU-  
7 CLEAR TECHNOLOGY.—Section 3136(a) of the National  
8 Defense Authorization Act for Fiscal Year 2016 (42  
9 U.S.C. 2077a(a)) is amended—

10 (1) in the matter preceding paragraph (1), by  
11 striking “Not less frequently than every 90 days,”  
12 and inserting “At the same time as the President  
13 submits to Congress the annual budget request  
14 under section 1105 of title 31, United States Code,  
15 for a fiscal year,”;

16 (2) in paragraph (1), by striking “the preceding  
17 90 days” and inserting “the preceding year”; and

18 (3) in the heading, by striking “REPORT” and  
19 inserting “ANNUAL REPORTS”.

20 (c) CERTAIN ANNUAL REVIEWS BY NUCLEAR  
21 SCIENCE ADVISORY COMMITTEE.—Section 3173(a)(4)(B)  
22 of the National Defense Authorization Act for Fiscal Year  
23 2013 (42 U.S.C. 2065(a)(4)(B)) is amended by striking  
24 “annual reviews” and inserting “triennial reviews”.

1 **SEC. 3132. MODIFICATION TO TERMINOLOGY FOR REPORTS**  
2 **ON FINANCIAL BALANCES FOR ATOMIC EN-**  
3 **ERGY DEFENSE ACTIVITIES.**

4 Section 4732 of the Atomic Energy Defense Act (50  
5 U.S.C. 2772) is amended—

6 (1) in subsection (b)(2)—

7 (A) in subparagraph (G), by striking  
8 “committed” and inserting “encumbered”;

9 (B) in subparagraph (H), by striking “un-  
10 committed” and inserting “unencumbered”; and

11 (C) in subparagraph (I), by striking “un-  
12 committed” and inserting “unencumbered”; and

13 (2) in subsection (c)—

14 (A) by striking paragraphs (1) and (3);

15 (B) by redesignating paragraphs (2) and  
16 (4) as paragraphs (1) and (3), respectively;

17 (C) in paragraph (1), as redesignated by  
18 subparagraph (B), by striking “by the con-  
19 tractor” and inserting “from the contractor”;

20 (D) by inserting after paragraph (1), as so  
21 redesignated, the following new paragraph (2):

22 “(2) ENCUMBERED.—The term ‘encumbered’,  
23 with respect to funds, means the funds have been  
24 obligated to a contract and are being held for a spe-  
25 cific known purpose by the contractor.”;

1 (E) in paragraph (3), as so redesignated,  
2 by striking “by the contractor” and inserting  
3 “from the contractor”; and

4 (F) by inserting after paragraph (3), as so  
5 redesignated, the following new paragraph (4):

6 “(4) UNENCUMBERED.—The term  
7 ‘unencumbered’, with respect to funds, means the  
8 funds have been obligated to a contract and are not  
9 being held for a specific known purpose by the con-  
10 tractor.”.

11 **SEC. 3133. IMPROVEMENTS TO ANNUAL REPORTS ON CON-**  
12 **DITION OF THE UNITED STATES NUCLEAR**  
13 **WEAPONS STOCKPILE.**

14 Section 4205(e)(3) of the Atomic Energy Defense Act  
15 (50 U.S.C. 2525(e)(3)) is amended—

16 (1) in subparagraph (A), by inserting “, includ-  
17 ing with respect to cyber assurance,” after “meth-  
18 ods”; and

19 (2) in subparagraph (B), by inserting “, and  
20 the confidence of the head in such tools and meth-  
21 ods” after “the assessments”.

22 **SEC. 3134. REPORT ON PLANT-DIRECTED RESEARCH AND**  
23 **DEVELOPMENT.**

24 Section 4812A of the Atomic Energy Defense Act (50  
25 U.S.C. 2793) is amended—

1           (1) by redesignating subsections (b) and (c) as  
2 subsections (c) and (d), respectively; and

3           (2) by inserting after subsection (a) the fol-  
4 lowing new subsection (b):

5           “(b) PLANT-DIRECTED RESEARCH AND DEVELOP-  
6 MENT.—

7           “(1) IN GENERAL.—The report required by  
8 subsection (a) shall include, with respect to plant-di-  
9 rected research and development, the following:

10           “(A) A financial accounting of expendi-  
11 tures for such research and development,  
12 disaggregated by nuclear weapons production  
13 facility.

14           “(B) A breakdown of the percentage of re-  
15 search and development conducted by each such  
16 facility that is plant-directed research and de-  
17 velopment.

18           “(C) An explanation of how each such fa-  
19 cility plans to increase the availability and utili-  
20 zation of funds for plant-directed research and  
21 development.

22           “(2) PLANT-DIRECTED RESEARCH AND DEVEL-  
23 OPMENT DEFINED.—In this subsection, the term  
24 ‘plant-directed research and development’ means re-



1 search and development selected by the director of  
2 a nuclear weapons production facility.”.

3 **SEC. 3135. REPORTS ON RISKS TO AND GAPS IN INDUS-**  
4 **TRIAL BASE FOR NUCLEAR WEAPONS COM-**  
5 **ONENTS, SUBSYSTEMS, AND MATERIALS.**

6 Section 3113 of the William M. (Mac) Thornberry  
7 National Defense Authorization Act for Fiscal Year 2021  
8 (Public Law 116–283; 50 U.S.C. 2512 note) is amended  
9 by adding at the end the following new subsection:

10 “(e) REPORTS.—The Administrator, acting through  
11 the official designated under subsection (a), shall submit  
12 to the Committees on Armed Services of the Senate and  
13 the House of Representatives, contemporaneously with  
14 each briefing required by subsection (d)(2), a report—

15 “(1) identifying actual or potential risks to or  
16 specific gaps in any element of the industrial base  
17 that supports the nuclear weapons components, sub-  
18 systems, or materials of the National Nuclear Secu-  
19 rity Administration;

20 “(2) describing the actions the Administration  
21 is taking to further assess, characterize, and  
22 prioritize such risks and gaps;

23 “(3) describing mitigating actions, if any, the  
24 Administration has underway or planned to mitigate  
25 any such risks or gaps;

1           “(4) setting forth the anticipated timelines and  
2 resources needed for such mitigating actions; and

3           “(5) describing the nature of any coordination  
4 with or burden sharing by other departments or  
5 agencies of the Federal Government or the private  
6 sector to address such risks and gaps.”.

7 **SEC. 3136. TRANSFER OF BUILDING LOCATED AT 4170**

8           **ALLIUM COURT, SPRINGFIELD, OHIO.**

9           (a) **IN GENERAL.**—The National Nuclear Security  
10 Administration shall release all of its reversionary rights  
11 without reimbursement to the building located at 4170  
12 Allium Court, Springfield, Ohio, also known as the Ad-  
13 vanced Technical Intelligence Center for Human Capital  
14 Development, to the Community Improvement Corpora-  
15 tion of Clark County and the Chamber of Commerce.

16           (b) **FEE SIMPLE INTEREST.**—The fee simple interest  
17 in the property, on which the building described in sub-  
18 section (a) is located, shall be transferred from the Ad-  
19 vanced Technical Intelligence Center for Human Capital  
20 Development to the Community Improvement Corporation  
21 of Clark County prior to or concurrent with the release  
22 of the reversionary rights of the National Nuclear Security  
23 Administration under subsection (a).

1 **SEC. 3137. COMPREHENSIVE STRATEGY FOR TREATING,**  
2 **STORING, AND DISPOSING OF DEFENSE NU-**  
3 **CLEAR WASTE RESULTING FROM STOCKPILE**  
4 **MAINTENANCE AND MODERNIZATION ACTIVI-**  
5 **TIES.**

6 (a) IN GENERAL.—Not later than one year after the  
7 date of the enactment of the National Defense Authoriza-  
8 tion Act for Fiscal Year 2022, the Administrator for Nu-  
9 clear Security shall submit to the congressional defense  
10 committees and the Comptroller General of the United  
11 States a comprehensive strategy for treating, storing, and  
12 disposing of defense nuclear waste generated as a result  
13 of stockpile maintenance and modernization activities.

14 (b) ELEMENTS.—The strategy required by subsection  
15 (a) shall include the following:

16 (1) A projection of the location, type, and quan-  
17 tity of defense nuclear waste the National Nuclear  
18 Security Administration anticipates generating as a  
19 result of stockpile maintenance and modernization  
20 activities during the periods of five and 10 fiscal  
21 years after the submission of the strategy, with a  
22 long-term outlook for the period of 25 fiscal years  
23 after such submission.

24 (2) Budgetary estimates associated with the  
25 projection under paragraph (1) during the period of  
26 five fiscal years after the submission of the strategy.

1           (3) A description of how the National Nuclear  
2           Security Administration plans to coordinate with the  
3           Office of Environmental Management of the Depart-  
4           ment of Energy to treat, store, and dispose of the  
5           type and quantity of waste projected to be generated  
6           under paragraph (1).

7           (4) An identification of—

8                 (A) disposal facilities that could accept  
9                 that waste;

10                (B) disposal facilities that could accept  
11                that waste with modifications; and

12                (C) in the case of facilities described in  
13                subparagraph (B), the modifications necessary  
14                for such facilities to accept that waste.

15           (e) FOLLOW-ON STRATEGY.—Concurrent with the  
16           submission of the budget of the President to Congress  
17           under section 1105(a) of title 31, United States Code, for  
18           fiscal year 2027, the Administrator shall submit to the  
19           congressional defense committees a follow-on strategy to  
20           the strategy required by subsection (a) that includes—

21                 (1) the elements set forth in subsection (b); and

22                 (2) any other matters that the Administrator  
23                 considers appropriate.

1 **SEC. 3138. ACQUISITION OF HIGH-PERFORMANCE COM-**  
2 **PUTING CAPABILITIES BY NATIONAL NU-**  
3 **CLEAR SECURITY ADMINISTRATION.**

4 (a) ROADMAP FOR ACQUISITION.—

5 (1) IN GENERAL.—Not later than two years  
6 after the date of the enactment of this Act, the Ad-  
7 ministrator for Nuclear Security shall submit to the  
8 congressional defense committees a roadmap for the  
9 acquisition by the Administration of high-perform-  
10 ance computing capabilities during the 10-year pe-  
11 riod following submission of the roadmap.

12 (2) ELEMENTS.—The roadmap required by  
13 paragraph (1) shall include the following:

14 (A) A description of the high-performance  
15 computing capabilities required to support the  
16 mission of the Administration as of the date on  
17 which the roadmap is submitted under para-  
18 graph (1).

19 (B) An identification of any existing or an-  
20 ticipated gaps in such capabilities.

21 (C) A description of the high-performance  
22 computing capabilities anticipated to be re-  
23 quired by the Administration during the 10-  
24 year period following submission of the road-  
25 map, including computational performance and  
26 other requirements, as appropriate.

1 (D) A description of the strategy of the  
2 Administration for acquiring such capabilities.

3 (E) An assessment of the ability of the in-  
4 dustrial base to support that strategy.

5 (F) Such other matters the Administrator  
6 considers appropriate.

7 (3) CONSULTATION AND CONSIDERATIONS.—In  
8 developing the roadmap required by paragraph (1),  
9 the Administrator shall—

10 (A) consult with the Secretary of Energy;  
11 and

12 (B) take into consideration the findings of  
13 the review of the future of computing beyond  
14 exascale computing conducted by the National  
15 Academy of Sciences under section 3172 of the  
16 William M. (Mac) Thornberry National Defense  
17 Authorization Act for Fiscal Year 2021 (Public  
18 Law 116–283).

19 (b) INDEPENDENT ASSESSMENT OF HIGH-PERFORM-  
20 ANCE COMPUTING ACQUISITIONS.—

21 (1) IN GENERAL.—The Administrator shall  
22 seek to enter into an agreement with a federally  
23 funded research and development center to assess  
24 the first acquisition of high-performance computing

1 capabilities by the Administration after the date of  
2 the enactment of this Act.

3 (2) ELEMENTS.—The assessment required by  
4 paragraph (1) of the acquisition of high-performance  
5 computing capabilities described in that paragraph  
6 shall include an assessment of the following:

7 (A) The mission needs of the Administra-  
8 tion met by the acquisition.

9 (B) The evidence used to support the ac-  
10 quisition decision, such as an analysis of alter-  
11 natives or business case analyses.

12 (C) Market research performed by the Ad-  
13 vanced Simulation and Computing Program re-  
14 lated to the acquisition.

15 (3) REPORT REQUIRED.—

16 (A) IN GENERAL.—Not later than 90 days  
17 after entering into the arrangement under para-  
18 graph (1), the Administrator shall submit to  
19 the congressional defense committees a report  
20 on the assessment conducted under paragraph  
21 (1).

22 (B) FORM OF REPORT.—The report re-  
23 quired by subparagraph (A) shall be submitted  
24 in unclassified form but may include a classified  
25 annex.

1 **SEC. 3139. STUDY ON THE W80-4 NUCLEAR WARHEAD LIFE**  
2 **EXTENSION PROGRAM.**

3 (a) STUDY.—Not later than 30 days after the date  
4 of the enactment of this Act, the Director for Cost Esti-  
5 mation and Program Evaluation shall initiate a study on  
6 the W80-4 nuclear warhead life extension program.

7 (b) MATTERS INCLUDED.—The study under sub-  
8 section (a) shall include the following:

9 (1) An explanation of any increases in actual or  
10 projected costs of the W80-4 nuclear warhead life  
11 extension program.

12 (2) An analysis of projections of total program  
13 costs and planned program schedules.

14 (3) An analysis of the potential impacts on  
15 other programs as a result of additional funding re-  
16 quired to maintain the planned program schedule for  
17 the W80-4 nuclear warhead life extension program,  
18 including with respect to—

19 (A) other life-extension programs;

20 (B) infrastructure programs; and

21 (C) research, development, test, and eval-  
22 uation programs.

23 (4) An analysis of the impacts that a delay of  
24 the program will have on other programs due to—

25 (A) technical or management challenges;

26 and



1 (B) changes in requirements for the pro-  
2 gram.

3 (c) SUBMISSION.—Not later than 180 days after the  
4 date of the enactment of this Act, the Director shall sub-  
5 mit to the congressional defense committees the study  
6 under subsection (a).

7 (d) FORM.—The study under subsection (a) shall be  
8 in unclassified form, but may include a classified annex.

9 **SEC. 3140. STUDY ON RUNIT DOME AND RELATED HAZ-**  
10 **ARDS.**

11 (a) STUDY.—Not later than 60 days after the date  
12 of enactment of this Act, the Secretary of Energy shall  
13 seek to enter into an agreement with a federally funded  
14 research and development center to conduct a study on  
15 the impacts of climate change on the “Runit Dome” nu-  
16 clear waste disposal site in Enewetak Atoll, Marshall Is-  
17 lands, and on other environmental hazards due to nuclear  
18 weapons testing in the vicinity thereof. The report shall  
19 include a scientific analysis of threats to the environment  
20 and to the residents of Enewetak Atoll, including—

21 (1) the “Runit Dome” nuclear waste disposal  
22 site;

23 (2) crypts used to contain nuclear waste and  
24 other toxins on Enewetak Atoll; and

1           (3) radionuclides and other toxins present in  
2           the lagoon of Enewetak Atoll.

3           (b) PUBLIC COMMENTS.—In conducting the study  
4           under subsection (a), the federally funded research and  
5           development center shall solicit public comments.

6           (c) REPORT.—Not later than 18 months after the  
7           date of the enactment of this Act, the Secretary shall sub-  
8           mit to the congressional defense committees a report con-  
9           taining the study conducted under subsection (a).

10 **SEC. 3141. SENSE OF CONGRESS REGARDING COMPENSA-**  
11 **TION OF INDIVIDUALS RELATING TO URA-**  
12 **NIUM MINING AND NUCLEAR TESTING.**

13           (a) FINDINGS.—Congress makes the following find-  
14           ings:

15           (1) The Radiation Exposure Compensation Act  
16           (Public Law 101–426; 42 U.S.C. 2210 note) was en-  
17           acted in 1990 to provide monetary compensation to  
18           individuals who contracted certain cancers and other  
19           serious diseases following their exposure to radiation  
20           released during atmospheric nuclear weapons testing  
21           during the Cold War or following exposure to radi-  
22           ation as a result of employment in the uranium in-  
23           dustry during the Cold War.

24           (2) The Radiation Exposure Compensation Act  
25           expires on July 9, 2022. Unless that Act is ex-

1 tended, individuals who contract certain cancers and  
2 other serious diseases because of events described in  
3 paragraph (1) may be unable to claim compensation  
4 for such diseases.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that the United States Government should continue  
7 to appropriately compensate and recognize the individuals  
8 described in subsection (a).

9 **TITLE XXXII—DEFENSE NU-**  
10 **CLEAR FACILITIES SAFETY**  
11 **BOARD**

Sec. 3201. Authorization.

Sec. 3202. References to Chairperson and Vice Chairperson of Defense Nuclear  
Facilities Safety Board.

12 **SEC. 3201. AUTHORIZATION.**

13 There are authorized to be appropriated for fiscal  
14 year 2022, \$31,000,000 for the operation of the Defense  
15 Nuclear Facilities Safety Board under chapter 21 of the  
16 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

17 **SEC. 3202. REFERENCES TO CHAIRPERSON AND VICE**  
18 **CHAIRPERSON OF DEFENSE NUCLEAR FA-**  
19 **CILITIES SAFETY BOARD.**

20 Chapter 21 of the Atomic Energy Act of 1954 (42  
21 U.S.C. 2286 et seq.) is amended—

22 (1) in section 311(c), in the subsection heading,  
23 by striking “CHAIRMAN, VICE CHAIRMAN” and in-  
24 serting “CHAIRPERSON, VICE CHAIRPERSON”; and

1 (2) by striking “Chairman” each place it ap-  
2 pears and inserting “Chairperson”.

3 **TITLE XXXIV—NAVAL**  
4 **PETROLEUM RESERVES**

Sec. 3401. Authorization of appropriations.

5 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) AMOUNT.—There are hereby authorized to be ap-  
7 propriated to the Secretary of Energy \$13,650,000 for fis-  
8 cal year 2022 for the purpose of carrying out activities  
9 under chapter 869 of title 10, United States Code, relating  
10 to the naval petroleum reserves.

11 (b) PERIOD OF AVAILABILITY.—Funds appropriated  
12 pursuant to the authorization of appropriations in sub-  
13 section (a) shall remain available until expended.

14 **TITLE XXXV—MARITIME**  
15 **SECURITY**

Subtitle A—Maritime Administration

Sec. 3501. Authorization of the Maritime Administration.

Subtitle B—Other Matters

Sec. 3511. Effective period for issuance of documentation for recreational ves-  
sels.

Sec. 3512. Committees on maritime matters.

Sec. 3513. Port Infrastructure Development Program.

Sec. 3514. Uses of emerging marine technologies and practices.

Sec. 3515. Prohibition on participation of long term charters in Tanker Secu-  
rity Fleet.

Sec. 3516. Coastwise endorsement.

Sec. 3517. Report on efforts of combatant commands to combat threats posed  
by illegal, unreported, and unregulated fishing.

Sec. 3518. Authorization to purchase duplicate medals.

1                   **Subtitle A—Maritime**  
2                   **Administration**

3 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**  
4                   **TRATION.**

5           (a) IN GENERAL.—There are authorized to be appro-  
6 priated to the Department of Transportation for fiscal  
7 year 2022 for programs associated with maintaining the  
8 United States merchant marine, the following amounts:

9                   (1) For expenses necessary for operations of the  
10 United States Merchant Marine Academy,  
11 \$90,532,000, of which—

12                           (A) \$85,032,000 shall be for Academy op-  
13 erations, which may be used to hire personnel  
14 pursuant to subsection (d) and to implement  
15 any recommendations of the Merchant Marine  
16 Academy Advisory Council established under  
17 subsection (c); and

18                           (B) \$5,500,000 shall remain available until  
19 expended for capital asset management at the  
20 Academy.

21                   (2) For expenses necessary to support the State  
22 maritime academies, \$50,780,000, of which—

23                           (A) \$2,400,000 is for the Student Incen-  
24 tive Program;

25                           (B) \$6,000,000 is for direct payments;

1 (C) \$3,800,000 is for training ship fuel as-  
2 sistance;

3 (D) \$8,080,000 is for offsetting the costs  
4 of training ship sharing; and

5 (E) \$30,500,000 is for maintenance and  
6 repair of State maritime academy training ves-  
7 sels.

8 (3) For expenses necessary to support the Na-  
9 tional Security Multi-Mission Vessel Program,  
10 \$315,600,000.

11 (4) For expenses necessary to support Maritime  
12 Administration operations and programs,  
13 \$60,853,000.

14 (5) For expenses necessary to dispose of vessels  
15 in the National Defense Reserve Fleet, \$10,000,000.

16 (6) For expenses necessary to maintain and  
17 preserve a United States flag merchant marine to  
18 serve the national security needs of the United  
19 States under chapter 531 of title 46, United States  
20 Code, \$318,000,000.

21 (7) For expenses necessary for the loan guar-  
22 antee program authorized under chapter 537 of title  
23 46, United States Code, \$33,000,000, of which—

24 (A) \$30,000,000 may be used for the cost  
25 (as defined in section 502(5) of the Federal

1 Credit Reform Act of 1990 (2 U.S.C. 661a(5)))  
2 of loan guarantees under the program; and

3 (B) \$3,000,000 may be used for adminis-  
4 trative expenses relating to loan guarantee com-  
5 mitments under the program.

6 (8) For expenses necessary to provide for the  
7 Tanker Security Fleet, as authorized under chapter  
8 534 of title 46, United States Code, \$60,000,000.

9 (9) For expenses necessary to support maritime  
10 environmental and technical assistance activities au-  
11 thorized under section 50307 of title 46, United  
12 States Code, \$10,000,000.

13 (10) For expenses necessary to support marine  
14 highway program activities authorized under chapter  
15 556 of such title, \$11,000,000.

16 (11) For expenses necessary to provide assist-  
17 ance to small shipyards and for the maritime train-  
18 ing program authorized under section 54101 of title  
19 46, United States Code, \$40,000,000.

20 (12) For expenses necessary to implement the  
21 Port and Intermodal Improvement Program,  
22 \$750,000,000, to remain available until expended,  
23 except that no such funds may be used to provide  
24 a grant to purchase fully automated cargo handling  
25 equipment that is remotely operated or remotely

1 monitored with or without the exercise of human  
2 intervention or control, if the Secretary determines  
3 such equipment would result in a net loss of jobs  
4 within a port of port terminal.

5 (b) AVAILABILITY OF AMOUNTS.—The amounts au-  
6 thorized to be appropriated under subsection (a) shall re-  
7 main available as follows:

8 (1) The amounts authorized to be appropriated  
9 under paragraphs (1)(A), (2)(A), and (4)(A) shall  
10 remain available until September 30, 2022.

11 (2) The amounts authorized to be appropriated  
12 under paragraphs (1)(B), (2)(B), (D), and (E), (3),  
13 (4)(B), (5), (6), (7)(A), (8), and (9) shall remain  
14 available until expended without fiscal year limita-  
15 tion.

16 (c) UNITED STATES MERCHANT MARINE ACADEMY  
17 ADVISORY COUNCIL; UNFILLED VACANCIES.—

18 (1) IN GENERAL.—Chapter 513 of title 46,  
19 United States Code, is amended by adding at the  
20 end the following new sections:

21 **“§ 51323. United States Merchant Marine Academy**  
22 **Advisory Council**

23 “(a) ESTABLISHMENT.—The Secretary of Transpor-  
24 tation shall establish an advisory council, to be known as



1 the ‘United States Merchant Marine Academy Advisory  
2 Council’ (in this section referred to as the ‘Council’).

3 “(b) MEMBERSHIP.—

4 “(1) IN GENERAL.—The Secretary shall select  
5 not fewer than 8 and not more than 14 individuals  
6 to serve as members of the Council. Such individuals  
7 shall have such expertise as the Secretary deter-  
8 mines necessary and appropriate for providing ad-  
9 vice and guidance on improving the Academy.

10 “(2) GOVERNMENTAL EXPERTS.—The number  
11 of members of the Council who are employees of the  
12 Federal Government may not exceed the number of  
13 members of the Council who are not employees of  
14 the Federal Government.

15 “(3) EMPLOYEE STATUS.—Members of the  
16 Council shall not be considered employees of the  
17 United States Government by reason of their mem-  
18 bership on the Council for any purpose and shall not  
19 receive compensation other than reimbursement of  
20 travel expenses and per diem allowance in accord-  
21 ance with section 5703 of title 5.

22 “(c) RESPONSIBILITIES.—The Council shall provide  
23 advice to the Secretary at the time and in the manner  
24 requested by the Secretary.

1 “(d) PERSONALLY IDENTIFIABLE INFORMATION.—  
2 In carrying out its responsibilities under this subsection,  
3 the Council shall comply with the obligations of the De-  
4 partment of Transportation to protect personally identifi-  
5 able information.

6 **“§ 51324. Unfilled vacancies**

7 “(a) IN GENERAL.—In the event of an unfilled va-  
8 cancy for any critical position at the United States Mer-  
9 chant Marine Academy, the Secretary of Transportation  
10 may appoint, without regard to the provisions of sub-  
11 chapter I of chapter 33 of title 5, other than sections 3303  
12 and 3328 of that title, a qualified candidate for the pur-  
13 poses of filling up to 20 of such positions.

14 “(b) CRITICAL POSITION DEFINED.—In this section,  
15 the term ‘critical position’ means a position that contrib-  
16 utes to the improvement of—

17 “(1) the culture or infrastructure of the Acad-  
18 emy;

19 “(2) student health and well being;

20 “(3) Academy governance; or

21 “(4) any other priority areas identified by the  
22 Council.”.

23 (2) CLERICAL AMENDMENT.—The table of sec-  
24 tions at the beginning of such chapter is amended  
25 by adding at the end the following new items:

“51323. United States Merchant Marine Academy Advisory Council.

“51324. Unfilled vacancies.”.

## 1           **Subtitle B—Other Matters**

### 2   **SEC. 3511. EFFECTIVE PERIOD FOR ISSUANCE OF DOCU-** 3                           **MENTATION FOR RECREATIONAL VESSELS.**

4           Section 12105(e)(2) of title 46, United States Code,  
5 is amended—

6                   (1) by striking subparagraphs (A) and (B) and  
7           inserting the following:

8                           “(A) IN GENERAL.—The owner or operator  
9                   of a recreational vessel may choose a period of  
10                   effectiveness of between 1 and 5 years for a cer-  
11                   tificate of documentation for a recreational ves-  
12                   sel or the renewal thereof.”; and

13                   (2) by redesignating subparagraph (C) as sub-  
14           paragraph (B).

### 15   **SEC. 3512. COMMITTEES ON MARITIME MATTERS.**

16           (a) IN GENERAL.—

17                   (1) Chapter 555 of title 46, United States  
18                   Code, is redesignated as chapter 504 of such title  
19                   and transferred to appear after chapter 503 of such  
20                   title.

21                   (2) Chapter 504 of such title, as redesignated  
22                   by paragraph (1), is amended in the chapter heading  
23                   by striking “**MISCELLANEOUS**” and inserting  
24                   “**COMMITTEES**”.

1           (3) Sections 55501 and 55502 of such title are  
2           redesignated as section 50401 and section 50402,  
3           respectively, of such title and transferred to appear  
4           in chapter 504 of such title (as redesignated by  
5           paragraph (1)).

6           (4) The section heading for section 50401 of  
7           such title, as redesignated by paragraph (3), is  
8           amended to read as follows: “UNITED STATES COM-  
9           MITTEE ON THE MARINE TRANSPORTATION SYS-  
10          TEM”.

11          (b) CONFORMING AMENDMENT.—Section 8332(b)(1)  
12          of the Elijah E. Cummings Coast Guard Authorization  
13          Act of 2020 (division G of the William M. (Mac) Thorn-  
14          berry National Defense Authorization Act for Fiscal Year  
15          2021 (Public Law 116–283)) is amended by striking “sec-  
16          tion 55502” and inserting “section 50402”.

17          (c) CLERICAL AMENDMENTS.—

18                 (1) The analysis for chapter 504 of title 46,  
19                 United States Code, as redesignated by subsection  
20                 (a)(1), is amended to read as follows:

“CHAPTER 504—COMMITTEES

“Sec.

“50401. United States Committee on the Marine Transportation System.

“50402. Maritime Transportation System National Advisory Committee.”.

21                 (2) The table of chapters for subtitle V of title  
22                 46, United States Code, is amended—

1 (A) by inserting after the item relating to  
2 chapter 503 the following:

**“504. Committees .....50401”; and**

3 (B) by striking the item relating to chapter  
4 555.

5 **SEC. 3513. PORT INFRASTRUCTURE DEVELOPMENT PRO-**  
6 **GRAM.**

7 (a) IN GENERAL.—

8 (1) Part C of subtitle V of title 46, United  
9 States Code, is amended by adding at the end the  
10 following:

11 **“CHAPTER 543—PORT INFRASTRUCTURE**  
12 **DEVELOPMENT PROGRAM**

“Sec.  
“54301. Port infrastructure development program.

13 **“§ 54301. Port infrastructure development program”.**

14 (2) Subsections (c), (d), and (e) of section  
15 50302 of such title are redesignated as subsections  
16 (a), (b), and (c) of section 54301 of such title, re-  
17 spectively, and transferred to appear in chapter 543  
18 of such title (as added by paragraph (1)).

19 (b) AMENDMENTS TO SECTION 54301.—Section  
20 54301 of such title, as redesignated by subsection (a)(2),  
21 is amended—

22 (1) in subsection (a)—

1 (A) in paragraph (2) by striking “or sub-  
2 section (d)” and inserting “or subsection (b)”;

3 (B) in paragraph (3)(A)(ii)—

4 (i) in subclause (II) by striking “; or”  
5 and inserting a semicolon;

6 (ii) by striking subclause (III); and

7 (iii) by adding at the end the fol-  
8 lowing:

9 “(III) operational improvements,  
10 including projects to improve port re-  
11 silience; or

12 “(IV) environmental and emis-  
13 sion mitigation measures; including  
14 projects for—

15 “(aa) port electrification or  
16 electrification master planning;

17 “(bb) harbor craft or equip-  
18 ment replacements or retrofits;

19 “(cc) development of port or  
20 terminal microgrids;

21 “(dd) providing idling reduc-  
22 tion infrastructure;

23 “(ee) purchase of cargo han-  
24 dling equipment and related in-  
25 frastructure;

1                   “(ff) worker training to sup-  
2                   port electrification technology;

3                   “(gg) installation of port  
4                   bunkering facilities from ocean-  
5                   going vessels for fuels;

6                   “(hh) electric vehicle charge  
7                   or hydrogen refueling infrastruc-  
8                   ture for drayage and medium or  
9                   heavy duty trucks and loco-  
10                  motives that service the port and  
11                  related grid upgrades; or

12                  “(ii) other related port ac-  
13                  tivities, including charging infra-  
14                  structure, electric rubber-tired  
15                  gantry cranes, and anti-idling  
16                  technologies.”;

17                  (C) in paragraph (5)—

18                   (i) in subparagraph (A) by striking  
19                   “or subsection (d)” and inserting “or sub-  
20                   section (b)”;

21                   (ii) in subparagraph (B) by striking  
22                   “subsection (d)” and inserting “subsection  
23                   (b)”;

24                  (D) in paragraph (6)(B)—

- 1 (i) in clause (i) by striking “; and”  
2 and inserting a semicolon;
- 3 (ii) in clause (ii) by striking the pe-  
4 riod and inserting “; and”; and
- 5 (iii) by adding at the end the fol-  
6 lowing:  
7 “(iii) a port’s increased resilience as a  
8 result of the project.”;
- 9 (E) in paragraph (7)—
- 10 (i) in subparagraph (B)—
- 11 (I) by striking “subsection (d)”  
12 in each place it appears and inserting  
13 “subsection (b)”; and
- 14 (II) by striking “18 percent” and  
15 inserting “25 percent”;
- 16 (ii) in subparagraph (C) by striking  
17 “subsection (d)(3)(A)(ii)(III)” and insert-  
18 ing “subsection (b)(3)(A)(ii)(III)”;
- 19 (F) in paragraph (8)—
- 20 (i) in subparagraph (A) by striking  
21 “or subsection (d)” and inserting “or sub-  
22 section (b)”; and
- 23 (ii) in subparagraph (B)—



1 (I) in clause (i) by striking “sub-  
2 section (d)” and inserting “subsection  
3 (b)”;

4 (II) in clause (ii) by striking  
5 “subsection (d)” and inserting “sub-  
6 section (b)”;

7 (G) in paragraph (9) by striking “sub-  
8 section (d)” and inserting “subsection (b)”;

9 (H) in paragraph (10)—

10 (i) in subparagraph (A), by striking  
11 “subsection (d)” and inserting “subsection  
12 (b)”;

13 (ii) by redesignating subparagraphs  
14 (B) and (C) as subparagraphs (C) and  
15 (D), respectively; and

16 (iii) by inserting after subparagraph  
17 (A) the following new subparagraph (B):

18 “(B) EFFICIENT USE OF NON-FEDERAL  
19 FUNDS.—

20 “(i) IN GENERAL.—Notwithstanding  
21 any other provision of law and subject to  
22 approval by the Secretary, in the case of  
23 any grant for a project under this section,  
24 during the period beginning on the date on  
25 which the grant recipient is selected and

1 ending on the date on which the grant  
2 agreement is signed—

3 “(I) the grant recipient may obli-  
4 gate and expend non-Federal funds  
5 with respect to the project for which  
6 the grant is provided; and

7 “(II) any non-Federal funds obli-  
8 gated or expended in accordance with  
9 subclause (I) shall be credited toward  
10 the non-Federal cost share for the  
11 project for which the grant is pro-  
12 vided.

13 “(ii) REQUIREMENTS.—

14 “(I) APPLICATION.—In order to  
15 obligate and expend non-Federal  
16 funds under clause (i), the grant re-  
17 cipient shall submit to the Secretary a  
18 request to obligate and expend non-  
19 Federal funds under that clause, in-  
20 cluding—

21 “(aa) a description of the  
22 activities the grant recipient in-  
23 tends to fund;

24 “(bb) a justification for ad-  
25 vancing the activities described in

1 item (aa), including an assess-  
2 ment of the effects to the project  
3 scope, schedule, and budget if the  
4 request is not approved; and

5 “(cc) the level of risk of the  
6 activities described in item (aa).

7 “(II) APPROVAL.—The Secretary  
8 shall approve or disapprove each re-  
9 quest submitted under subclause (I).

10 “(III) COMPLIANCE WITH APPLI-  
11 CABLE REQUIREMENTS.—Any obliga-  
12 tion or expenditure of non-Federal  
13 funds under clause (i) shall be in com-  
14 pliance with all applicable require-  
15 ments, including any requirements in-  
16 cluded in the grant agreement.

17 “(iii) EFFECT.—The obligation or ex-  
18 penditure of any non-Federal funds in ac-  
19 cordance with this subparagraph shall  
20 not—

21 “(I) affect the signing of a grant  
22 agreement or other applicable grant  
23 procedures with respect to the appli-  
24 cable grant;

1 “(II) create an obligation on the  
2 part of the Federal Government to  
3 repay any non-Federal funds if the  
4 grant agreement is not signed; or

5 “(III) affect the ability of the re-  
6 cipient of the grant to obligate or ex-  
7 pend non-Federal funds to meet the  
8 non-Federal cost share for the project  
9 for which the grant is provided after  
10 the period described in clause (i).”;  
11 and

12 (I) in paragraph (12)—

13 (i) by striking “subsection (d)” and  
14 inserting “subsection (b)”; and

15 (ii) by adding at the end the fol-  
16 lowing:

17 “(D) RESILIENCE.—The term ‘resilience’  
18 means the ability to anticipate, prepare for,  
19 adapt to, withstand, respond to, and recover  
20 from operational disruptions and sustain critical  
21 operations at ports, including disruptions  
22 caused by natural or manmade hazards, such as  
23 sea level rise, flooding, earthquakes, hurricanes,  
24 tsunami inundation or other extreme weather  
25 events.”;

1 (2) in subsection (b)—

2 (A) in the subsection heading by striking  
3 “INLAND” and inserting “INLAND RIVER”;

4 (B) in paragraph (1) by striking “sub-  
5 section (c)(7)(B)” and inserting “subsection  
6 (a)(7)(B)”;

7 (C) in paragraph (3)(A)(ii)(III) by striking  
8 “subsection (c)(3)(B)” and inserting “sub-  
9 section (a)(3)(B)”;

10 (D) in paragraph (5)(A) by striking “sub-  
11 section (c)(8)(B)” and inserting “subsection  
12 (a)(8)(B)”;

13 (3) in subsection (c)—

14 (A) by striking “subsection (c) or sub-  
15 section (d)” and inserting “subsection (a) or  
16 subsection (b)”;

17 (B) by striking “subsection (c)(2)” and in-  
18 serting “subsection (a)(2)”.

19 (c) GRANTS FOR EMISSION MITIGATION MEAS-  
20 URES.—For fiscal year 2022, the Secretary may make  
21 grants under section 54301(a) of title 46, United States  
22 Code, as redesignated by subsection (a)(2) and amended  
23 by subsection (b), to provide for emission mitigation meas-  
24 ures that provide for the use of shore power for vessels  
25 to which sections 3507 and 3508 of such title apply, if

1 such grants meet the other requirements set out in such  
2 section 54301(a).

3 (d) CLERICAL AMENDMENTS.—The table of chapters  
4 for subtitle V of title 46, United States Code, as amended  
5 by this title, is further amended by inserting after the item  
6 relating to chapter 541 the following:

**“543. Port Infrastructure Development Program .....54301”.**

7 **SEC. 3514. USES OF EMERGING MARINE TECHNOLOGIES**  
8 **AND PRACTICES.**

9 Section 50307 of title 46, United States Code, is  
10 amended—

11 (1) by redesignating subsection (e) as sub-  
12 section (f); and

13 (2) by inserting after subsection (d) the fol-  
14 lowing new subsection (e):

15 “(e) USES.—The results of activities conducted under  
16 subsection (b)(1) shall be used to inform—

17 “(1) the policy decisions of the United States  
18 related to domestic regulations; and

19 “(2) the position of the United States on mat-  
20 ters before the International Maritime Organiza-  
21 tion.”.

1 **SEC. 3515. PROHIBITION ON PARTICIPATION OF LONG**  
2 **TERM CHARTERS IN TANKER SECURITY**  
3 **FLEET.**

4 (a) DEFINITION OF LONG TERM CHARTER.—Section  
5 53401 of title 46, United States Code, is amended by add-  
6 ing at the end the following new paragraph:

7 “(8) LONG TERM CHARTER.—The term ‘long  
8 term charter’ means any time charter of a product  
9 tank vessel to the United States Government that,  
10 together with options, occurs for a continuous period  
11 of more than 180 days.”.

12 (b) PARTICIPATION OF LONG TERM CHARTERS IN  
13 TANKER SECURITY FLEET.—Section 53404(b) of such  
14 title is amended—

15 (1) by striking “The program participant of a”  
16 and inserting “Any”;

17 (2) by inserting “long term” before “charter”;

18 (3) by inserting “not” before “eligible”; and

19 (4) by striking “receive payments pursuant to  
20 any operating agreement that covers such vessel”  
21 and inserting “participate in the Fleet”.

22 **SEC. 3516. COASTWISE ENDORSEMENT.**

23 Notwithstanding section 12112 of title 46, United  
24 States Code, the Secretary of the department in which the  
25 Coast Guard is operating may issue a certificate of docu-

1 mentation with a coastwise endorsement for the vessel  
2 WIDGEON (United States official number 1299656).

3 **SEC. 3517. REPORT ON EFFORTS OF COMBATANT COM-**  
4 **MANDS TO COMBAT THREATS POSED BY IL-**  
5 **LEGAL, UNREPORTED, AND UNREGULATED**  
6 **FISHING.**

7 (a) REPORT REQUIRED.—Not later than 180 days  
8 after the date of the enactment of this Act, the Secretary  
9 of the Navy, in consultation with the Director of the Office  
10 of Naval Research, the co-chairs of the collaborative inter-  
11 agency working group on maritime security and IUU fish-  
12 ing established under section 3551 of the Maritime Secu-  
13 rity and Fisheries Enforcement Act (16 U.S.C. 8031), and  
14 the heads of other relevant agencies, as determined by the  
15 Secretary, shall submit to the appropriate congressional  
16 committees a report on the combatant commands' mari-  
17 time domain awareness efforts to combat the threats  
18 posed by illegal, unreported, and unregulated fishing.

19 (b) CONTENTS OF REPORT.—The report required by  
20 subsection (a) shall include a detailed summary of each  
21 of the following for each combatant command:

22 (1) The activities undertaken to date to combat  
23 the threats posed by illegal, unreported, and unregu-  
24 lated fishing in the geographic area of the combat-



1 ant command, including the steps taken to build  
2 partner capacity to combat such threats.

3 (2) Coordination with the Armed Forces of the  
4 United States, partner nations, and public-private  
5 partnerships to combat such threats.

6 (3) Efforts undertaken to support unclassified  
7 data integration, analysis, and delivery with regional  
8 partners to combat such threats.

9 (4) Information sharing and coordination with  
10 efforts of the collaborative interagency working  
11 group on maritime security and IUU fishing estab-  
12 lished under section 3551 of the Maritime Security  
13 and Fisheries Enforcement Act (16 U.S.C. 8031).

14 (5) Best practices and lessons learned from ex-  
15 isting and previous efforts relating to such threats,  
16 including strategies for coordination and success in  
17 public-private partnerships.

18 (6) Limitations related to affordability, resource  
19 constraints, or other gaps or factors that affect the  
20 success or expansion of efforts related to such  
21 threats.

22 (7) Any new authorities needed to support ef-  
23 forts to combat such threats.

1 (c) FORM OF REPORT.—The report required by sub-  
2 section (a) shall be submitted in unclassified form, but  
3 may include a classified annex.

4 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—  
5 In this section, the term “appropriate congressional com-  
6 mittees” means—

7 (1) the Committee on Armed Services, the  
8 Committee on Commerce, Science, and Transpor-  
9 tation, the Committee on Foreign Relations, and the  
10 Committee on Appropriations of the Senate; and

11 (2) the Committee on Armed Services, the  
12 Committee on Natural Resources, the Committee on  
13 Transportation and Infrastructure, the Committee  
14 on Foreign Affairs, and the Committee on Appro-  
15 priations of the House of Representatives.

16 **SEC. 3518. AUTHORIZATION TO PURCHASE DUPLICATE**  
17 **MEDALS.**

18 (a) IN GENERAL.—The Secretary of Transportation,  
19 acting through the Administrator of the Maritime Admin-  
20 istration, may use funds appropriated for the fiscal year  
21 in which the date of the enactment of this Act occurs, or  
22 funds appropriated for any prior fiscal year, for the Mari-  
23 time Administration to purchase duplicate medals author-  
24 ized under the Merchant Mariners of World War II Con-  
25 gressional Gold Medal Act of 2020 (Public Law 116–125)

1 and provide such medals to eligible individuals who en-  
2 gaged in qualified service who submit an application under  
3 subsection (b) and were United States merchant mariners  
4 of World War II.

5 (b) APPLICATION.—To be eligible to receive a medal  
6 described in subsection (a), an eligible individual who en-  
7 gaged in qualified service shall submit to the Adminis-  
8 trator an application containing such information and as-  
9 surances as the Administrator may require.

10 (c) ELIGIBLE INDIVIDUAL WHO ENGAGED IN QUALI-  
11 FIED SERVICE.—In this section, the term “eligible indi-  
12 vidual who engaged in qualified service” means an indi-  
13 vidual who, between December 7, 1941, and December 31,  
14 1946—

15 (1) was a member of the United States mer-  
16 chant marine, including the Army Transport Service  
17 and the Navy Transport Service, serving as a crew-  
18 member of a vessel that was—

19 (A) operated by the War Shipping Admin-  
20 istration, the Office of Defense Transportation,  
21 or an agent of such departments;

22 (B) operated in waters other than inland  
23 waters, the Great Lakes, and other lakes, bays,  
24 or harbors of the United States;

1 (C) under contract or charter to, or prop-  
2 erty of, the Government of the United States;  
3 and

4 (D) serving in the Armed Forces; and

5 (2) while so serving, was licensed or otherwise  
6 documented for service as a crewmember of such a  
7 vessel by an officer or employee of the United States  
8 authorized to license or document the person for  
9 such service.

## 10 **DIVISION D—FUNDING TABLES**

### 11 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-** 12 **BLES.**

13 (a) **IN GENERAL.**—Whenever a funding table in this  
14 division specifies a dollar amount authorized for a project,  
15 program, or activity, the obligation and expenditure of the  
16 specified dollar amount for the project, program, or activ-  
17 ity is hereby authorized, subject to the availability of ap-  
18 propriations.

19 (b) **MERIT-BASED DECISIONS.**—

20 (1) **IN GENERAL.**—A decision to commit, obli-  
21 gate, or expend funds with or to a specific entity on  
22 the basis of a dollar amount authorized pursuant to  
23 subsection (a) shall—

24 (A) except as provided in paragraph (2),  
25 be based on merit-based selection procedures in

1 accordance with the requirements of sections  
2 2304(k) and 2374 of title 10, United States  
3 Code, or on competitive procedures; and

4 (B) comply with other applicable provisions  
5 of law.

6 (2) EXCEPTION.—Paragraph (1)(A) does not  
7 apply to a decision to commit, obligate, or expend  
8 funds on the basis of a dollar amount authorized  
9 pursuant to subsection (a) if the project, program,  
10 or activity involved—

11 (A) is listed in section 4201; and

12 (B) is identified as Community Project  
13 Funding through the inclusion of the abbrevia-  
14 tion “CPF” immediately before the name of the  
15 project, program, or activity.

16 (c) RELATIONSHIP TO TRANSFER AND PROGRAM-  
17 MING AUTHORITY.—An amount specified in the funding  
18 tables in this division may be transferred or repro-  
19 grammed under a transfer or reprogramming authority  
20 provided by another provision of this Act or by other law.  
21 The transfer or reprogramming of an amount specified in  
22 such funding tables shall not count against a ceiling on  
23 such transfers or reprogrammings under section 1001 of  
24 this Act or any other provision of law, unless such transfer

1 or reprogramming would move funds between appropria-  
 2 tion accounts.

3 (d) APPLICABILITY TO CLASSIFIED ANNEX.—This  
 4 section applies to any classified annex that accompanies  
 5 this Act.

6 (e) ORAL AND WRITTEN COMMUNICATIONS.—No  
 7 oral or written communication concerning any amount  
 8 specified in the funding tables in this division shall super-  
 9 sede the requirements of this section.

10 **TITLE XLI—PROCUREMENT**

11 **SEC. 4101. PROCUREMENT.**

<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
001	UTILITY F/W AIRCRAFT .....		20,000
	Program increase—fixed wing avionics upgrade .....		[20,000]
004	SMALL UNMANNED AIRCRAFT SYSTEM .....	16,005	16,005
<b>ROTARY</b>			
007	AH-64 APACHE BLOCK IIIA REMAN .....	504,136	494,136
	Unit cost growth .....		[-10,000]
008	AH-64 APACHE BLOCK IIIA REMAN .....	192,230	192,230
010	UH-60 BLACKHAWK M MODEL (MYP) .....	630,263	841,763
	UH-60 Black Hawk for Army Guard .....		[211,500]
011	UH-60 BLACKHAWK M MODEL (MYP) .....	146,068	146,068
012	UH-60 BLACK HAWK L AND V MODELS .....	166,205	166,205
013	CH-47 HELICOPTER .....	145,218	397,218
	Army UPR—Support minimum sustainment rate .....		[252,000]
014	CH-47 HELICOPTER AP .....	18,559	47,559
	Program increase—F Block II .....		[29,000]
<b>MODIFICATION OF AIRCRAFT</b>			
017	GRAY EAGLE MODS2 .....	3,143	33,143
	Program increase—recapitalization of legacy MQ-1C to extended range MDO con- figuration.		[30,000]
018	MULTI SENSOR ABN RECON .....	127,665	122,910
	Unjustified cost—spares .....		[-4,755]
019	AH-64 MODS .....	118,560	118,560
020	CH-47 CARGO HELICOPTER MODS (MYP) .....	9,918	11,918
	Program increase—improved vibration control .....		[2,000]
021	GRCS SEMA MODS .....	2,762	2,762
022	ARL SEMA MODS .....	9,437	9,437
023	EMARSS SEMA MODS .....	1,568	1,568
024	UTILITY/CARGO AIRPLANE MODS .....	8,530	8,530
025	UTILITY HELICOPTER MODS .....	15,826	40,826
	UH-72 modernization .....		[25,000]
026	NETWORK AND MISSION PLAN .....	29,206	29,206
027	COMMS, NAV SURVEILLANCE .....	58,117	58,117
029	AVIATION ASSURED PNT .....	47,028	45,862
	Excess to need .....		[-1,166]
030	GATM ROLLUP .....	16,776	16,776
032	UAS MODS .....	3,840	3,840
<b>GROUND SUPPORT AVIONICS</b>			
033	AIRCRAFT SURVIVABILITY EQUIPMENT .....	64,561	64,561
034	SURVIVABILITY CM .....	5,104	5,104
035	CMWS .....	148,570	148,570
036	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	240,412	238,012

<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	Training support cost growth .....		[-2,400]
	<b>OTHER SUPPORT</b>		
038	COMMON GROUND EQUIPMENT .....	13,561	13,561
039	AIRCREW INTEGRATED SYSTEMS .....	41,425	41,425
040	AIR TRAFFIC CONTROL .....	21,759	21,759
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>2,806,452</b>	<b>3,357,631</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
002	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SEN .....	35,473	35,473
003	M-SHORAD—PROCUREMENT .....	331,575	331,575
004	MSE MISSILE .....	776,696	776,696
005	PRECISION STRIKE MISSILE (PRSM) .....	166,130	166,130
006	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I .....	25,253	20,253
	Maintain level of effort .....		[-5,000]
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
007	HELLFIRE SYS SUMMARY .....	118,800	115,800
	Unit cost growth .....		[-3,000]
008	JOINT AIR-TO-GROUND MSLs (JAGM) .....	152,177	214,177
	Army UFR—Additional JAGM procurement .....		[67,000]
	Unit cost growth .....		[-5,000]
009	LONG RANGE PRECISION MUNITION .....	44,744	44,744
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
010	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	120,842	125,842
	Army UFR—Light Weight Command Launch Units .....		[5,000]
011	TOW 2 SYSTEM SUMMARY .....	104,412	102,412
	Excess to need .....		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS) .....	935,917	968,262
	Army UFR—Restores GMLRS procurement .....		[50,000]
	Tooling request previously funded .....		[-17,655]
013	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	29,574	29,574
014	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....	128,438	128,438
016	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	68,278	68,278
	<b>MODIFICATIONS</b>		
017	PATRIOT MODS .....	205,469	205,469
021	AVENGER MODS .....	11,227	11,227
022	ITAS/TOW MODS .....	4,561	4,561
023	MLRS MODS .....	273,856	273,856
024	HIMARS MODIFICATIONS .....	7,192	7,192
	<b>SPARES AND REPAIR PARTS</b>		
025	SPARES AND REPAIR PARTS .....	5,019	5,019
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
026	AIR DEFENSE TARGETS .....	10,618	10,618
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>3,556,251</b>	<b>3,645,596</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	104,727	104,727
002	ASSAULT BREACHER VEHICLE (ABV) .....	16,454	16,454
003	MOBILE PROTECTED FIREPOWER .....	286,977	286,977
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
005	STRYKER UPGRADE .....	1,005,028	1,120,028
	Excess growth .....		[-24,000]
	Program increase .....		[139,000]
006	BRADLEY PROGRAM (MOD) .....	461,385	538,354
	Army UFR—Improved Bradley Acquisition System upgrade .....		[56,969]
	Program increase .....		[20,000]
007	M109 FOV MODIFICATIONS .....	2,534	2,534
008	PALADIN INTEGRATED MANAGEMENT (PIM) .....	446,430	673,430
	Army UFR—PIM increase .....		[227,000]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	52,059	52,059
010	ASSAULT BRIDGE (MOD) .....	2,136	2,136
013	JOINT ASSAULT BRIDGE .....	110,773	110,773
015	ABRAMS UPGRADE PROGRAM .....	981,337	1,350,337
	Army UFR—Abrams ARNG M1A2SEPv3 fielding .....		[369,000]
016	VEHICLE PROTECTION SYSTEMS (VPS) .....	80,286	80,286
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
018	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....	31,623	31,623
019	MORTAR SYSTEMS .....	37,485	50,338
	Army UFR—120mm mortar cannon .....		[12,853]
020	XM320 GRENADE LAUNCHER MODULE (GLM) .....	8,666	8,666
021	PRECISION SNIPER RIFLE .....	11,040	10,040
	Unit cost growth .....		[-1,000]
023	CARBINE .....	4,434	4,434
024	NEXT GENERATION SQUAD WEAPON .....	97,087	97,087
026	HANDGUN .....	4,930	4,930
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
027	MK-19 GRENADE MACHINE GUN MODS .....	13,027	13,027

<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
028	M777 MODS .....	21,976	23,771
	Army UFR—Software Defined Radio-Hardware Integration Kits .....		[1,795]
030	M2 50 CAL MACHINE GUN MODS .....	3,612	21,527
	Army UFR—Additional M2A1s for MATVs .....		[17,915]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	1,068	1,068
037	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	90,819	90,819
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>3,875,893</b>	<b>4,695,425</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	47,490	79,890
	Army UFR—Enhanced Performance Round and Tracer .....		[32,400]
002	CTG, 7.62MM, ALL TYPES .....	74,870	101,926
	Program increase .....		[28,473]
	Unit cost growth .....		[-1,417]
003	NEXT GENERATION SQUAD WEAPON AMMUNITION .....	76,794	76,794
004	CTG, HANDGUN, ALL TYPES .....	7,812	7,812
005	CTG, .50 CAL, ALL TYPES .....	29,716	58,116
	Program increase .....		[28,400]
006	CTG, 20MM, ALL TYPES .....	4,371	4,371
008	CTG, 30MM, ALL TYPES .....	34,511	34,511
009	CTG, 40MM, ALL TYPES .....	35,231	46,731
	Army UFR—MK19 training and war reserves .....		[14,000]
	BA54 and BA55 uncertainty .....		[-2,500]
	<b>MORTAR AMMUNITION</b>		
010	60MM MORTAR, ALL TYPES .....	23,219	23,219
011	81MM MORTAR, ALL TYPES .....	52,135	52,135
012	120MM MORTAR, ALL TYPES .....	104,144	98,944
	Unit cost growth .....		[-5,200]
	<b>TANK AMMUNITION</b>		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	224,503	217,603
	Unit cost growth .....		[-6,900]
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	26,709	57,553
	Army UPL .....		[30,844]
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	174,015	174,715
	Army UFR—Additional inventory .....		[5,000]
	Unit cost growth .....		[-4,300]
016	PROJ 155MM EXTENDED RANGE M982 .....	73,498	61,498
	Unit cost growth .....		[-12,000]
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	150,873	143,373
	Unit cost growth .....		[-7,500]
	<b>MINES</b>		
018	MINES & CLEARING CHARGES, ALL TYPES .....	25,980	20,980
	Excess to need .....		[-5,000]
019	CLOSE TERRAIN SHAPING OBSTACLE .....	34,761	34,761
	<b>ROCKETS</b>		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	24,408	22,408
	Excess to need .....		[-2,000]
021	ROCKET, HYDRA 70, ALL TYPES .....	109,536	117,536
	Program increase .....		[8,000]
	<b>OTHER AMMUNITION</b>		
022	CAD/PAD, ALL TYPES .....	6,549	6,549
023	DEMOLITION MUNITIONS, ALL TYPES .....	27,904	27,904
024	GRENADES, ALL TYPES .....	37,437	37,437
025	SIGNALS, ALL TYPES .....	7,530	7,530
026	SIMULATORS, ALL TYPES .....	8,350	8,350
027	REACTIVE ARMOR TILES .....	17,755	17,755
	<b>MISCELLANEOUS</b>		
028	AMMO COMPONENTS, ALL TYPES .....	2,784	2,784
029	ITEMS LESS THAN \$5 MILLION (AMMO) .....	17,797	17,797
030	AMMUNITION PECULIAR EQUIPMENT .....	12,290	12,290
031	FIRST DESTINATION TRANSPORTATION (AMMO) .....	4,331	4,331
032	CLOSEOUT LIABILITIES .....	99	99
	<b>PRODUCTION BASE SUPPORT</b>		
034	INDUSTRIAL FACILITIES .....	538,120	642,620
	Army UFR—Demolition of Legacy Nitrate Esters (Nitroglycerin) NG1 Facility, Radford Army Ammunition Plant (RFAAP), Virginia.		[40,000]
	Army UFR—Environmental, Safety, Construction, Maintenance and Repair of GOCO Facilities in VA, TN, MO, PA, & IA.		[40,000]
	Army UFR—Pyrotechnics Energetic Capability (PEC) construction at Lake City Army Ammunition Plant (LCAAP), Missouri.		[12,000]
	Army UFR—Solvent Propellant Facility, Preliminary Design, Radford Army Am- munition Plant, Virginia.		[12,500]
035	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	139,410	232,410
	Program increase .....		[93,000]
036	ARMS INITIATIVE .....	3,178	3,178



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<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b>	<b>2,158,110</b>	<b>2,455,910</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
002	SEMITRAILERS, FLATBED: .....	12,539	18,931
	Army UFR—M872 semitrailer .....		[6,392]
003	SEMITRAILERS, TANKERS .....	17,985	17,985
004	HI MOB MULTI-PURP WHLD VEH (HMMWV) .....	60,706	60,706
005	GROUND MOBILITY VEHICLES (GMV) .....	29,807	37,307
	Program increase—infantry squad vehicle .....		[7,500]
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL .....	574,562	605,562
	Army UFR—Additional JLTV fielding .....		[120,000]
	Early to need .....		[-89,000]
009	TRUCK, DUMP, 20T (CCE) .....	9,882	19,632
	Program increase .....		[9,750]
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	36,885	61,885
	Program increase .....		[25,000]
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE .....	16,450	16,450
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	26,256	26,256
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	64,282	64,282
014	PLS ESP .....	16,943	16,943
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....		109,000
	Program increase .....		[109,000]
017	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	17,957	17,957
018	MODIFICATION OF IN SVC EQUIP .....	29,349	212,650
	HMMWV modifications .....		[183,301]
	<b>NON-TACTICAL VEHICLES</b>		
020	PASSENGER CARRYING VEHICLES .....	1,232	1,232
021	NONTACTICAL VEHICLES, OTHER .....	24,246	19,246
	Excess carryover .....		[-5,000]
	<b>COMM—JOINT COMMUNICATIONS</b>		
022	SIGNAL MODERNIZATION PROGRAM .....	140,036	142,536
	Army UFR—Multi-Domain Task Force All-Domain Operations Center cloud pilot .....		[2,500]
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....	436,524	429,024
	Excess to need .....		[-7,500]
025	DISASTER INCIDENT RESPONSE COMMS TERMINAL .....	3,863	3,863
026	JCSE EQUIPMENT (USRDECOM) .....	4,845	4,845
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	97,369	97,369
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	120,550	120,550
031	SHF TERM .....	38,129	38,129
032	ASSURED POSITIONING, NAVIGATION AND TIMING .....	115,291	112,791
	Excess to need .....		[-2,500]
033	SMART-T (SPACE) .....	15,407	15,407
034	GLOBAL BRDCST SVC—GBS .....	2,763	2,763
	<b>COMM—C3 SYSTEM</b>		
037	COE TACTICAL SERVER INFRASTRUCTURE (TSD) .....	99,858	99,858
	<b>COMM—COMBAT COMMUNICATIONS</b>		
038	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	775,069	730,069
	Cost deviation .....		[-5,000]
	Single channel data radio program decrease .....		[-35,000]
	Support cost excess to need .....		[-5,000]
040	ARMY LINK 16 SYSTEMS .....	17,749	17,749
042	UNIFIED COMMAND SUITE .....	17,984	17,984
043	COTS COMMUNICATIONS EQUIPMENT .....	191,702	185,702
	Unit cost growth .....		[-6,000]
044	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	15,957	15,957
045	ARMY COMMUNICATIONS & ELECTRONICS .....	89,441	79,441
	Insufficient justification .....		[-10,000]
	<b>COMM—INTELLIGENCE COMM</b>		
047	CI AUTOMATION ARCHITECTURE-INTEL .....	13,317	13,317
048	DEFENSE MILITARY DECEPTION INITIATIVE .....	5,207	5,207
049	MULTI-DOMAIN INTELLIGENCE .....	20,095	20,095
	<b>INFORMATION SECURITY</b>		
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	987	987
052	COMMUNICATIONS SECURITY (COMSEC) .....	126,273	126,273
053	DEFENSIVE CYBER OPERATIONS .....	27,389	31,489
	Army UFR—Cybersecurity / IT Network Mapping .....		[4,100]
056	SIO CAPABILITY .....	21,303	21,303
057	BIOMETRIC ENABLING CAPABILITY (BEC) .....	914	914
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
059	BASE SUPPORT COMMUNICATIONS .....	9,209	24,209
	Land mobile radios .....		[15,000]
	<b>COMM—BASE COMMUNICATIONS</b>		
060	INFORMATION SYSTEMS .....	219,026	219,026
061	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	4,875	4,875
064	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	223,001	225,041
	EUCOM UFR—Mission Partner Environment .....		[2,040]

<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>			
067	JTT/CIBS-M .....	5,463	5,463
068	TERRESTRIAL LAYER SYSTEMS (TLS) .....	39,240	39,240
070	DCGS-A-INTEL .....	92,613	119,563
	Army UFR—Additional fixed node cloud servers .....		[26,950]
071	JOINT TACTICAL GROUND STATION (JTAGS)-INTEL .....	8,088	8,088
072	TROJAN .....	30,828	30,828
073	MOD OF IN-SVC EQUIP (INTEL SPT) .....	39,039	39,039
074	BIOMETRIC TACTICAL COLLECTION DEVICES .....	11,097	11,097
<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>			
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	783	783
077	AIR VIGILANCE (AV) .....	13,486	13,486
079	FAMILY OF PERSISTENT SURVEILLANCE CAP. ....	14,414	14,414
080	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	19,111	19,111
081	CI MODERNIZATION .....	421	421
<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			
082	SENTINEL MODS .....	47,642	47,642
083	NIGHT VISION DEVICES .....	1,092,341	828,875
	IVAS ahead of need .....		[-213,466]
	Transfer to RDTE, Army line 98 .....		[-50,000]
084	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	21,103	21,103
085	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	6,153	6,153
086	FAMILY OF WEAPON SIGHTS (FWS) .....	184,145	184,145
087	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SE .....	2,371	2,371
088	FORWARD LOOKING INFRARED (IFLIR) .....	11,929	11,929
089	COUNTER SMALL UNMANNED AERIAL SYSTEM (C-SUAS) .....	60,058	60,058
090	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	263,661	259,661
	Unit cost growth .....		[-4,000]
091	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	62,082	62,082
093	COMPUTER BALLISTICS: LHMCB XM32 .....	2,811	2,811
094	MORTAR FIRE CONTROL SYSTEM .....	17,236	17,236
095	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS .....	2,830	2,830
096	COUNTERFIRE RADARS .....	31,694	26,694
	Excess to need .....		[-5,000]
<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>			
097	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE .....	49,410	49,410
098	FIRE SUPPORT C2 FAMILY .....	9,853	9,853
099	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	67,193	67,193
100	LAMD BATTLE COMMAND SYSTEM .....	301,872	291,872
	Excess costs previously funded .....		[-10,000]
101	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	5,182	5,182
102	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	31,349	31,349
104	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	11,271	11,271
105	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	16,077	16,077
107	MOD OF IN-SVC EQUIPMENT (ENFIRE) .....	3,160	9,160
	Program increase—land surveying systems .....		[6,000]
<b>ELECT EQUIP—AUTOMATION</b>			
108	ARMY TRAINING MODERNIZATION .....	9,833	9,833
109	AUTOMATED DATA PROCESSING EQUIP .....	130,924	133,924
	Army UFR—ATRRS unlimited data rights .....		[3,000]
110	ACCESSIONS INFORMATION ENVIRONMENT (AIE) .....	44,635	39,635
	Program decrease .....		[-5,000]
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	1,452	1,452
112	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	69,943	69,943
113	CONTRACT WRITING SYSTEM .....	16,957	16,957
114	CSS COMMUNICATIONS .....	73,110	73,110
115	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	12,905	12,905
<b>ELECT EQUIP—SUPPORT</b>			
117	BCT EMERGING TECHNOLOGIES .....	13,835	13,835
<b>CLASSIFIED PROGRAMS</b>			
9999	CLASSIFIED PROGRAMS .....	18,304	18,304
<b>CHEMICAL DEFENSIVE EQUIPMENT</b>			
119	BASE DEFENSE SYSTEMS (BDS) .....	62,295	62,295
120	CBRN DEFENSE .....	55,632	55,632
<b>BRIDGING EQUIPMENT</b>			
122	TACTICAL BRIDGING .....	9,625	9,625
123	TACTICAL BRIDGE, FLOAT-RIBBON .....	76,082	76,082
124	BRIDGE SUPPLEMENTAL SET .....	19,867	19,867
125	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	109,796	109,796
<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>			
126	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST .....	5,628	5,628
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....	26,823	75,123
	Army UFR—Additional HMDS .....		[48,300]
131	ROBOTICS AND APPLIQUE SYSTEMS .....	124,233	134,233
	Army UFR—Common Robotic System-Individual (CRS-I) .....		[10,000]
132	RENDER SAFE SETS KITS OUTFITS .....	84,000	87,158
	Army UFR—Additional render safe equipment .....		[3,158]
<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>			

<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
134	HEATERS AND ECU'S .....	7,116	5,116
	Contract delay .....		[-2,000]
135	SOLDIER ENHANCEMENT .....	1,286	7,786
	Program increase .....		[6,500]
136	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	9,741	9,741
137	GROUND SOLDIER SYSTEM .....	150,244	150,244
138	MOBILE SOLDIER POWER .....	17,815	17,815
139	FORCE PROVIDER .....	28,860	28,860
140	FIELD FEEDING EQUIPMENT .....	2,321	2,321
141	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	40,240	40,240
142	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	36,163	36,163
	<b>PETROLEUM EQUIPMENT</b>		
144	QUALITY SURVEILLANCE EQUIPMENT .....	744	744
145	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	72,296	76,716
	Army UFR—Modular Fuel System (MFS) .....		[4,420]
	<b>MEDICAL EQUIPMENT</b>		
146	COMBAT SUPPORT MEDICAL .....	122,145	122,145
	<b>MAINTENANCE EQUIPMENT</b>		
147	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	14,756	12,856
	Excess carryover .....		[-1,900]
	<b>CONSTRUCTION EQUIPMENT</b>		
154	ALL TERRAIN CRANES .....	112,784	107,784
	Cost savings .....		[-5,000]
156	CONST EQUIP ESP .....	8,694	8,694
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
158	ARMY WATERCRAFT ESP .....	44,409	58,009
	Army UFR—Landing Craft Utility modernization .....		[13,600]
159	MANEUVER SUPPORT VESSEL (MSV) .....	76,660	76,660
	<b>GENERATORS</b>		
161	GENERATORS AND ASSOCIATED EQUIP .....	47,606	47,606
162	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	10,500	10,500
	<b>MATERIAL HANDLING EQUIPMENT</b>		
163	FAMILY OF FORKLIFTS .....	13,325	13,325
	<b>TRAINING EQUIPMENT</b>		
164	COMBAT TRAINING CENTERS SUPPORT .....	79,565	79,565
165	TRAINING DEVICES, NONSYSTEM .....	174,644	174,644
166	SYNTHETIC TRAINING ENVIRONMENT (STE) .....	122,104	92,266
	RVCT ahead of need .....		[-29,838]
168	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	11,642	10,642
	Excess carryover .....		[-1,000]
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
170	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	42,934	42,934
172	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	24,304	24,304
	<b>OTHER SUPPORT EQUIPMENT</b>		
174	PHYSICAL SECURITY SYSTEMS (OPA3) .....	86,930	86,930
175	BASE LEVEL COMMON EQUIPMENT .....	27,823	27,823
176	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	32,392	32,392
177	BUILDING, PRE-FAB, RELOCATABLE .....	32,227	32,227
179	SPECIAL EQUIPMENT FOR TEST AND EVALUATION .....	76,917	76,917
	<b>OPA2</b>		
180	INITIAL SPARES—C&E .....	9,272	9,272
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>8,873,558</b>	<b>8,987,865</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
001	F/A-18E/F (FIGHTER) HORNET .....	87,832	977,161
	Production line shutdown .....		[-10,671]
	Program increase—12 additional aircraft .....		[900,000]
003	JOINT STRIKE FIGHTER CV .....	2,111,009	2,060,757
	Unit cost savings .....		[-50,252]
004	JOINT STRIKE FIGHTER CV .....	246,781	246,781
005	JSF STOVL .....	2,256,829	2,317,929
	F-35 B PGSE & depot support—USMC UPL .....		[128,800]
	Target cost savings .....		[-67,700]
006	JSF STOVL .....	216,720	216,720
007	CH-53K (HEAVY LIFT) .....	1,286,296	1,503,126
	Excess to need—pub/tech data .....		[-14,782]
	GFE electronics excess growth .....		[-3,388]
	Program increase—two additional aircraft .....		[250,000]
	Unjustified growth—NRE production capacity .....		[-15,000]
008	CH-53K (HEAVY LIFT) .....	182,871	182,871
009	V-22 (MEDIUM LIFT) .....	751,716	1,500,516
	Program increase—five additional MV-22 .....		[414,400]
	Program increase—four additional CMV-22 .....		[334,400]
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	939	939
013	P-8A POSEIDON .....	44,595	384,595
	Additional aircraft .....		[340,000]
014	E-2D ADV HAWKEYE .....	766,788	957,788

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<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
	Navy UFR—Additional E-2D .....		[191,000]
015	E-2D ADV HAWKEYE .....	118,095	118,095
	<b>TRAINER AIRCRAFT</b>		
016	ADVANCED HELICOPTER TRAINING SYSTEM .....	163,490	163,490
	<b>OTHER AIRCRAFT</b>		
017	KC-130J .....	520,787	947,187
	Marine Corps UFR—KC-130J weapons system trainer .....		[31,500]
	Marine Corps UFR—Replace KC-130J aircraft .....		[197,900]
	Two additional C-130J aircraft—Navy UPL .....		[197,000]
018	KC-130J .....	68,088	68,088
021	MQ-4 TRITON .....	160,151	483,151
	Additional aircraft .....		[323,000]
023	MQ-8 UAV .....	49,249	49,249
024	STUASLO UAV .....	13,151	13,151
025	MQ-25 .....	47,468	47,468
027	MARINE GROUP 5 UAS .....	233,686	273,686
	Marine Corps UFR—Additional aircraft .....		[40,000]
	<b>MODIFICATION OF AIRCRAFT</b>		
030	F-18 A-D UNIQUE .....	163,095	244,595
	F/A-18 aircraft structural life management (OSIP 11-99) inner wing installation excess cost growth. ....		[-1,000]
	Marine Corps UFR—F-18 ALR-67(V)5 radar warning receiver .....		[55,000]
	Marine Corps UFR—F-18C/D AESA radar upgrade .....		[27,500]
031	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM .....	482,899	482,899
032	MARINE GROUP 5 UAS SERIES .....	1,982	1,982
033	AEA SYSTEMS .....	23,296	20,221
	Excess support costs .....		[-3,075]
034	AV-8 SERIES .....	17,882	17,882
035	INFRARED SEARCH AND TRACK (IRST) .....	138,827	120,377
	Limit production growth .....		[-18,450]
036	ADVERSARY .....	143,571	143,571
037	F-18 SERIES .....	327,571	327,571
038	H-53 SERIES .....	112,436	109,136
	Excess to need .....		[-3,300]
039	MH-60 SERIES .....	94,794	94,794
040	H-1 SERIES .....	124,194	118,857
	Excess to need .....		[-5,337]
041	EP-3 SERIES .....	28,848	28,848
042	E-2 SERIES .....	204,826	199,991
	Electronic support measures (OSIP 007-21) excess installation costs .....		[-1,800]
	Electronic support measures (OSIP 007-21) previously funded .....		[-1,785]
	NAVWAR A-kit installation (OSIP 011-19) previously funded .....		[-1,250]
043	TRAINER A/C SERIES .....	7,849	7,849
044	C-2A .....	2,843	2,843
045	C-130 SERIES .....	145,610	143,106
	A and B kits (OSIP 019-14) unit cost growth .....		[-2,504]
046	FEWSG .....	734	734
047	CARGO/TRANSPORT A/C SERIES .....	10,682	10,682
048	E-6 SERIES .....	128,029	128,029
049	EXECUTIVE HELICOPTERS SERIES .....	45,326	45,326
051	T-45 SERIES .....	158,772	158,772
052	POWER PLANT CHANGES .....	24,915	24,915
053	JPATS SERIES .....	22,955	22,955
054	AVIATION LIFE SUPPORT MODS .....	2,477	2,477
055	COMMON ECM EQUIPMENT .....	119,574	119,574
056	COMMON AVIONICS CHANGES .....	118,839	118,839
057	COMMON DEFENSIVE WEAPON SYSTEM .....	5,476	5,476
058	ID SYSTEMS .....	13,154	13,154
059	P-8 SERIES .....	131,298	115,998
	Program delays .....		[-15,300]
060	MAGTF EW FOR AVIATION .....	29,151	29,151
061	MQ-8 SERIES .....	31,624	31,624
062	V-22 (TILT/ROTOR ACFT) OSPREY .....	312,835	312,835
063	NEXT GENERATION JAMMER (NGJ) .....	266,676	266,676
064	F-35 STOVL SERIES .....	177,054	168,154
	Block 4 B kits early to need .....		[-8,900]
065	F-35 CV SERIES .....	138,269	131,369
	TR-3/B4 delay .....		[-6,900]
066	QRC .....	98,563	98,563
067	MQ-4 SERIES .....	7,100	7,100
068	RQ-21 SERIES .....	14,123	14,123
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
072	SPARES AND REPAIR PARTS .....	2,339,077	2,466,977
	Marine Corps UFR—F-35B engine spares .....		[117,800]
	Marine Corps UFR—KC-130J initial spares .....		[7,000]
	Marine Corps UFR—KC-130J weapons system trainer initial spares .....		[3,100]
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
073	COMMON GROUND EQUIPMENT .....	517,267	517,267

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<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
074	AIRCRAFT INDUSTRIAL FACILITIES .....	80,500	80,500
075	WAR CONSUMABLES .....	42,496	42,496
076	OTHER PRODUCTION CHARGES .....	21,374	21,374
077	SPECIAL SUPPORT EQUIPMENT .....	271,774	271,774
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY .....</b>	<b>16,477,178</b>	<b>19,804,184</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,144,446	1,144,446
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	7,319	7,319
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	124,513	138,140
	MK14 canisters previously funded .....		[-3,743]
	Program increase—ten additional tomahawks .....		[17,370]
	<b>TACTICAL MISSILES</b>		
005	SIDEWINDER .....	86,366	82,788
	Unit cost adjustment—AUR Block II .....		[-2,624]
	Unit cost adjustment—CATM Block II .....		[-954]
006	STANDARD MISSILE .....	521,814	521,814
007	STANDARD MISSILE .....	45,357	45,357
008	JASSM .....	37,039	37,039
009	SMALL DIAMETER BOMB II .....	40,877	40,877
010	RAM .....	92,981	73,015
	Contract award delay .....		[-19,966]
011	JOINT AIR GROUND MISSILE (JAGM) .....	49,702	49,702
012	HELLFIRE .....	7,557	7,557
013	AERIAL TARGETS .....	150,339	150,339
014	DRONES AND DECOYS .....	30,321	30,321
015	OTHER MISSILE SUPPORT .....	3,474	3,474
016	LRASM .....	161,212	161,212
017	NAVAL STRIKE MISSILE (NSM) .....	59,331	52,377
	Program decrease .....		[-6,954]
	<b>MODIFICATION OF MISSILES</b>		
018	TOMAHAWK MODS .....	206,233	206,233
019	ESSM .....	248,619	161,519
	ESSM block 2 contract award delays .....		[-87,100]
021	AARGM .....	116,345	116,345
022	STANDARD MISSILES MODS .....	148,834	148,834
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
023	WEAPONS INDUSTRIAL FACILITIES .....	1,819	1,819
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
026	ORDNANCE SUPPORT EQUIPMENT .....	191,905	191,905
	<b>TORPEDOES AND RELATED EQUIP</b>		
027	SSTD .....	4,545	4,545
028	MK-48 TORPEDO .....	159,107	172,477
	Contract award delay .....		[-34,000]
	Navy UFR—Heavyweight Torpedo (HWT) quantity increase .....		[50,000]
	Program decrease .....		[-2,630]
029	ASW TARGETS .....	13,630	13,630
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
030	MK-54 TORPEDO MODS .....	106,112	106,112
031	MK-48 TORPEDO ADCAP MODS .....	35,680	35,680
032	MARITIME MINES .....	8,567	8,567
	<b>SUPPORT EQUIPMENT</b>		
033	TORPEDO SUPPORT EQUIPMENT .....	93,400	93,400
034	ASW RANGE SUPPORT .....	3,997	3,997
	<b>DESTINATION TRANSPORTATION</b>		
035	FIRST DESTINATION TRANSPORTATION .....	4,023	4,023
	<b>GUNS AND GUN MOUNTS</b>		
036	SMALL ARMS AND WEAPONS .....	14,909	14,909
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
037	CIWS MODS .....	6,274	6,274
038	COAST GUARD WEAPONS .....	45,958	45,958
039	GUN MOUNT MODS .....	68,775	68,775
040	LCS MODULE WEAPONS .....	2,121	2,121
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	14,822	14,822
	<b>SPARES AND REPAIR PARTS</b>		
043	SPARES AND REPAIR PARTS .....	162,382	166,682
	Navy UFR—Maritime outfitting and interim spares .....		[4,300]
	<b>TOTAL WEAPONS PROCUREMENT, NAVY .....</b>	<b>4,220,705</b>	<b>4,134,404</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	48,635	43,424
	Excess to need—BLU-137 .....		[-5,211]
002	JDAM .....	74,140	48,526
	Contract award delay .....		[-25,614]

<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
003	AIRBORNE ROCKETS, ALL TYPES .....	75,383	75,383
004	MACHINE GUN AMMUNITION .....	11,215	11,215
005	PRACTICE BOMBS .....	52,225	52,225
006	CARTRIDGES & CART ACTUATED DEVICES .....	70,876	70,492
	MK122 parachute deploy rocket unit cost overestimation .....		[-384]
007	AIR EXPENDABLE COUNTERMEASURES .....	61,600	57,069
	IR decoys previously funded .....		[-4,531]
008	JATOS .....	6,620	6,620
009	5 INCH/54 GUN AMMUNITION .....	28,922	27,923
	Unit cost growth—5"/54 prop charge, full DA65 .....		[-999]
010	INTERMEDIATE CALIBER GUN AMMUNITION .....	36,038	31,537
	ALaMO contract award delay .....		[-4,501]
011	OTHER SHIP GUN AMMUNITION .....	39,070	39,070
012	SMALL ARMS & LANDING PARTY AMMO .....	45,493	44,195
	NSW SMCA previously funded .....		[-1,298]
013	PYROTECHNIC AND DEMOLITION .....	9,163	9,163
015	AMMUNITION LESS THAN \$5 MILLION .....	1,575	1,575
	<b>MARINE CORPS AMMUNITION</b>		
016	MORTARS .....	50,707	50,707
017	DIRECT SUPPORT MUNITIONS .....	120,037	118,157
	Excess to need—20mm Carl Gustaf trainer system .....		[-1,880]
018	INFANTRY WEAPONS AMMUNITION .....	94,001	63,259
	Excess to need—BA54 & BA55 termination .....		[-30,742]
019	COMBAT SUPPORT MUNITIONS .....	35,247	35,247
020	AMMO MODERNIZATION .....	16,267	16,267
021	ARTILLERY MUNITIONS .....	105,669	95,169
	Contract delay .....		[-10,500]
022	ITEMS LESS THAN \$5 MILLION .....	5,135	5,135
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>988,018</b>	<b>902,358</b>
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>		
	<b>FLEET BALLISTIC MISSILE SHIPS</b>		
001	OHIO REPLACEMENT SUBMARINE .....	3,003,000	3,003,000
002	OHIO REPLACEMENT SUBMARINE AP .....	1,643,980	1,773,980
	Program increase—submarine supplier development .....		[130,000]
	<b>OTHER WARSHIPS</b>		
003	CARRIER REPLACEMENT PROGRAM .....	1,068,705	1,062,205
	Program decrease .....		[-6,500]
004	CVN-81 .....	1,299,764	1,287,719
	Program decrease .....		[-12,045]
005	VIRGINIA CLASS SUBMARINE .....	4,249,240	4,449,240
	Industrial base expansion .....		[200,000]
006	VIRGINIA CLASS SUBMARINE AP .....	2,120,407	2,105,407
	Program adjustment .....		[-15,000]
007	CVN REFUELING OVERHAULS .....	2,456,018	2,436,018
	Excess growth .....		[-20,000]
008	CVN REFUELING OVERHAULS .....	66,262	66,262
009	DDG 1000 .....	56,597	56,597
010	DDG-51 .....	2,016,787	4,929,073
	Change order excessive cost growth .....		[-11,651]
	Electronics excessive cost growth .....		[-35,500]
	Plans cost excessive cost growth .....		[-47,000]
	Program decrease .....		[-20,463]
	Termination liability not required .....		[-33,000]
	Two additional ships .....		[3,059,900]
011	DDG-51 AP .....		120,000
	Program increase—Advance procurement for DDG-51 .....		[120,000]
013	FFG-FRIGATE .....	1,087,900	1,087,900
014	FFG-FRIGATE .....	69,100	69,100
	<b>AMPHIBIOUS SHIPS</b>		
015	LPD FLIGHT II .....	60,636	60,636
016	LPD FLIGHT II AP .....		250,000
	Program increase .....		[250,000]
019	LHA REPLACEMENT .....	68,637	168,637
	Program increase .....		[100,000]
020	EXPEDITIONARY FAST TRANSPORT (EPF) .....		540,000
	Two additional ships .....		[540,000]
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
021	TAO FLEET OILER .....	668,184	1,336,384
	One additional ship .....		[668,200]
022	TAO FLEET OILER AP .....	76,012	0
	Unjustified request .....		[-76,012]
023	TAGOS SURTASS SHIPS .....	434,384	434,384
024	TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....	183,800	183,800
025	LCU 1700 .....	67,928	67,928
026	OUTFITTING .....	635,707	622,926
	Outfitting early to need .....		[-32,781]
027	SHIP TO SHORE CONNECTOR .....	156,738	286,738

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<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	Ship to shore connector .....		[130,000]
028	SERVICE CRAFT .....	67,866	67,866
029	LCAC SLEP .....	32,712	32,712
030	AUXILIARY VESSELS (USED SEALIFT) .....	299,900	120,000
	Program reduction .....		[-179,900]
031	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	660,795	660,795
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....	<b>22,571,059</b>	<b>27,279,307</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SHIP PROPULSION EQUIPMENT</b>		
001	SURFACE POWER EQUIPMENT .....	41,414	41,414
	<b>GENERATORS</b>		
002	SURFACE COMBATANT HM&E .....	83,746	83,746
	<b>NAVIGATION EQUIPMENT</b>		
003	OTHER NAVIGATION EQUIPMENT .....	72,300	72,300
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	234,932	234,932
005	DDG MOD .....	583,136	583,136
006	FIREFIGHTING EQUIPMENT .....	15,040	15,040
007	COMMAND AND CONTROL SWITCHBOARD .....	2,194	2,194
008	LHA/LHD MIDLIFE .....	133,627	120,854
	Program decrease .....		[-12,773]
009	LCC 19/20 EXTENDED SERVICE LIFE PROGRAM .....	4,387	4,387
010	POLLUTION CONTROL EQUIPMENT .....	18,159	18,159
011	SUBMARINE SUPPORT EQUIPMENT .....	88,284	98,284
	Spare Seawolf-class bow dome .....		[10,000]
012	VIRGINIA CLASS SUPPORT EQUIPMENT .....	22,669	22,669
013	LCS CLASS SUPPORT EQUIPMENT .....	9,640	9,640
014	SUBMARINE BATTERIES .....	21,834	21,834
015	LPD CLASS SUPPORT EQUIPMENT .....	34,292	29,478
	Program decrease .....		[-4,814]
016	DDG 1000 CLASS SUPPORT EQUIPMENT .....	126,107	111,761
	Program decrease .....		[-14,346]
017	STRATEGIC PLATFORM SUPPORT EQUIP .....	12,256	12,256
018	DSSP EQUIPMENT .....	10,682	10,682
019	CG MODERNIZATION .....	156,951	156,951
020	LCAC .....	21,314	21,314
021	UNDERWATER EOD EQUIPMENT .....	24,146	24,146
022	ITEMS LESS THAN \$5 MILLION .....	84,789	84,789
023	CHEMICAL WARFARE DETECTORS .....	2,997	2,997
	<b>REACTOR PLANT EQUIPMENT</b>		
025	SHIP MAINTENANCE, REPAIR AND MODERNIZATION .....	1,307,651	1,475,051
	Navy UFR—A—120 availability .....		[167,400]
026	REACTOR POWER UNITS .....	3,270	3,270
027	REACTOR COMPONENTS .....	438,729	438,729
	<b>OCEAN ENGINEERING</b>		
028	DIVING AND SALVAGE EQUIPMENT .....	10,772	10,772
	<b>SMALL BOATS</b>		
029	STANDARD BOATS .....	58,770	58,770
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
030	OPERATING FORCES IPE .....	168,822	150,822
	Program decrease .....		[-18,000]
	<b>OTHER SHIP SUPPORT</b>		
031	LCS COMMON MISSION MODULES EQUIPMENT .....	74,231	74,231
032	LCS MCM MISSION MODULES .....	40,630	30,119
	Program decrease .....		[-10,511]
033	LCS ASW MISSION MODULES .....	1,565	1,565
034	LCS SUW MISSION MODULES .....	3,395	3,395
035	LCS IN-SERVICE MODERNIZATION .....	122,591	122,591
036	SMALL & MEDIUM UUV .....	32,534	32,534
	<b>SHIP SONARS</b>		
038	SPQ-9B RADAR .....	15,927	15,927
039	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	131,829	126,871
	Program decrease .....		[-4,958]
040	SSN ACOUSTIC EQUIPMENT .....	379,850	360,898
	Virginia class technical insertion kits previously funded .....		[-18,952]
041	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	13,965	13,965
	<b>ASW ELECTRONIC EQUIPMENT</b>		
042	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	24,578	24,578
043	SSTD .....	11,010	11,010
044	FIXED SURVEILLANCE SYSTEM .....	363,651	363,651
045	SURTASS .....	67,500	67,500
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
046	AN/SLQ-32 .....	370,559	370,559
	<b>RECONNAISSANCE EQUIPMENT</b>		
047	SHIPBOARD IW EXPLOIT .....	261,735	261,735
048	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	3,777	3,777
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		

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<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
049	COOPERATIVE ENGAGEMENT CAPABILITY .....	24,641	46,924
	Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2) .....		[8,983]
	Navy UFR—Maritime outfitting and interim spares .....		[13,300]
050	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	14,439	14,439
051	ATDLS .....	101,595	101,595
052	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	3,535	3,535
053	MINESWEEPING SYSTEM REPLACEMENT .....	15,640	15,640
054	SHALLOW WATER MCM .....	5,610	5,610
055	NAVSTAR GPS RECEIVERS (SPACE) .....	33,097	33,097
056	AMERICAN FORCES RADIO AND TV SERVICE .....	2,513	2,513
057	STRATEGIC PLATFORM SUPPORT EQUIP .....	4,823	4,823
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
058	ASHORE ATC EQUIPMENT .....	83,464	83,464
059	AFLOAT ATC EQUIPMENT .....	67,055	67,055
060	ID SYSTEMS .....	46,918	46,918
061	JOINT PRECISION APPROACH AND LANDING SYSTEM ( .....	35,386	35,386
062	NAVAL MISSION PLANNING SYSTEMS .....	17,951	17,951
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
063	MARITIME INTEGRATED BROADCAST SYSTEM .....	2,360	2,360
064	TACTICAL/MOBILE C4I SYSTEMS .....	18,919	18,919
065	DCGS-N .....	16,691	16,691
066	CANES .....	412,002	441,002
	Navy UFR—Resilient Communications PNT for Combat Logistics Fleet (CLF) ....		[29,000]
067	RADIAC .....	9,074	9,074
068	CANES-INTELL .....	51,593	51,593
069	GPETE .....	23,930	23,930
070	MASF .....	8,795	8,795
071	INTEG COMBAT SYSTEM TEST FACILITY .....	5,829	5,829
072	EMI CONTROL INSTRUMENTATION .....	3,925	3,925
073	ITEMS LESS THAN \$5 MILLION .....	156,042	156,042
	<b>SHIPBOARD COMMUNICATIONS</b>		
074	SHIPBOARD TACTICAL COMMUNICATIONS .....	43,212	43,212
075	SHIP COMMUNICATIONS AUTOMATION .....	90,724	90,724
076	COMMUNICATIONS ITEMS UNDER \$5M .....	44,447	44,447
	<b>SUBMARINE COMMUNICATIONS</b>		
077	SUBMARINE BROADCAST SUPPORT .....	47,579	47,579
078	SUBMARINE COMMUNICATION EQUIPMENT .....	64,642	64,642
	<b>SATELLITE COMMUNICATIONS</b>		
079	SATELLITE COMMUNICATIONS SYSTEMS .....	38,636	38,636
080	NAVY MULTIBAND TERMINAL (NMT) .....	34,723	34,723
	<b>SHORE COMMUNICATIONS</b>		
081	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	2,651	2,651
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		
082	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	146,879	146,879
083	MIO INTEL EXPLOITATION TEAM .....	977	977
	<b>CRYPTOLOGIC EQUIPMENT</b>		
084	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	17,809	17,809
	<b>OTHER ELECTRONIC SUPPORT</b>		
092	COAST GUARD EQUIPMENT .....	63,214	63,214
	<b>SONOBUOYS</b>		
094	SONOBUOYS—ALL TYPES .....	249,121	303,521
	Navy UFR—Additional sonobuoys .....		[54,400]
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
095	MINOTAUR .....	4,963	4,963
096	WEAPONS RANGE SUPPORT EQUIPMENT .....	98,898	98,898
097	AIRCRAFT SUPPORT EQUIPMENT .....	178,647	178,647
098	ADVANCED ARRESTING GEAR (AAG) .....	22,265	22,265
099	METEOROLOGICAL EQUIPMENT .....	13,687	13,687
100	LEGACY AIRBORNE MCM .....	4,446	4,446
101	LAMPS EQUIPMENT .....	1,470	1,470
102	AVIATION SUPPORT EQUIPMENT .....	70,665	70,665
103	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL .....	86,584	86,584
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
104	SHIP GUN SYSTEMS EQUIPMENT .....	5,536	5,536
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
105	HARPOON SUPPORT EQUIPMENT .....	204	204
106	SHIP MISSILE SUPPORT EQUIPMENT .....	237,987	237,987
107	TOMAHAWK SUPPORT EQUIPMENT .....	88,726	88,726
	<b>FBM SUPPORT EQUIPMENT</b>		
108	STRATEGIC MISSILE SYSTEMS EQUIP .....	281,259	281,259
	<b>ASW SUPPORT EQUIPMENT</b>		
109	SSN COMBAT CONTROL SYSTEMS .....	143,289	143,289
110	ASW SUPPORT EQUIPMENT .....	30,595	30,595
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
111	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	1,721	1,721
112	ITEMS LESS THAN \$5 MILLION .....	8,746	8,746
	<b>OTHER EXPENDABLE ORDNANCE</b>		



<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
113	ANTI-SHIP MISSILE DECOY SYSTEM .....	76,994	76,994
114	SUBMARINE TRAINING DEVICE MODS .....	75,813	75,813
115	SURFACE TRAINING EQUIPMENT .....	127,814	127,814
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
116	PASSENGER CARRYING VEHICLES .....	4,140	4,140
117	GENERAL PURPOSE TRUCKS .....	2,805	2,805
118	CONSTRUCTION & MAINTENANCE EQUIP .....	48,403	46,403
	Excess carryover .....		[-2,000]
119	FIRE FIGHTING EQUIPMENT .....	15,084	15,084
120	TACTICAL VEHICLES .....	27,400	27,400
121	POLLUTION CONTROL EQUIPMENT .....	2,607	2,607
122	ITEMS LESS THAN \$5 MILLION .....	51,963	51,963
123	PHYSICAL SECURITY VEHICLES .....	1,165	1,165
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
124	SUPPLY EQUIPMENT .....	24,698	24,698
125	FIRST DESTINATION TRANSPORTATION .....	5,385	5,385
126	SPECIAL PURPOSE SUPPLY SYSTEMS .....	660,750	660,750
	<b>TRAINING DEVICES</b>		
127	TRAINING SUPPORT EQUIPMENT .....	3,465	3,465
128	TRAINING AND EDUCATION EQUIPMENT .....	60,114	60,114
	<b>COMMAND SUPPORT EQUIPMENT</b>		
129	COMMAND SUPPORT EQUIPMENT .....	31,007	31,007
130	MEDICAL SUPPORT EQUIPMENT .....	7,346	14,346
	Navy UFR—Expeditionary medical readiness .....		[7,000]
132	NAVAL MIP SUPPORT EQUIPMENT .....	2,887	2,887
133	OPERATING FORCES SUPPORT EQUIPMENT .....	12,815	12,815
134	C4ISR EQUIPMENT .....	6,324	6,324
135	ENVIRONMENTAL SUPPORT EQUIPMENT .....	25,098	25,098
136	PHYSICAL SECURITY EQUIPMENT .....	110,647	107,471
	Program decrease .....		[-3,176]
137	ENTERPRISE INFORMATION TECHNOLOGY .....	31,709	31,709
	<b>OTHER</b>		
141	NEXT GENERATION ENTERPRISE SERVICE .....	41	41
142	CYBERSPACE ACTIVITIES .....	12,859	12,859
	<b>CLASSIFIED PROGRAMS</b>		
9999	CLASSIFIED PROGRAMS .....	19,808	19,808
	<b>SPARES AND REPAIR PARTS</b>		
143	SPARES AND REPAIR PARTS .....	424,405	517,105
	Navy UFR—Maritime outfitting and interim spares .....		[92,700]
	<b>TOTAL OTHER PROCUREMENT, NAVY</b>	<b>10,875,912</b>	<b>11,169,165</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	36,836	36,836
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES .....	532,355	532,355
003	LAV PIP .....	23,476	23,476
	<b>ARTILLERY AND OTHER WEAPONS</b>		
004	155MM LIGHTWEIGHT TOWED HOWITZER .....	32	32
005	ARTILLERY WEAPONS SYSTEM .....	67,548	221,347
	Marine Corps UFR—Ground-launched anti-ship missiles .....		[57,799]
	Marine Corps UFR—Ground-launched long range fires .....		[96,000]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	35,402	35,402
	<b>GUIDED MISSILES</b>		
008	GROUND BASED AIR DEFENSE .....	9,349	9,349
009	ANTI-ARMOR MISSILE-JAVELIN .....	937	937
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) .....	20,481	20,481
011	ANTI-ARMOR MISSILE-TOW .....	14,359	12,359
	Unit cost growth .....		[-2,000]
012	GUIDED MLRS ROCKET (GMLRS) .....	98,299	98,299
	<b>COMMAND AND CONTROL SYSTEMS</b>		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C) .....	18,247	18,247
	<b>REPAIR AND TEST EQUIPMENT</b>		
014	REPAIR AND TEST EQUIPMENT .....	33,554	33,554
	<b>OTHER SUPPORT (TEL)</b>		
015	MODIFICATION KITS .....	167	167
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	64,879	130,779
	Marine Corps UFR—Fly-Away Broadcast System .....		[9,000]
	Marine Corps UFR—INOD Block III long-range sight .....		[16,900]
	Marine Corps UFR—Squad binocular night vision goggle .....		[40,000]
017	AIR OPERATIONS C2 SYSTEMS .....	1,291	1,291
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	297,369	645,369
	Marine Corps UFR—Additional G/ATOR units .....		[304,000]
	Marine Corps UFR—Additional radar retrofit kits and FRP systems .....		[44,000]
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
020	GCSS-MC .....	604	604
021	FIRE SUPPORT SYSTEM .....	39,810	39,810

<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
022	INTELLIGENCE SUPPORT EQUIPMENT .....	67,309	72,860
	Marine Corps UFR—SCINet equipment .....		[5,551]
024	UNMANNED AIR SYSTEMS (INTEL) .....	24,299	24,299
025	DCGS-MC .....	28,633	28,633
026	UAS PAYLOADS .....	3,730	3,730
	<b>OTHER SUPPORT (NON-TEL)</b>		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....	97,060	97,060
030	COMMON COMPUTER RESOURCES .....	83,606	79,606
	Training and education headquarters support unjustified request .....		[-2,000]
	Wargaming hardware early to need .....		[-2,000]
031	COMMAND POST SYSTEMS .....	53,708	39,708
	NOTM refresh early to need .....		[-14,000]
032	RADIO SYSTEMS .....	468,678	444,678
	TCM ground radios sparing previously funded .....		[-10,000]
	Unjustified request .....		[-14,000]
033	COMM SWITCHING & CONTROL SYSTEMS .....	49,600	43,600
	Excess growth .....		[-6,000]
034	COMM & ELEC INFRASTRUCTURE SUPPORT .....	110,835	116,635
	Excess growth .....		[-10,000]
	Marine Corps UFR—Base telecommunications equipment upgrades .....		[15,800]
035	CYBERSPACE ACTIVITIES .....	25,377	46,577
	Marine Corps UFR—Defensive Cyber Ops-Internal Defensive Measures suites .....		[21,200]
	<b>CLASSIFIED PROGRAMS</b>		
9999	CLASSIFIED PROGRAMS .....	4,034	4,034
	<b>ADMINISTRATIVE VEHICLES</b>		
038	COMMERCIAL CARGO VEHICLES .....	17,848	17,848
	<b>TACTICAL VEHICLES</b>		
039	MOTOR TRANSPORT MODIFICATIONS .....	23,363	21,924
	Excess growth .....		[-1,439]
040	JOINT LIGHT TACTICAL VEHICLE .....	322,013	322,013
042	TRAILERS .....	9,876	9,876
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
044	TACTICAL FUEL SYSTEMS .....	2,161	2,161
045	POWER EQUIPMENT ASSORTED .....	26,625	18,955
	Intelligent power distribution previously funded .....		[-7,670]
046	AMPHIBIOUS SUPPORT EQUIPMENT .....	17,119	15,909
	Excess carryover .....		[-1,210]
047	EOD SYSTEMS .....	94,472	107,672
	Marine Corps UFR—BCWD/UnSAT/Explosive Hazard Defeat Systems .....		[7,800]
	Marine Corps UFR—ENFIRE/Explosive Hazard Defeat Systems .....		[5,400]
	<b>MATERIALS HANDLING EQUIPMENT</b>		
048	PHYSICAL SECURITY EQUIPMENT .....	84,513	84,513
	<b>GENERAL PROPERTY</b>		
049	FIELD MEDICAL EQUIPMENT .....	8,105	8,105
050	TRAINING DEVICES .....	37,814	35,211
	CACCTUS lap equipment previously funded .....		[-2,603]
051	FAMILY OF CONSTRUCTION EQUIPMENT .....	34,658	50,458
	Marine Corps UFR—All-terrain crane .....		[10,800]
	Marine Corps UFR—Rough terrain container handler .....		[5,000]
052	ULTRA-LIGHT TACTICAL VEHICLE (ULTV) .....	15,439	15,439
	<b>OTHER SUPPORT</b>		
053	ITEMS LESS THAN \$5 MILLION .....	4,402	15,002
	Marine Corps UFR—Lightweight water purification system .....		[10,600]
	<b>SPARES AND REPAIR PARTS</b>		
054	SPARES AND REPAIR PARTS .....	32,819	32,819
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>3,043,091</b>	<b>3,620,019</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>STRATEGIC OFFENSIVE</b>		
001	B-21 RAIDER .....	108,027	108,027
	<b>TACTICAL FORCES</b>		
002	F-35 .....	4,167,604	4,392,604
	Air Force UFR—F-35 power modules .....		[175,000]
	USG depot acceleration .....		[50,000]
003	F-35 .....	352,632	352,632
005	F-15EX .....	1,186,903	1,762,903
	Air Force UFR—Additional aircraft, spares, support equipment .....		[576,000]
006	F-15EX .....	147,919	147,919
	<b>TACTICAL AIRLIFT</b>		
007	KC-46A MDAP .....	2,380,315	2,315,315
	Excess growth .....		[-65,000]
	<b>OTHER AIRLIFT</b>		
008	C-130J .....	128,896	128,896
009	MC-130J .....	220,049	220,049
	<b>UPT TRAINERS</b>		
011	ADVANCED TRAINER REPLACEMENT T-X .....	10,397	0
	Procurement funds ahead of need .....		[-10,397]
	<b>HELICOPTERS</b>		

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SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
012	MH-139A .....		75,000
	Program increase .....		[75,000]
013	COMBAT RESCUE HELICOPTER .....	792,221	792,221
	<b>MISSION SUPPORT AIRCRAFT</b>		
016	CIVIL AIR PATROL A/C .....	2,813	11,400
	Program increase .....		[8,587]
	<b>OTHER AIRCRAFT</b>		
017	TARGET DRONES .....	116,169	116,169
019	E-11 BACN/HAG .....	124,435	124,435
021	MQ-9 .....	3,288	78,567
	Program increase—four aircraft .....		[75,279]
	<b>STRATEGIC AIRCRAFT</b>		
023	B-2A .....	29,944	29,944
024	B-1B .....	30,518	27,406
	Radio crypto mod ahead of need .....		[-3,112]
025	B-52 .....	82,820	82,820
026	COMBAT RESCUE HELICOPTER .....	61,191	45,891
	Early to need—contract delay .....		[-15,300]
027	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	57,001	57,001
	<b>TACTICAL AIRCRAFT</b>		
028	A-10 .....	83,621	83,621
029	E-11 BACN/HAG .....	68,955	68,955
030	F-15 .....	234,340	232,457
	F-15E MIDS-JTRS installs excess to need .....		[-1,883]
031	F-16 .....	613,166	733,166
	F-16 AESAs .....		[100,000]
	Program increase—HUD upgrade .....		[20,000]
032	F-22A .....	424,722	384,722
	Program decrease .....		[-40,000]
033	F-35 MODIFICATIONS .....	304,135	1,388,935
	F-35 upgrades to Block 4 .....		[1,100,000]
	TR-3/B4 delay .....		[-15,200]
034	F-15 EPAW .....	149,797	149,797
036	KC-46A MDAP .....	1,984	1,984
	<b>AIRLIFT AIRCRAFT</b>		
037	C-5 .....	25,431	25,431
038	C-17A .....	59,570	59,570
040	C-32A .....	1,949	1,949
041	C-37A .....	5,984	5,984
	<b>TRAINER AIRCRAFT</b>		
042	GLIDER MODS .....	142	142
043	T-6 .....	8,735	8,735
044	T-1 .....	3,872	872
	Excess to need .....		[-3,000]
045	T-38 .....	49,851	49,851
	<b>OTHER AIRCRAFT</b>		
046	U-2 MODS .....	126,809	126,809
047	KC-10A (ATCA) .....	1,902	1,902
049	VC-25A MOD .....	96	96
050	C-40 .....	262	262
051	C-130 .....	29,071	169,771
	Program increase—eight blade propeller upgrade .....		[75,700]
	Program increase—engine enhancement program .....		[50,000]
	Program increase—modular airborne firefighting system .....		[15,000]
052	C-130J MODS .....	110,784	110,784
053	C-135 .....	61,376	61,376
054	COMPASS CALL .....	195,098	270,098
	Air Force UFR—Additional spare engines .....		[75,000]
056	RC-135 .....	207,596	207,596
057	E-3 .....	109,855	109,855
058	E-4 .....	19,081	19,081
059	E-8 .....	16,312	43,312
	Program increase—CDL .....		[27,000]
060	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45 .....	30,327	26,627
	Block 40/45 carryover .....		[-3,700]
062	H-1 .....	1,533	1,533
063	H-60 .....	13,709	32,709
	OLR mod early to need .....		[-1,000]
	Restore degraded visual environment .....		[20,000]
064	RQ-4 MODS .....	3,205	3,205
065	HC/MC-130 MODIFICATIONS .....	150,263	148,815
	Communications modernization phase 1 NRE ahead of need .....		[-1,448]
066	OTHER AIRCRAFT .....	54,828	54,828
067	MQ-9 MODS .....	144,287	144,287
068	MQ-9 UAS PAYLOADS .....	40,800	40,800
069	SENIOR LEADER C3, SYSTEM—AIRCRAFT .....	23,554	23,554
070	CV-22 MODS .....	158,162	240,562
	SOCOM UFR—CV-22 reliability acceleration .....		[82,400]

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<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
071	INITIAL SPARES/REPAIR PARTS .....	915,710	915,710
<b>COMMON SUPPORT EQUIPMENT</b>			
072	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	138,761	138,761
<b>POST PRODUCTION SUPPORT</b>			
073	B-2A .....	1,651	1,651
074	B-2B .....	38,811	38,811
075	B-52 .....	5,602	5,602
078	F-15 .....	2,324	2,324
079	F-16 .....	10,456	10,456
081	RQ-4 POST PRODUCTION CHARGES .....	24,592	24,592
<b>INDUSTRIAL PREPAREDNESS</b>			
082	INDUSTRIAL RESPONSIVENESS .....	18,110	18,110
<b>WAR CONSUMABLES</b>			
083	WAR CONSUMABLES .....	35,866	35,866
<b>OTHER PRODUCTION CHARGES</b>			
084	OTHER PRODUCTION CHARGES .....	979,388	1,019,388
	Classified modifications—program increase .....		[40,000]
<b>CLASSIFIED PROGRAMS</b>			
9999	CLASSIFIED PROGRAMS .....	18,092	18,092
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>15,727,669</b>	<b>18,132,595</b>
<b>MISSILE PROCUREMENT, AIR FORCE</b>			
<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>			
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	57,793	57,793
<b>BALLISTIC MISSILES</b>			
002	GROUND BASED STRATEGIC DETERRENT .....	8,895	8,895
<b>TACTICAL</b>			
003	REPLAC EQUIP & WAR CONSUMABLES .....	7,681	7,681
004	AGM-183A AIR-LAUNCHED RAPID RESPONSE WEAPON .....	160,850	116,850
	Procurement early to need .....		[-44,000]
006	JOINT AIR-SURFACE STANDOFF MISSILE .....	710,550	660,550
	Program decrease .....		[-50,000]
008	SIDEWINDER (AIM-9X) .....	107,587	107,587
009	AMRAAM .....	214,002	214,002
010	PREDATOR HELLFIRE MISSILE .....	103,684	103,684
011	SMALL DIAMETER BOMB .....	82,819	82,819
012	SMALL DIAMETER BOMB II .....	294,649	294,649
<b>INDUSTRIAL FACILITIES</b>			
013	INDUSTRIAL PREPAREDNESS/POL PREVENTION .....	757	757
<b>CLASS IV</b>			
015	ICBM FUZE MOD .....	53,013	65,263
	Realignment of funds .....		[12,250]
016	ICBM FUZE MOD AP .....	47,757	35,507
	Realignment of funds .....		[-12,250]
017	MM III MODIFICATIONS .....	88,579	88,579
019	AIR LAUNCH CRUISE MISSILE (ALCM) .....	46,799	46,799
<b>MISSILE SPARES AND REPAIR PARTS</b>			
020	MSL SPARES/REPAIR PARTS (INITIAL) .....	16,212	16,212
021	MSL SPARES/REPAIR PARTS (REPLEN) .....	63,547	63,547
022	INITIAL SPARES/REPAIR PARTS .....	4,045	4,045
<b>SPECIAL PROGRAMS</b>			
027	SPECIAL UPDATE PROGRAMS .....	30,352	30,352
<b>CLASSIFIED PROGRAMS</b>			
9999	CLASSIFIED PROGRAMS .....	570,240	570,240
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>2,669,811</b>	<b>2,575,811</b>
<b>PROCUREMENT, SPACE FORCE</b>			
<b>SPACE PROCUREMENT, SF</b>			
002	AF SATELLITE COMM SYSTEM .....	43,655	39,655
	Unjustified cost growth .....		[-4,000]
003	COUNTERSPACE SYSTEMS .....	64,804	64,804
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	39,444	39,444
005	GENERAL INFORMATION TECH—SPACE .....	3,316	5,116
	Space Force UFR—Modernize space aggressor equipment .....		[1,800]
006	GPS III FOLLOW ON .....	601,418	601,418
007	GPS III SPACE SEGMENT .....	84,452	84,452
008	GLOBAL POSITIONING (SPACE) .....	2,274	2,274
009	HERITAGE TRANSITION .....	13,529	13,529
010	SPACEBORNE EQUIP (COMSEC) .....	26,245	48,945
	Space Force UFR—Space-rated crypto devices to support launch .....		[22,700]
011	MILSATCOM .....	24,333	24,333
012	SBIR HIGH (SPACE) .....	154,526	154,526
013	SPECIAL SPACE ACTIVITIES .....	142,188	142,188
014	MOBILE USER OBJECTIVE SYSTEM .....	45,371	45,371
015	NATIONAL SECURITY SPACE LAUNCH .....	1,337,347	1,337,347
016	NUDET DETECTION SYSTEM .....	6,690	6,690
017	PTES HUB .....	7,406	7,406

<b>SEC. 4101. PROCUREMENT</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
018	ROCKET SYSTEMS LAUNCH PROGRAM .....	10,429	10,429
020	SPACE MODS .....	64,371	64,371
021	SPACELIFT RANGE SYSTEM SPACE .....	93,774	93,774
	<b>SPARES</b>		
022	SPARES AND REPAIR PARTS .....	1,282	1,282
	<b>TOTAL PROCUREMENT, SPACE FORCE</b> .....	<b>2,766,854</b>	<b>2,787,354</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	36,597	36,597
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	169,163	164,163
	Excess to need .....		[-5,000]
	<b>BOMBS</b>		
003	PRACTICE BOMBS .....	48,745	48,745
004	GENERAL PURPOSE BOMBS .....	176,565	176,565
005	MASSIVE ORDNANCE PENETRATOR (MOP) .....	15,500	15,500
006	JOINT DIRECT ATTACK MUNITION .....	124,102	48,584
	Program carryover .....		[-75,518]
007	B-61 .....	2,709	2,709
	<b>OTHER ITEMS</b>		
008	CAD/PAD .....	47,210	47,210
009	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	6,151	6,151
010	SPARES AND REPAIR PARTS .....	535	535
011	MODIFICATIONS .....	292	292
012	ITEMS LESS THAN \$5,000,000 .....	9,164	9,164
	<b>FLARES</b>		
013	FLARES .....	95,297	95,297
	<b>FUZES</b>		
014	FUZES .....	50,795	50,795
	<b>SMALL ARMS</b>		
015	SMALL ARMS .....	12,343	12,343
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>795,168</b>	<b>714,650</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	8,448	8,448
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	5,804	5,804
003	CAP VEHICLES .....	1,066	1,800
	Program increase—Civil Air Patrol .....		[734]
004	CARGO AND UTILITY VEHICLES .....	57,459	57,459
	<b>SPECIAL PURPOSE VEHICLES</b>		
005	JOINT LIGHT TACTICAL VEHICLE .....	97,326	92,326
	Excess carryover .....		[-5,000]
006	SECURITY AND TACTICAL VEHICLES .....	488	488
007	SPECIAL PURPOSE VEHICLES .....	75,694	77,694
	CNGB UFR—Temperature control trailers .....		[2,000]
	<b>FIRE FIGHTING EQUIPMENT</b>		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	12,525	12,525
	<b>MATERIALS HANDLING EQUIPMENT</b>		
009	MATERIALS HANDLING VEHICLES .....	34,933	34,933
	<b>BASE MAINTENANCE SUPPORT</b>		
010	RUNWAY SNOW REMOV AND CLEANING EQU .....	9,134	9,134
011	BASE MAINTENANCE SUPPORT VEHICLES .....	111,820	103,728
	Program decrease .....		[-8,092]
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
013	COMSEC EQUIPMENT .....	66,022	66,022
014	STRATEGIC MICROELECTRONIC SUPPLY SYSTEM .....	885,051	885,051
	<b>INTELLIGENCE PROGRAMS</b>		
015	INTERNATIONAL INTEL TECH & ARCHITECTURES .....	5,809	5,809
016	INTELLIGENCE TRAINING EQUIPMENT .....	5,719	5,719
017	INTELLIGENCE COMM EQUIPMENT .....	25,844	25,844
	<b>ELECTRONICS PROGRAMS</b>		
018	AIR TRAFFIC CONTROL & LANDING SYS .....	44,516	44,516
019	BATTLE CONTROL SYSTEM—FIXED .....	2,940	2,940
020	THEATER AIR CONTROL SYS IMPROVEMEN .....	43,442	47,842
	EUCOM UFR—Air base air defens ops center .....		[4,400]
021	3D EXPEDITIONARY LONG-RANGE RADAR .....	96,186	248,186
	Air Force UFR—Build command and control framework .....		[152,000]
022	WEATHER OBSERVATION FORECAST .....	32,376	32,376
023	STRATEGIC COMMAND AND CONTROL .....	37,950	37,950
024	CHEYENNE MOUNTAIN COMPLEX .....	8,258	8,258
025	MISSION PLANNING SYSTEMS .....	14,717	14,717
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
027	GENERAL INFORMATION TECHNOLOGY .....	43,917	88,247
	EUCOM UFR—Mission Partner Environment .....		[13,800]
	INDOPACOM UFR—Mission Partner Environment .....		[30,530]

<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
028	AF GLOBAL COMMAND & CONTROL SYS .....	414	414
030	MOBILITY COMMAND AND CONTROL .....	10,619	10,619
031	AIR FORCE PHYSICAL SECURITY SYSTEM .....	101,896	116,797
	EUCOM UFR—Counter-UAS for UASFE installations .....		[1,241]
	EUCOM UFR—Sensors for air base air defense .....		[11,660]
	Space Force UFR—Maui Optical Site security system .....		[2,000]
032	COMBAT TRAINING RANGES .....	222,598	222,598
033	COMBAT TRAINING RANGES .....	14,730	14,730
034	MINIMUM ESSENTIAL EMERGENCY COMM N .....	77,119	77,119
035	WIDE AREA SURVEILLANCE (WAS) .....	38,794	38,794
036	C3 COUNTERMEASURES .....	131,238	131,238
037	INTEGRATED PERSONNEL AND PAY SYSTEM .....	15,240	15,240
038	GCSS-AF FOS .....	3,959	3,959
040	MAINTENANCE REPAIR & OVERHAUL INITIATIVE .....	4,387	4,387
041	THEATER BATTLE MGT C2 SYSTEM .....	4,052	4,052
042	AIR & SPACE OPERATIONS CENTER (AOC) .....	2,224	2,224
	<b>AIR FORCE COMMUNICATIONS</b>		
043	BASE INFORMATION TRANSP T INFRAST (BITI) WIRED .....	58,499	58,499
044	AFNET .....	65,354	65,354
045	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	4,377	4,377
046	USCENTCOM .....	18,101	18,101
047	USSTRATCOM .....	4,226	4,226
	<b>ORGANIZATION AND BASE</b>		
048	TACTICAL C-E EQUIPMENT .....	162,955	157,817
	Program decrease .....		[-5,138]
049	RADIO EQUIPMENT .....	14,232	15,732
	Space Force UFR—radio equipment .....		[1,500]
051	BASE COMM INFRASTRUCTURE .....	200,797	262,797
	EUCOM UFR—Modernize IT infrastructure .....		[55,000]
	Space Force UFR—Lifecycle SIPR/NIP replacement .....		[7,000]
	<b>MODIFICATIONS</b>		
052	COMM ELECT MODS .....	18,607	18,607
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
053	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	106,449	106,449
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
054	POWER CONDITIONING EQUIPMENT .....	11,274	11,274
055	MECHANIZED MATERIAL HANDLING EQUIP .....	8,594	8,594
	<b>BASE SUPPORT EQUIPMENT</b>		
056	BASE PROCURED EQUIPMENT .....	1	33,251
	CNGB UFR—Modular small arms ranges .....		[25,000]
	EUCOM UFR—Tactical decoy devices .....		[8,250]
057	ENGINEERING AND EOD EQUIPMENT .....	32,139	32,139
058	MOBILITY EQUIPMENT .....	63,814	63,814
059	FUELS SUPPORT EQUIPMENT (FSE) .....	17,928	17,928
060	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	48,534	48,534
	<b>SPECIAL SUPPORT PROJECTS</b>		
062	DARP RC135 .....	27,359	27,359
063	DCGS-AF .....	261,070	261,070
065	SPECIAL UPDATE PROGRAM .....	777,652	777,652
	<b>CLASSIFIED PROGRAMS</b>		
9999	CLASSIFIED PROGRAMS .....	20,983,908	21,183,908
	Program increase .....		[200,000]
	<b>SPARES AND REPAIR PARTS</b>		
066	SPARES AND REPAIR PARTS (CYBER) .....	978	978
067	SPARES AND REPAIR PARTS .....	9,575	9,575
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>25,251,137</b>	<b>25,748,022</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, OSD</b>		
081	AGILE PROCUREMENT TRANSITION PILOT .....		100,000
	Program increase .....		[100,000]
	<b>MAJOR EQUIPMENT, SDA</b>		
024	MAJOR EQUIPMENT, DPAA .....	494	494
047	MAJOR EQUIPMENT, OSD .....	31,420	31,420
048	JOINT CAPABILITY TECH DEMONSTRATION (JCTD) .....	74,060	74,060
	<b>MAJOR EQUIPMENT, NSA</b>		
046	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	315	315
	<b>MAJOR EQUIPMENT, DISA</b>		
010	INFORMATION SYSTEMS SECURITY .....	18,923	18,923
011	TELEPORT PROGRAM .....	34,908	34,908
012	JOINT FORCES HEADQUARTERS—DODIN .....	1,968	1,968
013	ITEMS LESS THAN \$5 MILLION .....	42,270	42,270
014	DEFENSE INFORMATION SYSTEM NETWORK .....	18,025	18,025
015	WHITE HOUSE COMMUNICATION AGENCY .....	44,522	44,522
016	SENIOR LEADERSHIP ENTERPRISE .....	54,592	54,592
017	JOINT REGIONAL SECURITY STACKS (JRSS) .....	62,657	62,657
018	JOINT SERVICE PROVIDER .....	102,039	102,039
019	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO) .....	80,645	80,645

<b>SEC. 4101. PROCUREMENT</b> <b>(In Thousands of Dollars)</b>			
Line	Item	FY 2022 Request	Conference Authorized
<b>MAJOR EQUIPMENT, DLA</b>			
021	MAJOR EQUIPMENT .....	530,896	510,896
	Excess growth .....		[-20,000]
<b>MAJOR EQUIPMENT, DCSA</b>			
002	MAJOR EQUIPMENT .....	3,014	3,014
<b>MAJOR EQUIPMENT, TJS</b>			
049	MAJOR EQUIPMENT, TJS .....	7,830	7,830
<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>			
029	THAAD .....	251,543	361,122
	MDA UFR—Additional interceptors .....		[109,579]
031	AEGIS BMD .....	334,621	334,621
032	AEGIS BMD .....	17,493	17,493
033	BMDs AN/TPY-2 RADARS .....	2,738	2,738
034	SM-3 IIRs .....	295,322	336,822
	MDA UFR—Additional AURs .....		[41,500]
035	ARROW 3 UPPER TIER SYSTEMS .....	62,000	62,000
036	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD) .....	30,000	30,000
037	DEFENSE OF GUAM PROCUREMENT .....	40,000	80,000
	INDOPACOM UFR—Guam Defense System .....		[40,000]
038	AEGIS ASHORE PHASE III .....	25,866	25,866
039	IRON DOME .....	108,000	108,000
040	AEGIS BMD HARDWARE AND SOFTWARE .....	81,791	81,791
<b>MAJOR EQUIPMENT, DHRA</b>			
004	PERSONNEL ADMINISTRATION .....	4,042	4,042
<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>			
026	VEHICLES .....	118	118
027	OTHER MAJOR EQUIPMENT .....	12,681	12,681
<b>MAJOR EQUIPMENT, DODEA</b>			
023	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	2,963	2,963
<b>MAJOR EQUIPMENT, DMACT</b>			
022	MAJOR EQUIPMENT .....	8,498	8,498
<b>CLASSIFIED PROGRAMS</b>			
9999	CLASSIFIED PROGRAMS .....	635,338	635,338
<b>AVIATION PROGRAMS</b>			
052	ARMED OVERWATCH/TARGETING .....	170,000	166,000
	Unit cost growth .....		[-4,000]
053	MANNED ISR .....	2,500	2,500
054	MC-12 .....	2,250	2,250
055	MH-60 BLACKHAWK .....	29,900	29,900
056	ROTARY WING UPGRADES AND SUSTAINMENT .....	202,278	202,278
057	UNMANNED ISR .....	55,951	55,951
058	NON-STANDARD AVIATION .....	3,282	3,282
059	U-28 .....	4,176	4,176
060	MH-47 CHINOOK .....	130,485	130,485
061	CV-22 MODIFICATION .....	41,762	47,572
	SOCOM UFR—CV-22 reliability acceleration .....		[5,810]
062	MQ-9 UNMANNED AERIAL VEHICLE .....	8,020	8,020
063	PRECISION STRIKE PACKAGE .....	165,224	165,224
064	AC/MC-130J .....	205,216	205,216
065	C-130 MODIFICATIONS .....	13,373	13,373
<b>SHIPBUILDING</b>			
066	UNDERWATER SYSTEMS .....	17,227	23,327
	SOCOM UFR—Combat diving advanced equipment acceleration .....		[5,200]
	SOCOM UFR—Modernized forward look sonar .....		[900]
<b>AMMUNITION PROGRAMS</b>			
067	ORDNANCE ITEMS <\$5M .....	168,072	168,072
<b>OTHER PROCUREMENT PROGRAMS</b>			
068	INTELLIGENCE SYSTEMS .....	131,889	131,889
069	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	5,991	5,991
070	OTHER ITEMS <\$5M .....	62,722	62,722
071	COMBATANT CRAFT SYSTEMS .....	17,080	17,080
072	SPECIAL PROGRAMS .....	44,351	75,531
	SOCOM UFR—Medium fixed wing mobility modifications .....		[31,180]
073	TACTICAL VEHICLES .....	26,806	26,806
074	WARRIOR SYSTEMS <\$5M .....	284,548	294,548
	Radio integration system program upgrade .....		[10,000]
075	COMBAT MISSION REQUIREMENTS .....	27,513	27,513
077	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	20,252	20,252
078	OPERATIONAL ENHANCEMENTS .....	328,569	389,872
	SOCOM UFR—Armored ground mobility systems acceleration .....		[33,303]
	SOCOM UFR—Fused panoramic night vision goggles acceleration .....		[28,000]
<b>CBDP</b>			
079	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	167,918	167,918
080	CB PROTECTION & HAZARD MITIGATION .....	189,265	183,884
	TATPE excess growth .....		[-5,381]
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>5,548,212</b>	<b>5,924,303</b>

**NATIONAL GUARD AND RESERVE EQUIPMENT**

SEC. 4101. PROCUREMENT (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>UNDISTRIBUTED</b>			
001	MISCELLANEOUS EQUIPMENT .....		950,000
	Program increase .....		[950,000]
	<b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT .....</b>		<b>950,000</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>132,205,078</b>	<b>146,884,599</b>

1 **TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
 2 **TION**  
 3  
 4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
 5 **TION.**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION (In Thousands of Dollars)				
Line	Program Element	Item	FY 2022 Request	Conference Authorized
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
001	0601102A	DEFENSE RESEARCH SCIENCES .....	297,241	328,788
		Program increase .....		[22,047]
		Program increase—digital thread for advanced manufacturing .....		[5,000]
		Program increase—lightweight high entropy metallic alloy discovery ..		[3,000]
		Program increase—unmanned aerial systems hybrid propulsion .....		[1,500]
002	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	66,981	96,981
		Program increase—defense university research instrumentation pro-		[30,000]
		gram.		
003	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	94,003	103,003
		Program increase—biotechnology advancements .....		[4,000]
		SMART and cognitive research for RF/radar .....		[5,000]
004	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE .....	5,067	5,067
005	0601601A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING BASIC RESEARCH.	10,183	15,183
		Program increase—extreme events in structurally evolving materials		[5,000]
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>473,475</b>	<b>549,022</b>
<b>APPLIED RESEARCH</b>				
006	0602115A	BIOMEDICAL TECHNOLOGY .....	11,925	11,925
007	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES .....	1,976	1,976
008	0602141A	LETHALITY TECHNOLOGY .....	64,126	65,126
		CPF—research and development of next generation explosives and		[1,000]
		propellants.		
009	0602142A	ARMY APPLIED RESEARCH .....	28,654	28,654
010	0602143A	SOLDIER LETHALITY TECHNOLOGY .....	105,168	115,168
		Program increase—Pathfinder air assault .....		[10,000]
011	0602144A	GROUND TECHNOLOGY .....	56,400	105,400
		Additive manufacturing materials .....		[8,000]
		CPF—Army Research Lab (ARL) Additive Manufacturing/Machine		[5,000]
		Learning (AM/ML) Initiative.		
		Military footwear research .....		[2,500]
		Modeling enabled multifunctional materials development (MEMMD)		[6,000]
		Program increase—advanced manufacturing materials processes ini-		[10,000]
		tiative.		
		Program increase—advanced polymers for force protection .....		[8,000]
		Program increase—ceramic materials for extreme environments .....		[2,500]
		Program increase—earthen structures soil enhancement .....		[3,000]
		Program increase—polar proving ground and training program .....		[2,000]
		Program increase—verified inherent control .....		[2,000]
012	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY .....	172,166	192,666
		CPF—high-efficiency truck users forum (HTUF) .....		[2,500]
		CPF—structural thermoplastics large-scale low-cost tooling solutions		[4,500]
		Light detection and ranging (LiDAR) technology .....		[2,500]
		Program increase—prototyping energy smart autonomous ground		[8,000]
		systems.		
		Tactical behaviors for autonomous maneuver .....		[3,000]
013	0602146A	NETWORK C3I TECHNOLOGY .....	84,606	120,406



**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Alternative PNT .....		[8,000]
		CPF—future nano- and micro-fabrication - Advanced Materials Engineering Research Institute.		[6,800]
		CPF—multiple drone, multiple sensor ISR capabilities .....		[5,000]
		Distributed radio frequency sensor/effector technology for strategic defense.		[8,000]
		Intelligent electronic protection technologies .....		[6,000]
		UAS sensor research .....		[2,000]
014	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY .....	64,285	67,285
		Program increase—novel printed armaments components .....		[3,000]
015	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY .....	91,411	91,411
016	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY .....	19,316	72,566
		Advancement of critical HEL technologies .....		[10,000]
		Counter-UAS applied research .....		[5,000]
		Cyber electromagnetic (CEMA) missile defender .....		[15,000]
		High energy laser integration .....		[10,000]
		Program increase—kill chain automation .....		[8,000]
		Program increase—precision long range integrated strike .....		[5,250]
017	0602180A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING TECHNOLOGIES.	15,034	15,034
018	0602181A	ALL DOMAIN CONVERGENCE APPLIED RESEARCH .....	25,967	25,967
019	0602182A	C3I APPLIED RESEARCH .....	12,406	12,406
020	0602183A	AIR PLATFORM APPLIED RESEARCH .....	6,597	16,597
		High density eVTOL power source .....		[10,000]
021	0602184A	SOLDIER APPLIED RESEARCH .....	11,064	11,064
022	0602213A	C3I APPLIED CYBER .....	12,123	12,123
023	0602386A	BIOTECHNOLOGY FOR MATERIALS—APPLIED RESEARCH	20,643	20,643
024	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	18,701	18,701
025	0602787A	MEDICAL TECHNOLOGY .....	91,720	95,720
		CPF—human performance optimization (HPO) center .....		[2,000]
		CPF—suicide prevention with focus on rural, remote, isolated, and OCONUS locations.		[2,000]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>914,288</b>	<b>1,100,838</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
026	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	43,804	43,804
027	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY.	14,273	14,273
028	0603025A	ARMY AGILE INNOVATION AND DEMONSTRATION .....	22,231	22,231
029	0603040A	ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING ADVANCED TECHNOLOGIES.	909	909
030	0603041A	ALL DOMAIN CONVERGENCE ADVANCED TECHNOLOGY ....	17,743	17,743
031	0603042A	C3I ADVANCED TECHNOLOGY .....	3,151	3,151
032	0603043A	AIR PLATFORM ADVANCED TECHNOLOGY .....	754	754
033	0603044A	SOLDIER ADVANCED TECHNOLOGY .....	890	890
034	0603115A	MEDICAL DEVELOPMENT .....	26,521	26,521
035	0603116A	LETHALITY ADVANCED TECHNOLOGY .....	8,066	8,066
036	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT .....	76,815	76,815
037	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY .....	107,966	115,966
		Program increase .....		[8,000]
038	0603119A	GROUND ADVANCED TECHNOLOGY .....	23,403	68,403
		Additive manufacturing capabilities for austere operating environments.		[14,000]
		CPF—military operations in a permafrost environment .....		[3,000]
		Ground advanced technology—3D printed structures .....		[2,000]
		Polar research and testing .....		[4,000]
		Program increase—3D printing of infrastructure .....		[5,000]
		Program increase—cold weather research .....		[2,000]
		Program increase—entry control points at installations .....		[5,000]
		Program increase—graphene applications for military engineering ....		[2,000]
		Program increase—rapid entry and sustainment for the arctic .....		[8,000]
039	0603134A	COUNTER IMPROVISED-THREAT SIMULATION .....	24,747	24,747
040	0603386A	BIOTECHNOLOGY FOR MATERIALS—ADVANCED RESEARCH.	53,736	53,736
041	0603457A	C3I CYBER ADVANCED DEVELOPMENT .....	31,426	31,426
042	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.	189,123	229,123
		Program increase .....		[40,000]
043	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY.	164,951	179,951
		Cyber and connected vehicle integration research .....		[3,500]
		Program increase—combat vehicle lithium 6T battery development ....		[1,500]
		Robotics development .....		[5,000]
		Vehicle cyber security research .....		[5,000]
044	0603463A	NETWORK C3I ADVANCED TECHNOLOGY .....	155,867	161,867
		C3I assured position, navigation, and timing technology .....		[4,000]
		Command post modernization .....		[2,000]
045	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	93,909	113,909

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Missile effects planning tool development .....		[10,000]
		Project AG5 .....		[10,000]
046	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY .....	179,677	187,677
		Program increase—20mm chaingun development for FLARA .....		[8,000]
047	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY .....	48,826	68,826
		Program increase—armored combat vehicle HEL integration .....		[10,000]
		Program increase—missile MENTOR .....		[10,000]
048	0603920A	HUMANITARIAN DEMINING .....	8,649	8,649
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>1,297,437</b>	<b>1,459,437</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
049	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	11,702	25,702
		Electro-magnetic denial and protect .....		[6,000]
		PNT resiliency lab .....		[8,000]
050	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	18,755	20,755
		Program increase—multi-function and multi-mission payload .....		[2,000]
051	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....		5,000
		Program increase—machine learning for integrated fires .....		[5,000]
052	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	50,314	48,814
		Test and evaluation excess .....		[-1,500]
053	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	79,873	77,373
		Testing excess .....		[-2,500]
054	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV .....	170,590	166,590
		Excess to need .....		[-4,000]
055	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	2,897	2,897
056	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV.	113,365	113,365
057	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	18,000	21,804
		Soldier maneuver sensors adv dev lethality smart system—Army UPL		[3,804]
058	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	11,921	11,921
059	0603790A	NATO RESEARCH AND DEVELOPMENT .....	3,777	3,777
060	0603801A	AVIATION—ADV DEV .....	1,125,641	1,134,141
		Excess to need .....		[-24,500]
		Program increase—FLRAA .....		[33,000]
061	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	7,055	7,055
062	0603807A	MEDICAL SYSTEMS—ADV DEV .....	22,071	22,071
063	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	17,459	17,459
064	0604017A	ROBOTICS DEVELOPMENT .....	87,198	75,048
		Excess carryover .....		[-7,150]
		Unjustified growth—other support costs .....		[-5,000]
065	0604019A	EXPANDED MISSION AREA MISSILE (EMAM) .....	50,674	43,674
		IFPC-HEL late contract award .....		[-7,000]
067	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY .....	19,638	19,638
068	0604036A	MULTI-DOMAIN SENSING SYSTEM (MDSS) ADV DEV .....	50,548	50,548
069	0604037A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) ADV DEV.	28,347	28,347
070	0604100A	ANALYSIS OF ALTERNATIVES .....	10,091	10,091
071	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4) .....	926	926
072	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS).	69,697	75,697
		Army UFR—Acceleration of FTUAS .....		[6,000]
073	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....	327,690	307,567
		Long term power and support costs ahead of need .....		[-20,123]
074	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	270,124	180,324
		Insufficient justification .....		[-80,000]
		Program decrease .....		[-9,800]
075	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD) .....	39,376	39,376
076	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING.	189,483	189,483
077	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....	96,679	96,679
078	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING.	194,195	196,795
		Prior-year carryover .....		[-2,000]
		Program increase—multi-sensor terrain data capture and processing		[4,600]
079	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,379	13,379
080	0604182A	HYPERSONICS .....	300,928	300,928
081	0604403A	FUTURE INTERCEPTOR .....	7,895	7,895
082	0604531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS ADVANCED DEVELOPMENT.	19,148	19,148
083	0604541A	UNIFIED NETWORK TRANSPORT .....	35,409	35,409
084	0604644A	MOBILE MEDIUM RANGE MISSILE .....	286,457	286,457
085	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4) .....	2,040	2,040
086	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	52,988	52,988
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>3,806,330</b>	<b>3,711,161</b>

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
089	0604201A	AIRCRAFT AVIONICS .....	6,654	6,654
090	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	30,840	26,440
		Early to need .....		[-4,400]
091	0604601A	INFANTRY SUPPORT WEAPONS .....	67,873	72,873
		Program increase—turret gunner survivability and simulation environment. ....		[5,000]
092	0604604A	MEDIUM TACTICAL VEHICLES .....	11,374	11,374
093	0604611A	JAVELIN .....	7,094	7,094
094	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	31,602	30,077
		Leader/follower test support ahead of need .....		[-1,525]
095	0604633A	AIR TRAFFIC CONTROL .....	4,405	4,405
096	0604642A	LIGHT TACTICAL WHEELED VEHICLES .....	2,055	7,655
		Army UFR—Electric light reconnaissance vehicle .....		[5,600]
097	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV ....	137,256	135,506
		Government support excess .....		[-1,750]
098	0604710A	NIGHT VISION SYSTEMS—ENG DEV .....	62,690	112,690
		Transfer from Other Procurement, Army line 83 .....		[50,000]
099	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	1,658	1,658
100	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	26,540	26,540
101	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	59,518	59,518
102	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT ....	22,331	22,331
103	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	8,807	8,807
104	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV.	7,453	7,453
107	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	21,534	21,534
108	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	309,778	306,722
		C-DAEM overestimation .....		[-3,056]
109	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	59,261	52,261
		Excess carryover .....		[-7,000]
110	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV.	20,121	20,121
111	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	44,424	44,424
112	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	14,137	9,137
		Insufficient justification .....		[-5,000]
113	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	162,704	162,704
114	0604820A	RADAR DEVELOPMENT .....	127,919	127,919
115	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GPEBS)	17,623	17,623
117	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	6,454	6,454
118	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD.	106,354	127,354
		Army UFR—Active protection systems for Bradley and Stryker .....		[21,000]
120	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	122,168	120,168
		GfM unjustified growth .....		[-2,000]
121	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A).	76,936	58,736
		Program decrease .....		[-18,200]
122	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....	35,560	35,560
124	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	16,364	16,364
125	0605031A	JOINT TACTICAL NETWORK (JTN) .....	28,954	28,954
128	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	16,630	16,630
130	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	7,618	7,618
131	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	18,892	13,892
		Cyber situational understanding reduction .....		[-5,000]
132	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....	28,849	28,849
133	0605047A	CONTRACT WRITING SYSTEM .....	22,960	20,960
		Program reduction .....		[-2,000]
135	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	65,603	65,603
136	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1.	233,512	233,512
137	0605053A	GROUND ROBOTICS .....	18,241	18,241
138	0605054A	EMERGING TECHNOLOGY INITIATIVES .....	254,945	254,945
139	0605143A	BIOMETRICS ENABLING CAPABILITY (BEC) .....	4,326	4,326
140	0605144A	NEXT GENERATION LOAD DEVICE—MEDIUM .....	15,616	15,616
141	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT.	962	962
142	0605148A	TACTICAL INTEL TARGETING ACCESS NODE (TITAN) EMD	54,972	54,972
143	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION .....	122,175	122,175
144	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5) .....	2,275	2,275
145	0605224A	MULTI-DOMAIN INTELLIGENCE .....	9,313	9,313
146	0605225A	SIO CAPABILITY DEVELOPMENT .....	22,713	22,713
147	0605231A	PRECISION STRIKE MISSILE (PRSM) .....	188,452	188,452
148	0605232A	HYPERSONICS EMD .....	111,473	111,473

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149	0605233A	ACCESSIONS INFORMATION ENVIRONMENT (AIE) .....	18,790	18,790
150	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	2,134	2,134
151	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	157,873	157,873
152	0605531A	COUNTER—SMALL UNMANNED AIRCRAFT SYSTEMS SYS DEV & DEMONSTRATION.	33,386	33,386
153	0605625A	MANNED GROUND VEHICLE .....	225,106	203,106
		Excess carryover .....		[-10,000]
		Unjustified growth—other support costs .....		[-7,000]
		Unjustified growth—program management .....		[-5,000]
154	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	14,454	14,454
155	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	2,564	2,564
156	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	1,201	1,201
157	0303032A	TROJAN—RH12 .....	3,362	3,362
161	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	75,520	75,520
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>3,392,358</b>	<b>3,402,027</b>
		<b>MANAGEMENT SUPPORT</b>		
162	0604256A	THREAT SIMULATOR DEVELOPMENT .....	18,439	18,439
163	0604258A	TARGET SYSTEMS DEVELOPMENT .....	17,404	17,404
164	0604759A	MAJOR T&E INVESTMENT .....	68,139	68,139
165	0605103A	RAND ARROYO CENTER .....	33,126	33,126
166	0605301A	ARMY KWAJALEIN ATOLL .....	240,877	240,877
167	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	79,710	79,710
169	0605601A	ARMY TEST RANGES AND FACILITIES .....	354,227	354,227
170	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TAR- GETS.	49,253	49,253
171	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	36,389	36,389
172	0605606A	AIRCRAFT CERTIFICATION .....	2,489	2,489
173	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....	6,689	6,689
174	0605706A	MATERIEL SYSTEMS ANALYSIS .....	21,558	21,558
175	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	13,631	13,631
176	0605712A	SUPPORT OF OPERATIONAL TESTING .....	55,122	55,122
177	0605716A	ARMY EVALUATION CENTER .....	65,854	65,854
178	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,633	2,633
179	0605801A	PROGRAMWIDE ACTIVITIES .....	96,589	96,589
180	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	26,808	26,808
181	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY.	43,042	48,042
		Program increase—polymer case ammunition .....		[5,000]
182	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUP- PORT.	1,789	1,789
183	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA .....	52,108	52,108
185	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE.	80,952	80,952
186	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION .....	5,363	5,363
187	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES .....	39,041	39,041
188	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES.	5,466	5,466
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,416,698</b>	<b>1,421,698</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
		<b>UNDISTRIBUTED</b>		
190	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	12,314	12,314
191	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT .....	8,868	8,868
192	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	22,828	30,828
		Agile manufacturing for advanced armament systems .....		[8,000]
194	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....	4,773	4,773
195	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	52,372	70,372
		CH—47 Chinook cargo on/off loading system .....		[8,000]
		Program increase—T55—714C acceleration .....		[10,000]
196	0607139A	IMPROVED TURBINE ENGINE PROGRAM .....	275,024	315,024
		Army improved turbine engine program .....		[40,000]
197	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT.	12,417	12,417
198	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS .....	4,594	4,594
199	0607145A	APACHE FUTURE DEVELOPMENT .....	10,067	25,067
		Program increase .....		[15,000]
200	0607148A	AN/TPQ—53 COUNTERFIRE TARGET ACQUISITION RADAR SYSTEM.	56,681	56,681
201	0607150A	INTEL CYBER DEVELOPMENT .....	3,611	12,471
		Army UFR—Cyber-Info Dominance Center .....		[8,860]
202	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT .....	28,029	28,029
203	0607313A	ELECTRONIC WARFARE DEVELOPMENT .....	5,673	5,673
204	0607663A	FAMILY OF BIOMETRICS .....	1,178	1,178
205	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	125,932	125,932

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206	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCs).	25,547	25,547
207	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	211,523	276,523
		Program increase—Abrams modernization .....		[65,000]
208	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....	213,281	208,136
		Excess carryover .....		[-5,145]
210	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM.	132	132
211	0203758A	DIGITIZATION .....	3,936	3,936
212	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM.	127	127
213	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	10,265	10,265
214	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV.	262	262
215	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM .....	182	182
216	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) ....	63,937	63,937
217	0208053A	JOINT TACTICAL GROUND SYSTEM .....	13,379	13,379
219	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	24,531	24,531
220	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	15,720	11,720
		Carryover .....		[-4,000]
221	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	52,739	61,739
		Army UFR—ERP convergence/modernization .....		[9,000]
222	0303142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	15,247	15,247
226	0305179A	INTEGRATED BROADCAST SERVICE (IBS) .....	5,430	5,430
227	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	8,410	8,410
228	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	24,460	24,460
233	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	2,066	2,066
234	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	61,720	76,720
		Digital night vision cameras .....		[15,000]
		<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>169,715</b>
999	9999999999	CLASSIFIED PROGRAMS .....	2,993	2,993
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>1,380,248</b>	<b>1,549,963</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
237	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	118,811	118,811
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>118,811</b>	<b>118,811</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>12,799,645</b>	<b>13,312,957</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	117,448	167,448
		Defense university research instrumentation program .....		[20,000]
		University research programs .....		[30,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....		23,399
		Program increase .....		[23,399]
003	0601153N	DEFENSE RESEARCH SCIENCES .....	484,421	489,406
		CPF—Digital twins for Navy maintenance .....		[1,985]
		Program increase .....		[3,000]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>601,869</b>	<b>680,253</b>
		<b>APPLIED RESEARCH</b>		
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	23,013	31,013
		Program increase—multi-mission UAV-borne electronic attack .....		[8,000]
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	122,888	138,388
		Relative positioning of autonomous platforms .....		[3,000]
		Resilient Innovative Sustainable Economies via University Partnerships (RISE-UP).		[2,000]
		Talent and technology for Navy power and energy systems .....		[10,500]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	51,112	58,612
		Program increase—unmanned logistics solutions .....		[7,500]
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	51,477	51,477
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	70,547	78,547
		Anti-corrosion nanotechnologies .....		[3,000]
		High mobility ground robots to assist dismounted infantry in urban operations.		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	85,157	85,157
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH.	70,086	70,086
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,405	6,405
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	57,484	98,984
		Academic partnerships for undersea vehicle research and manufacturing.		[16,500]

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		Continuous distributed sensing systems .....		[4,000]
		CPF—connected AI for autonomous UUV systems .....		[5,000]
		CPF—persistent maritime surveillance .....		[5,000]
		Program increase—undersea warfare applied research ocean aero .....		[11,000]
103	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	173,356	193,356
		Program increase—long endurance, autonomous mobile acoustic de- tection systems.		[20,000]
104	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RE- SEARCH.	32,160	32,160
105	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RE- SEARCH.	152,976	152,976
106	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	79,254	79,254
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>975,915</b>	<b>1,076,415</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
107	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	21,661	21,661
108	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY ..	8,146	8,146
109	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) ..	224,155	274,055
		Marine Corps UFR—Maritime Targeting Cell-Expeditionary .....		[5,300]
		Marine Corps UFR—Unmanned adversary technology investment .....		[10,000]
		Next generation logistics—autonomous littoral connector .....		[9,600]
		Program increase—low-cost attritable aircraft technology .....		[25,000]
120	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOP- MENT.	13,429	13,429
121	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	265,299	265,299
122	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	57,236	57,236
123	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	4,935	4,935
124	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRAT- IONS.	47,167	47,167
125	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECH- NOLOGY.	1,981	1,981
126	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECH- NOLOGY DEVELOPMENT.	133,779	153,779
		Attritable group III ultra-long endurance unmanned aircraft for per- sistent ISR.		[10,000]
		Program increase—railgun .....		[10,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOP- MENT.</b>	<b>777,788</b>	<b>847,688</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTO- TYPES</b>		
127	0603128N	UNMANNED AERIAL SYSTEM .....	16,879	16,879
128	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS).	144,846	102,846
		LUSV integrated combat system early to need .....		[-42,000]
129	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	27,849	27,849
130	0603216N	AVIATION SURVIVABILITY .....	16,815	16,815
131	0603239N	NAVAL CONSTRUCTION FORCES .....	5,290	5,290
133	0603254N	ASW SYSTEMS DEVELOPMENT .....	17,612	17,612
134	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,111	3,111
135	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	32,310	32,310
136	0603502N	SURFACE AND SHALLOW WATER MINE COUNTER- MEASURES.	58,013	58,013
137	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	1,862	1,862
138	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	7,182	7,182
139	0603525N	PILOT FISH .....	408,087	408,087
140	0603527N	RETRACT LARCH .....	44,197	44,197
141	0603536N	RETRACT JUNIPER .....	144,541	144,541
142	0603542N	RADIOLOGICAL CONTROL .....	761	761
143	0603553N	SURFACE ASW .....	1,144	1,144
144	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	99,782	99,782
145	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	14,059	14,059
146	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	111,590	111,590
147	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	106,957	106,957
148	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	203,572	203,572
149	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	78,122	78,122
150	0603576N	CHALK EAGLE .....	80,270	80,270
151	0603581N	LITTORAL COMBAT SHIP (LCS) .....	84,924	84,924
152	0603582N	COMBAT SYSTEM INTEGRATION .....	17,322	17,322
153	0603595N	OHIO REPLACEMENT .....	296,231	303,731
		Program increase—composites development .....		[7,500]
154	0603596N	LCS MISSION MODULES .....	75,995	75,995
155	0603597N	AUTOMATED TEST AND RE-TEST (ATRT) .....	7,805	7,805
156	0603599N	FRIGATE DEVELOPMENT .....	109,459	109,459
157	0603609N	CONVENTIONAL MUNITIONS .....	7,296	7,296
158	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	77,065	67,707

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Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Armored reconnaissance vehicle GFE excess to need .....		[-4,400]
		Armored reconnaissance vehicle testing early to need .....		[-4,958]
059	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	34,785	34,785
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	8,774	8,774
061	0603721N	ENVIRONMENTAL PROTECTION .....	20,677	20,677
062	0603724N	NAVY ENERGY PROGRAM .....	33,824	43,824
		AR3P auto refueling system .....		[10,000]
063	0603725N	FACILITIES IMPROVEMENT .....	6,327	6,327
064	0603734N	CHALK CORAL .....	579,389	579,389
065	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	669	669
066	0603746N	RETRACT MAPLE .....	295,295	295,295
067	0603748N	LINK PLUMERIA .....	692,280	692,280
068	0603751N	RETRACT ELM .....	83,904	83,904
069	0603764M	LINK EVERGREEN .....	221,253	264,453
		Marine Corps UFR—Additional development .....		[43,200]
071	0603790N	NATO RESEARCH AND DEVELOPMENT .....	5,805	5,805
072	0603795N	LAND ATTACK TECHNOLOGY .....	4,017	4,017
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	29,589	29,589
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS— DEM/VAL.	24,450	24,450
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS ....	81,803	81,803
076	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST) .....	48,793	48,793
077	0604027N	DIGITAL WARFARE OFFICE .....	46,769	55,752
		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[8,983]
078	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES ..	84,676	84,676
079	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES ..	59,299	59,299
081	0604031N	LARGE UNMANNED UNDERSEA VEHICLES .....	88,063	81,407
		Contract award excess to need .....		[-6,656]
082	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	121,509	121,509
083	0604126N	LITTORAL AIRBORNE MCM .....	18,669	15,187
		COBRA Block II early to need .....		[-3,482]
084	0604127N	SURFACE MINE COUNTERMEASURES .....	13,655	13,655
085	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER- MEASURES (TADIRCM).	33,246	33,246
086	0604289M	NEXT GENERATION LOGISTICS .....	1,071	1,071
087	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE) .....	9,825	9,825
088	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....	6,555	6,555
089	0604454N	LX (R) .....	3,344	3,344
090	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	58,473	51,283
		Test and evaluation excess to need .....		[-7,190]
091	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS) .....	5,529	5,529
092	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM ..	97,944	97,944
093	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITEC- TURE/ENGINEERING SUPPORT.	9,340	9,340
094	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOP- MENT.	127,756	104,756
		Project 3343 lack of program justification .....		[-23,000]
095	0605512N	MEDIUM UNMANNED SURFACE VEHICLES (MUSVS)) .....	60,028	60,028
096	0605513N	UNMANNED SURFACE VEHICLE ENABLING CAPABILITIES USV machinery qualification insufficient justification .....	170,838	123,838
				[-47,000]
097	0605514M	GROUND BASED ANTI-SHIP MISSILE (MARFORRES) .....	102,716	102,716
098	0605516M	LONG RANGE FIRES (MARFORRES) .....	88,479	88,479
099	0605518N	CONVENTIONAL PROMPT STRIKE (CPS) .....	1,372,340	1,498,340
		Navy UFR—Additional CPS development .....		[126,000]
100	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	8,571	8,571
101	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	16,204	23,204
		Program increase—K-max unmanned logistics system .....		[7,000]
102	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	506	506
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOP- MENT &amp; PROTOTYPES.</b>	<b>7,077,987</b>	<b>7,141,984</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
103	0603208N	TRAINING SYSTEM AIRCRAFT .....	5,864	5,864
104	0604212N	OTHER HELO DEVELOPMENT .....	56,444	49,312
		Attack and utility replacement aircraft excess studies and analysis ....		[-7,132]
105	0604214M	AV-8B AIRCRAFT—ENG DEV .....	10,146	10,146
106	0604215N	STANDARDS DEVELOPMENT .....	4,082	4,082
107	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT ...	46,418	54,418
		Program increase—MH-60 modernization .....		[8,000]
108	0604221N	P-3 MODERNIZATION PROGRAM .....	579	579
109	0604230N	WARFARE SUPPORT SYSTEM .....	10,167	10,167
110	0604231N	COMMAND AND CONTROL SYSTEMS .....	122,913	122,913
111	0604234N	ADVANCED HAWKEYE .....	386,860	386,860
112	0604245M	H-1 UPGRADES .....	50,158	50,158
113	0604261N	ACOUSTIC SEARCH SENSORS .....	46,066	46,066
114	0604262N	V-22A .....	107,984	107,984

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115	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	22,746	22,746
116	0604269N	EA-18 .....	68,425	68,425
117	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	139,535	136,593
		Dual band decoy previously funded .....		[-2,942]
118	0604273M	EXECUTIVE HELO DEVELOPMENT .....	45,932	45,932
119	0604274N	NEXT GENERATION JAMMER (NGJ) .....	243,923	235,423
		Test and evaluation delays .....		[-8,500]
120	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....	234,434	243,417
		Navy tactical grid development for JADC2 .....		[8,983]
121	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II .....	248,096	230,100
		Contract delays .....		[-17,996]
122	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING ...	371,575	371,575
123	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	904	904
124	0604329N	SMALL DIAMETER BOMB (SDB) .....	46,769	46,769
125	0604366N	STANDARD MISSILE IMPROVEMENTS .....	343,511	343,511
126	0604373N	AIRBORNE MCM .....	10,881	10,881
127	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYS- TEMS ENGINEERING.	46,121	52,621
		Program increase—stratospheric balloons .....		[6,500]
128	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP) .....		15,000
		Program increase .....		[15,000]
129	0604501N	ADVANCED ABOVE WATER SENSORS .....	77,852	77,852
130	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	95,693	95,693
131	0604504N	AIR CONTROL .....	27,499	27,499
132	0604512N	SHIPBOARD AVIATION SYSTEMS .....	8,924	8,924
133	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	11,631	11,631
134	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....	96,556	96,556
135	0604530N	ADVANCED ARRESTING GEAR (AAG) .....	147	147
136	0604558N	NEW DESIGN SSN .....	503,252	603,252
		SSN Block VI design and advanced capabilities .....		[100,000]
137	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	62,115	62,115
138	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	54,829	54,829
139	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	4,290	4,290
140	0604601N	MINE DEVELOPMENT .....	76,027	65,646
		Encapsulated effector contract delays .....		[-10,381]
141	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	94,386	94,386
142	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT ...	8,348	8,348
143	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS— ENG DEV.	42,144	42,144
144	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FAC- TORS.	7,375	7,375
146	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	149,433	149,433
147	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	87,862	84,488
		Project 0173 MK9 CWTI replacement delay .....		[-3,374]
148	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	69,006	69,006
149	0604761N	INTELLIGENCE ENGINEERING .....	20,684	20,684
150	0604771N	MEDICAL DEVELOPMENT .....	3,967	11,467
		Program increase—autonomous aerial technology for distributed lo- gistics.		[7,500]
151	0604777N	NAVIGATION/ID SYSTEM .....	48,837	48,837
152	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	577	577
153	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	262	262
154	0604850N	SSN(X) .....	29,829	29,829
155	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	11,277	11,277
156	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	243,828	239,892
		Contract writing systems reduction .....		[-3,936]
157	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT .....	8,426	8,426
158	0605180N	TACAMO MODERNIZATION .....	150,592	90,472
		Unjustified air vehicle acquisition strategy .....		[-60,120]
159	0605212M	CH-53K RDTE .....	256,903	256,903
160	0605215N	MISSION PLANNING .....	88,128	88,128
161	0605217N	COMMON AVIONICS .....	60,117	92,017
		Marine Corps UFR—MANGL Digital Interoperability .....		[31,900]
162	0605220N	SHIP TO SHORE CONNECTOR (SSC) .....	6,320	6,320
163	0605327N	T-AO 205 CLASS .....	4,336	4,336
164	0605414N	UNMANNED CARRIER AVIATION (UCA) .....	268,937	268,937
165	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	356	356
166	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	27,279	27,279
167	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III .....	173,784	173,784
168	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOP- MENT & DEMONSTRATION.	80,709	80,709
169	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVEL- OPMENT & DEMONSTRATION.	2,005	2,005
170	0204202N	DDG-1000 .....	112,576	112,576
174	0304785N	ISR & INFO OPERATIONS .....	136,140	133,781
		Program decrease .....		[-2,359]
175	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	26,318	26,318
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>5,910,089</b>	<b>5,971,232</b>



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<b>MANAGEMENT SUPPORT</b>				
176	0604256N	THREAT SIMULATOR DEVELOPMENT .....	20,862	20,862
177	0604258N	TARGET SYSTEMS DEVELOPMENT .....	12,113	12,113
178	0604759N	MAJOR T&E INVESTMENT .....	84,617	84,617
179	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	3,108	3,108
180	0605154N	CENTER FOR NAVAL ANALYSES .....	38,590	38,590
183	0605804N	TECHNICAL INFORMATION SERVICES .....	934	934
184	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	93,966	93,966
185	0605856N	STRATEGIC TECHNICAL SUPPORT .....	3,538	3,538
186	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT .....	135,149	135,149
187	0605864N	TEST AND EVALUATION SUPPORT .....	429,277	429,277
188	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	24,872	24,872
189	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	17,653	17,653
190	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	8,065	8,065
191	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	47,042	44,042
		Wargaming capability project restructured .....		[-3,000]
192	0605898N	MANAGEMENT HQ—R&D .....	35,614	35,614
193	0606355N	WARFARE INNOVATION MANAGEMENT .....	38,958	38,958
194	0305327N	INSIDER THREAT .....	2,581	2,581
195	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUP- PORT ACTIVITIES).	1,747	1,747
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>998,686</b>	<b>995,686</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
199	0604840M	F-35 C2D2 .....	515,746	515,746
200	0604840N	F-35 C2D2 .....	481,962	481,962
201	0605520M	MARINE CORPS AIR DEFENSE WEAPONS SYSTEMS (MARFORRES).	65,381	65,381
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....	176,486	176,486
203	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	177,098	198,998
		D5LE2 integration and test early to need .....		[-2,100]
		Next generation strategic inertial measurement unit .....		[9,000]
		Strategic weapons system shipboard navigation modernization .....		[15,000]
204	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	45,775	45,775
205	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	64,752	64,752
206	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	35,451	35,451
207	0204136N	F/A-18 SQUADRONS .....	189,224	196,224
		Program increase—neural network algorithms on advanced pro- cessors.		[3,000]
		Program increase—noise reduction research .....		[4,000]
208	0204228N	SURFACE SUPPORT .....	13,733	13,733
209	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CEN- TER (TMPC).	132,181	132,181
210	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	84,276	84,276
211	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS .....	6,261	6,261
212	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,657	1,657
213	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	21,367	68,367
		Marine Corps UFR—Air traffic control Block IV development .....		[23,000]
		Marine Corps UFR—Radar signal processor refresh .....		[12,000]
		Marine Corps UFR—Software mods to implement NIFC .....		[12,000]
214	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	56,741	56,741
215	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	62,006	62,006
216	0205601N	ANTI-RADIATION MISSILE IMPROVEMENT .....	133,520	125,823
		Program decrease .....		[-7,697]
217	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	28,804	28,804
218	0205632N	MK-48 ADCAP .....	114,492	114,492
219	0205633N	AVIATION IMPROVEMENTS .....	132,486	132,486
220	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	113,760	113,760
221	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	89,897	92,697
		Compact solid state antenna—USMC UPL .....		[2,800]
222	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S).	9,324	12,824
		Marine Corps UFR—Software development for NIFC integration .....		[3,500]
223	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYS- TEMS.	108,235	108,235
224	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	13,185	13,185
225	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP).	37,695	44,295
		Marine Corps UFR—G-BOSS High Definition modernization .....		[3,700]
		Marine Corps UFR—SCINet transition .....		[2,900]
226	0206629M	AMPHIBIOUS ASSAULT VEHICLE .....	7,551	7,551
227	0207161N	TACTICAL AIM MISSILES .....	23,881	23,881
228	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM).	32,564	32,564
229	0208043N	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,101	3,101
234	0303138N	AFLOAT NETWORKS .....	30,890	35,690

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		Navy UFR—Accelerate Naval Tactical Grid Development for Joint All-Domain Command and Control (JADC2).		[4,800]
235	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	33,311	33,311
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	7,514	7,514
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	9,837	9,837
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY .....	9,797	9,797
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	38,800	38,800
240	0305220N	MQ-4C TRITON .....	13,029	13,029
241	0305231N	MQ-8 UAV .....	26,543	26,543
242	0305232M	RQ-11 UAV .....	533	533
243	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0) .....	1,772	1,772
245	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	59,252	59,252
246	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....	9,274	9,274
247	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	36,378	36,378
248	0305421N	RQ-4 MODERNIZATION .....	134,323	134,323
249	0307577N	INTELLIGENCE MISSION DATA (IMD) .....	907	907
250	0308601N	MODELING AND SIMULATION SUPPORT .....	9,772	9,772
251	0702207N	DEPOT MAINTENANCE (NON-IF) .....	36,880	41,880
		CPF—defense industrial skills and technology training .....		[5,000]
252	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	3,329	3,329
999	9999999999	CLASSIFIED PROGRAMS .....	1,872,586	1,872,586
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>5,313,319</b>	<b>5,404,222</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
		<b>UNDISTRIBUTED</b>		
254	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	13,703	13,703
255	0608113N	NAVY NEXT GENERATION ENTERPRISE NETWORK (NGEN)—SOFTWARE PILOT PROGRAM.	955,151	955,151
256	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	14,855	14,855
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>983,709</b>	<b>983,709</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>22,639,362</b>	<b>23,101,189</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
001	0601102F	DEFENSE RESEARCH SCIENCES .....	328,303	347,823
		Program increase—basic research .....		[19,520]
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	162,403	193,903
		CPF—neural-enabled prosthetics .....		[1,500]
		University research programs .....		[30,000]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>490,706</b>	<b>541,726</b>
		<b>APPLIED RESEARCH</b>		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH .....	79,901	79,901
005	0602102F	MATERIALS .....	113,460	145,460
		Continuous composites 3D printing .....		[7,000]
		CPF—affordable multifunctional aerospace composites .....		[10,000]
		Digital maintenance advisor .....		[5,000]
		High energy synchrotron x-ray research .....		[5,000]
		Maturation of carbon/carbon thermal protection systems .....		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	163,032	170,532
		Ground test and development of hypersonic engines .....		[5,000]
		Nano-UAS for the military warfighter .....		[2,500]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	136,273	136,273
008	0602203F	AEROSPACE PROPULSION .....	174,683	181,683
		Low-cost small turbine engine research .....		[7,000]
009	0602204F	AEROSPACE SENSORS .....	198,918	461,918
		Chip-locking microelectronics security .....		[6,000]
		Cyber assurance and assessment of electronic hardware systems .....		[7,000]
		Microelectronics research network .....		[250,000]
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,891	8,891
012	0602602F	CONVENTIONAL MUNITIONS .....	151,757	151,757
013	0602605F	DIRECTED ENERGY TECHNOLOGY .....	111,052	113,552
		CPF—directed energy research and education for workforce development.		[2,500]
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	169,110	181,110
		CPF—assessment of a national laboratory for transformational computing.		[2,000]
		Program increase—quantum network testbed .....		[10,000]
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,307,077</b>	<b>1,631,077</b>

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<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
017	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS .....	131,643	187,643
		Procure Valkyrie aircraft .....		[75,000]
		Program reduction .....		[-19,000]
018	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	31,905	41,905
		Metals affordability research .....		[10,000]
019	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	21,057	21,057
020	0603203F	ADVANCED AEROSPACE SENSORS .....	45,464	54,764
		Authorization software for autonomous sensors .....		[9,300]
021	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	70,486	85,486
		Enhanced capability hypersonic airbreathing testbed .....		[15,000]
022	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	75,273	159,773
		CPF—development of advanced propulsion technologies for hypersonic systems.		[5,000]
		Ground testing of reusable high mach turbine engines .....		[20,000]
		Next generation UAS propulsion development .....		[30,000]
		Reusable high mach turbine engine .....		[29,500]
023	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	46,591	46,591
026	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT.	24,589	24,589
027	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	157,423	157,423
028	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	28,258	33,258
		Program increase—LIDAR CUAS automated target recognition .....		[5,000]
029	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	45,259	157,259
		Aerospace and defense supply ecosystem .....		[6,000]
		CPF—additive manufacturing and ultra-high performance concrete ...		[5,000]
		Program increase .....		[70,000]
		Smart manufacturing digital thread initiative .....		[10,000]
		Sustainment and modernization research and development program ..		[7,000]
		Universal robotic controller .....		[6,000]
		Virtual, augmented, and mixed reality readiness .....		[8,000]
030	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION.	56,772	56,772
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>734,720</b>	<b>1,026,520</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
031	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	5,795	5,795
032	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	21,939	21,939
033	0603790F	NATO RESEARCH AND DEVELOPMENT .....	4,114	4,114
034	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	49,621	49,621
036	0604001F	NC3 ADVANCED CONCEPTS .....	6,900	6,900
037	0604002F	AIR FORCE WEATHER SERVICES RESEARCH .....	986	986
038	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS) .....	203,849	203,849
039	0604004F	ADVANCED ENGINE DEVELOPMENT .....	123,712	380,712
		Program increase—AETP .....		[257,000]
040	0604006F	ARCHITECTURE INITIATIVES .....	82,438	128,438
		Acceleration of tactical datalink waveform .....		[80,000]
		Program decrease .....		[-34,000]
041	0604015F	LONG RANGE STRIKE—BOMBER .....	2,872,624	2,872,624
042	0604032F	DIRECTED ENERGY PROTOTYPING .....	10,820	10,820
043	0604033F	HYPERSONICS PROTOTYPING .....	438,378	438,378
044	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS .....	39,742	39,742
045	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	23,745	23,745
046	0604288F	SURVIVABLE AIRBORNE OPERATIONS CENTER .....	95,788	95,788
047	0604317F	TECHNOLOGY TRANSFER .....	15,768	23,268
		Program increase—academic partnership intermediary agreement tech transfer.		[7,500]
048	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM.	15,886	15,886
049	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....	71,229	71,229
050	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	40,103	40,103
051	0604858F	TECH TRANSITION PROGRAM .....	343,545	442,545
		Blended wing body prototype phase 1 .....		[15,000]
		C-17 active winglets phase 1 .....		[2,000]
		KC-135 winglets .....		[2,000]
		NORTHCOM UFR—Proliferated low earth orbit Arctic communications.		[80,000]
052	0605230F	GROUND BASED STRATEGIC DETERRENT .....	2,553,541	2,553,541
054	0207110F	NEXT GENERATION AIR DOMINANCE .....	1,524,667	1,524,667
055	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....		50,000
		Build command and control framework .....		[50,000]
056	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS) .....	10,905	10,905
057	0208030F	WAR RESERVE MATERIEL—AMMUNITION .....	3,943	3,943
059	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	43,881	43,881
061	0305601F	MISSION PARTNER ENVIRONMENTS .....	16,420	16,420
062	0306250F	CYBER OPERATIONS TECHNOLOGY SUPPORT .....	242,499	282,499

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Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Coordination with private sector to protect against foreign malicious cyber actors.		[15,000]
		CYBERCOM UFR enhanced attribution transition .....		[25,000]
063	0306415F	ENABLED CYBER ACTIVITIES .....	16,578	16,578
066	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	20,343	20,343
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>8,899,759</b>	<b>9,399,259</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
078	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS .....	23,499	23,499
079	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS .....	167,520	167,520
080	0604222F	NUCLEAR WEAPONS SUPPORT .....	30,050	30,050
081	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	2,110	2,110
082	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	169,836	169,836
083	0604287F	PHYSICAL SECURITY EQUIPMENT .....	8,469	8,469
085	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	9,047	9,047
086	0604604F	SUBMUNITIONS .....	2,954	2,954
087	0604617F	AGILE COMBAT SUPPORT .....	16,603	16,603
089	0604706F	LIFE SUPPORT SYSTEMS .....	25,437	25,437
090	0604735F	COMBAT TRAINING RANGES .....	23,980	34,180
		Air Force combat training ranges .....		[7,200]
		Gulf test range improvement .....		[3,000]
092	0604932F	LONG RANGE STANDOFF WEAPON .....	609,042	609,042
093	0604933F	ICBM FUZE MODERNIZATION .....	129,709	129,709
095	0605056F	OPEN ARCHITECTURE MANAGEMENT .....	37,109	37,109
096	0605221F	KC-46 .....	1	1
097	0605223F	ADVANCED PILOT TRAINING .....	188,898	188,898
098	0605229F	HH-60W .....	66,355	30,506
		Early to need—capability upgrades and modernization .....		[-35,849]
101	0207171F	F-15 EPAWSS .....	112,012	112,012
102	0207328F	STAND IN ATTACK WEAPON .....	166,570	166,570
103	0207701F	FULL COMBAT MISSION TRAINING .....	7,064	12,064
		Program increase—airborne augmented reality for pilot training .....		[5,000]
105	0401221F	KC-46A TANKER SQUADRONS .....	73,459	67,459
		Underexecution .....		[-6,000]
107	0401319F	VC-25B .....	680,665	655,665
		Early to need .....		[-25,000]
108	0701212F	AUTOMATED TEST SYSTEMS .....	15,445	15,445
109	0804772F	TRAINING DEVELOPMENTS .....	4,482	4,482
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>2,570,316</b>	<b>2,518,667</b>
		<b>MANAGEMENT SUPPORT</b>		
124	0604256F	THREAT SIMULATOR DEVELOPMENT .....	41,909	41,909
125	0604759F	MAJOR T&E INVESTMENT .....	130,766	130,766
126	0605101F	RAND PROJECT AIR FORCE .....	36,017	36,017
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	12,582	12,582
129	0605807F	TEST AND EVALUATION SUPPORT .....	811,032	811,032
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS .....	243,796	243,796
132	0605828F	ACQ WORKFORCE- GLOBAL REACH .....	435,930	435,930
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS .....	435,274	435,274
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION .....	243,806	243,806
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY .....	103,041	103,041
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS .....	226,055	226,055
138	0605898F	MANAGEMENT HQ—R&D .....	4,079	4,079
139	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,788	70,788
140	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT.	30,057	30,057
141	0606017F	REQUIREMENTS ANALYSIS AND MATURATION .....	85,799	80,799
		Program decrease .....		[-5,000]
142	0606398F	MANAGEMENT HQ—T&E .....	6,163	6,163
143	0303166F	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES.	537	537
144	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM.	25,340	35,340
		Program increase—NC3 rapid engineering architecture collaboration hub.		[10,000]
145	0308602F	ENTERPRISE INFORMATION SERVICES (EIS) .....	28,720	28,720
146	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	37,211	37,211
147	0804731F	GENERAL SKILL TRAINING .....	1,506	1,506
148	0804772F	TRAINING DEVELOPMENTS .....	2,957	2,957
150	1001004F	INTERNATIONAL ACTIVITIES .....	2,420	2,420
156	1206864F	SPACE TEST PROGRAM (STP) .....	3	3
		<b>SUBTOTAL MANAGEMENT SUPPORT</b>	<b>3,015,788</b>	<b>3,020,788</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
157	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	5,509	5,509

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158	0604445F	WIDE AREA SURVEILLANCE .....	2,760	2,760
160	0604840F	F-35 C2D2 .....	985,404	985,404
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	22,010	22,010
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	51,492	51,492
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION ...	71,391	71,391
164	0605278F	HC/MC-130 RECAP RDT&E .....	46,796	46,796
165	0606018F	NC3 INTEGRATION .....	26,532	26,532
167	0101113F	B-52 SQUADRONS .....	715,811	660,811
		CERP rapid prototyping materiel contract delay .....		[-55,000]
168	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	453	453
169	0101126F	B-1B SQUADRONS .....	29,127	29,127
170	0101127F	B-2 SQUADRONS .....	144,047	144,047
171	0101213F	MINUTEMAN SQUADRONS .....	113,622	113,622
172	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....	15,202	15,202
174	0101328F	ICBM REENTRY VEHICLES .....	96,313	96,313
176	0102110F	UH-1N REPLACEMENT PROGRAM .....	16,132	16,132
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MOD-ERNIZATION PROGRAM .....	771	771
178	0102412F	NORTH WARNING SYSTEM (NWS) .....	99	25,199
		NORTHCOM UFR—Over the horizon radar .....		[25,100]
179	0102417F	OVER-THE-HORIZON BACKSCATTER RADAR .....	42,300	42,300
180	0202834F	VEHICLES AND SUPPORT EQUIPMENT—GENERAL .....	5,889	5,889
181	0205219F	MQ-9 UAV .....	85,135	84,121
		Early to use—program protection technology insertion .....		[-1,014]
182	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE .....	3,111	3,111
183	0207040F	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT ...	36,607	36,607
184	0207131F	A-10 SQUADRONS .....	39,224	39,224
185	0207133F	F-16 SQUADRONS .....	224,573	224,573
186	0207134F	F-15E SQUADRONS .....	239,616	239,616
187	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	15,855	15,855
188	0207138F	F-22A SQUADRONS .....	647,296	647,296
189	0207142F	F-35 SQUADRONS .....	69,365	69,365
190	0207146F	F-15EX .....	118,126	118,126
191	0207161F	TACTICAL AIM MISSILES .....	32,974	32,974
192	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	51,288	51,288
193	0207227F	COMBAT RESCUE—PARARESCUE .....	852	852
194	0207247F	AF TENCAP .....	23,685	23,685
195	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	12,083	12,083
196	0207253F	COMPASS CALL .....	91,266	91,266
197	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PRO-GRAM .....	103,715	103,715
198	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	117,325	117,325
199	0207327F	SMALL DIAMETER BOMB (SDB) .....	27,109	27,109
200	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	3	3
201	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	9,875	9,875
202	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	171,014	171,014
203	0207418F	AFSPECWAR—TACP .....	4,598	4,598
205	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	21,863	21,863
206	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I .....	7,905	7,905
207	0207439F	ELECTRONIC WARFARE INTEGRATED REPROGRAMMING (EWIR) .....	15,000	15,000
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	13,081	13,081
209	0207452F	DCAPES .....	4,305	4,305
210	0207521F	AIR FORCE CALIBRATION PROGRAMS .....	1,984	1,984
211	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS) .....	7,392	7,392
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS .....	1,971	1,971
213	0207590F	SEEK EAGLE .....	30,539	30,539
214	0207601F	USAF MODELING AND SIMULATION .....	17,110	17,110
215	0207605F	WARGAMING AND SIMULATION CENTERS .....	7,535	7,535
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN) .....	32,008	32,008
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	4,007	4,007
218	0208006F	MISSION PLANNING SYSTEMS .....	92,557	92,557
219	0208007F	TACTICAL DECEPTION .....	489	489
220	0208064F	OPERATIONAL HQ—CYBER .....	2,115	2,115
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS .....	72,487	72,487
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	18,449	18,449
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC <sup>2</sup> ) .....	79,079	79,079
224	0208099F	UNIFIED PLATFORM (UP) .....	101,893	101,893
228	0208288F	INTEL DATA APPLICATIONS .....	493	493
229	0301025F	GEOBASE .....	2,782	2,782
231	0301113F	CYBER SECURITY INTELLIGENCE SUPPORT .....	5,224	5,224
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS .....	2,463	2,463
239	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	26,331	26,331
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	58,165	58,165
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	8,032	8,032

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Line	Program Element	Item	FY 2022 Request	Conference Authorized
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE .....	452	452
244	0303248F	ALL DOMAIN COMMON PLATFORM .....	64,000	64,000
246	0304260F	AIRBORNE SIGINT ENTERPRISE .....	97,546	93,546
		Excess carryover—special projects .....		[-4,000]
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS .....	3,770	8,770
		CPF—mobilizing civilian expertise for national security education on geo-economies, and innovation in the era of great power competi- tion. ....		[5,000]
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY .....	1,663	1,663
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD) .....	18,888	15,888
		Excess to need .....		[-3,000]
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,672	4,672
254	0305103F	CYBER SECURITY INITIATIVE .....	290	290
255	0305111F	WEATHER SERVICE .....	26,228	36,228
		Program increase—commercial weather data pilot .....		[10,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYS- TEM (ATCAL). ....	8,749	8,749
257	0305116F	AERIAL TARGETS .....	1,528	126,528
		Unmanned adversary air platforms .....		[125,000]
260	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	223	223
262	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	8,733	8,733
264	0305179F	INTEGRATED BROADCAST SERVICE (IBS) .....	21,335	21,335
265	0305202F	DRAGON U-2 .....	17,146	35,846
		Air Force UFR—Antenna replacement .....		[18,700]
267	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	71,791	151,291
		Air Force UFR—ASARS processor and antenna development .....		[67,000]
		Program increase—wide area motion imagery .....		[12,500]
268	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	14,799	14,799
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	24,568	24,568
270	0305220F	RQ-4 UAV .....	83,124	83,124
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	17,224	17,224
272	0305238F	NATO AGS .....	19,473	19,473
273	0305240F	SUPPORT TO DCGS ENTERPRISE .....	40,421	40,421
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND AR- CHITECTURES. ....	14,473	14,473
275	0305881F	RAPID CYBER ACQUISITION .....	4,326	4,326
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2) .....	2,567	2,567
277	0307577F	INTELLIGENCE MISSION DATA (IMD) .....	6,169	6,169
278	0401115F	C-130 AIRLIFT SQUADRON .....	9,752	9,752
279	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	17,507	17,507
280	0401130F	C-17 AIRCRAFT (IF) .....	16,360	16,360
281	0401132F	C-130J PROGRAM .....	14,112	14,112
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	5,540	5,540
283	0401218F	KC-135S .....	3,564	3,564
285	0401318F	CV-22 .....	17,189	17,189
286	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	6,640	6,640
288	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....	26,921	26,921
289	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	7,071	7,071
291	0804743F	OTHER FLIGHT TRAINING .....	1,999	1,999
293	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	1,841	1,841
294	0901218F	CIVILIAN COMPENSATION PROGRAM .....	3,560	3,560
295	0901220F	PERSONNEL ADMINISTRATION .....	3,368	3,368
296	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	1,248	1,248
297	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DE- VELOPMENT. ....	4,852	4,852
301	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES .....	6,737	6,737
999	9999999999	CLASSIFIED PROGRAMS .....	15,868,973	15,868,973
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOP- MENT.</b>	<b>21,743,006</b>	<b>21,943,292</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
317	0608158F	STRATEGIC MISSION PLANNING AND EXECUTION SYS- TEM—SOFTWARE PILOT PROGRAM. ....	96,100	96,100
318	0608410F	AIR & SPACE OPERATIONS CENTER (AOC)—SOFTWARE PILOT PROGRAM. ....	186,918	186,918
319	0608920F	DEFENSE ENTERPRISE ACCOUNTING AND MANAGEMENT SYSTEM (DEAMS)—SOFTWARE PILOT PRO. ....	135,263	135,263
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>418,281</b>	<b>418,281</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>39,179,653</b>	<b>40,499,610</b>
		<b>RDTE, SPACE FORCE APPLIED RESEARCH</b>		
001	1206601SF	SPACE TECHNOLOGY .....	181,209	201,709
		Battery cycle life improvements .....		[3,000]

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Line	Program Element	Item	FY 2022 Request	Conference Authorized
		Program increase—hybrid space architecture .....		[5,000]
		Program increase—radiation hardened microprocessor .....		[5,000]
		Program increase—university consortia for space technology .....		[7,500]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>181,209</b>	<b>201,709</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
002	1206616SF	SPACE ADVANCED TECHNOLOGY DEVELOPMENT/DEMO ....	75,919	136,919
		Space Force UFR—accelerate cislunar flight experiment .....		[61,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>75,919</b>	<b>136,919</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
003	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	434,194	434,194
004	1203710SF	EO/IR WEATHER SYSTEMS .....	162,274	162,274
005	1203905SF	SPACE SYSTEM SUPPORT .....	37,000	37,000
006	1206422SF	WEATHER SYSTEM FOLLOW-ON .....	61,521	61,521
007	1206425SF	SPACE SITUATION AWARENESS SYSTEMS .....	123,262	130,262
		Space Force UFR—Maui optical site .....		[7,000]
008	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT) .....	101,851	129,851
		Space Force UFR—Expand Blackjack radio frequency payloads .....		[28,000]
009	1206438SF	SPACE CONTROL TECHNOLOGY .....	32,931	32,931
010	1206730SF	SPACE SECURITY AND DEFENSE PROGRAM .....	56,546	71,546
		Program increase .....		[15,000]
011	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....	100,320	100,320
012	1206761SF	PROTECTED TACTICAL SERVICE (PTS) .....	243,285	243,285
013	1206855SF	EVOLVED STRATEGIC SATCOM (ESS) .....	160,056	160,056
014	1206857SF	SPACE RAPID CAPABILITIES OFFICE .....	66,193	66,193
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>1,579,433</b>	<b>1,629,433</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
015	1203269SF	GPS III FOLLOW-ON (GPS III-F) .....	264,265	264,265
016	1203940SF	SPACE SITUATION AWARENESS OPERATIONS .....	56,279	56,279
017	1206421SF	COUNTERSPACE SYSTEMS .....	38,063	38,063
018	1206422SF	WEATHER SYSTEM FOLLOW-ON .....	1,438	1,438
019	1206425SF	SPACE SITUATION AWARENESS SYSTEMS .....	127,026	136,026
		Space Force UFR—Add space domain rapid innovation pathfinders ..		[9,000]
020	1206431SF	ADVANCED EHF MILSATCOM (SPACE) .....	28,218	28,218
021	1206432SF	POLAR MILSATCOM (SPACE) .....	127,870	127,870
022	1206442SF	NEXT GENERATION OPIR .....	2,451,256	2,451,256
023	1206445SF	COMMERCIAL SATCOM (COMSATCOM) INTEGRATION .....	23,400	23,400
024	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	221,510	280,710
		Maintain competition for Ph3—DOD unique requirements .....		[50,000]
		Space Force UFR—Liquid oxygen explosive tests .....		[9,200]
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>3,339,325</b>	<b>3,407,525</b>
		<b>MANAGEMENT SUPPORT</b>		
025	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	19,319	52,619
		Space Force UFR—signal emulation generation subsystem .....		[33,300]
026	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS .....	214,051	214,051
027	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA .....	12,119	12,119
028	1206759SF	MAJOR T&E INVESTMENT—SPACE .....	71,503	71,503
029	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	17,769	21,769
		CPF—small rocket program .....		[4,000]
030	1206862SF	TACTICALLY RESPONSIVE LAUNCH .....		50,000
		Program increase .....		[50,000]
031	1206864SF	SPACE TEST PROGRAM (STP) .....	20,881	20,881
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>355,642</b>	<b>442,942</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
033	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	4,731	4,731
034	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	156,788	156,788
035	1203040SF	DCO-SPACE .....	2,150	2,150
036	1203109SF	NARROWBAND SATELLITE COMMUNICATIONS .....	112,012	112,012
037	1203110SF	SATELLITE CONTROL NETWORK (SPACE) .....	36,810	36,810
038	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	1,966	1,966
039	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER ....	1,699	5,699
		Space Force UFR—Improve operations of payload adapter .....		[4,000]
040	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	18,054	33,354
		Space Force UFR—Digital core services for distributed space test and training.		[15,300]
041	1203182SF	SPACE LIFT RANGE SYSTEM (SPACE) .....	11,115	23,115

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		CPF—tactically responsive launch/deployable spaceport .....		[7,000]
		Program increase .....		[5,000]
042	1203265SF	GPS III SPACE SEGMENT .....	7,207	7,207
043	1203330SF	SPACE SUPERIORITY ISR .....	18,109	18,109
044	1203620SF	NATIONAL SPACE DEFENSE CENTER .....	1,280	1,280
045	1203873SF	BALLISTIC MISSILE DEFENSE RADARS .....	12,292	12,292
046	1203906SF	NCMC—TW/AA SYSTEM .....	9,858	9,858
047	1203913SF	NUDET DETECTION SYSTEM (SPACE) .....	45,887	45,887
048	1203940SF	SPACE SITUATION AWARENESS OPERATIONS .....	64,763	64,763
049	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CON- TROL SEGMENT.	413,766	413,766
053	1206770SF	ENTERPRISE GROUND SERVICES .....	191,713	191,713
999	9999999999	CLASSIFIED PROGRAMS .....	4,474,809	4,680,009
		Space Force UFR—classified .....		[205,200]
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT</b>	<b>5,585,009</b>	<b>5,821,509</b>
		<b>SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PRO- GRAMS</b>		
		<b>UNDISTRIBUTED</b>		
054	1203614SF	JSPOC MISSION SYSTEM .....	154,529	154,529
		<b>SUBTOTAL SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>154,529</b>	<b>154,529</b>
		<b>TOTAL RDTE, SPACE FORCE</b> .....	<b>11,271,066</b>	<b>11,794,566</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
001	0601000BR	DTRA BASIC RESEARCH .....	11,828	12,705
		Program increase .....		[877]
002	0601101E	DEFENSE RESEARCH SCIENCES .....	395,781	454,281
		Adversary Influence Operations (IO)—detection, modeling, mitigation		[5,000]
		Artificial Intelligence (AI)—trustworthy, human integrated, robust ...		[5,000]
		Biotechnology for challenging environments .....		[7,000]
		CPF—novel analytical and empirical approaches to the prediction and monitoring of disease transmission.		[1,500]
		High assurance software systems—resilient, adaptable, trustworthy ...		[5,000]
		Increase for DARPA-funded university research activities .....		[15,000]
		Program increase—ERI 2.0 .....		[20,000]
003	0601108D8Z	HIGH ENERGY LASER RESEARCH INITIATIVES .....	15,390	15,390
004	0601110D8Z	BASIC RESEARCH INITIATIVES .....	39,828	77,061
		Consortium to study irregular warfare .....		[8,000]
		CPF—Florida Memorial University Department of Natural Sciences STEM equipment.		[400]
		CPF—SOUTHCOM Enhanced Domain Awareness (EDA) initiative		[1,300]
		DEPSCoR .....		[10,000]
		Minerva management and social science research .....		[13,000]
		Program increase .....		[4,533]
005	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	76,018	86,018
		Assessing immune memory .....		[5,000]
		Traumatic brain injury research .....		[5,000]
006	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	112,195	132,195
		Civics education .....		[2,000]
		CPF—Florida Memorial Avionics Smart Scholars .....		[1,000]
		SMART scholarships for AI related education .....		[13,000]
		SMART scholarships program increase .....		[4,000]
007	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MI- NORITY INSTITUTIONS.	31,136	73,247
		CPF—augmenting quantum sensing research, education, and train- ing in DOD COE at DSU.		[1,111]
		CPF—HBCU training for the future of aerospace .....		[1,000]
		Program increase .....		[40,000]
008	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	34,708	37,208
		Program increase—chemically resistant, high-performance military cordage, rope, and webbing.		[2,500]
		<b>SUBTOTAL BASIC RESEARCH</b> .....	<b>716,884</b>	<b>888,105</b>
		<b>APPLIED RESEARCH</b>		
009	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	19,591	19,591
010	0602115E	BIOMEDICAL TECHNOLOGY .....	108,698	118,698
		Bridging the gap after spinal cord injury .....		[5,000]
		Non-invasive neurotechnology rehabilitation take home trials .....		[5,000]
012	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION .....	22,918	82,918
		6G and beyond experimentation efforts .....		[50,000]
		Artificial intelligence (AI)—trustworthy, human integrated, robust ...		[10,000]
013	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	55,692	55,692
014	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	65,015	115,015
		AI research and development .....		[50,000]



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015	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY ..... National Security Commission on Artificial Intelligence implementation.	430,363	745,363 [200,000]
		Program increase—AI, cyber, and data analytics .....		[15,000]
		Quantum computing acceleration .....		[100,000]
016	0602383E	BIOLOGICAL WARFARE DEFENSE .....	31,421	31,421
017	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	206,956	213,456
		Biodetection system for joint force infrastructure protection .....		[6,500]
018	0602668D8Z	CYBER SECURITY RESEARCH .....	15,380	35,380
		AI-enabled cyber defense acceleration study .....		[10,000]
		Program increase .....		[10,000]
019	0602702E	TACTICAL TECHNOLOGY .....	202,515	249,515
		MADFIRE .....		[30,000]
		Program increase—AI, cyber and data analytics .....		[17,000]
020	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	317,024	378,624
		Adaptive immunomodulation-based therapeutics (ElectRx) .....		[4,600]
		Agile chemical manufacturing technologies (ACMT) .....		[20,000]
		Bioengineered electronics and electromagnetic devices (Bio-INC) .....		[6,000]
		Bioremediation of battlefields .....		[7,000]
		Maritime materials technologies (M2T) .....		[5,000]
		Material protection through biologics .....		[5,000]
		Neuroprotection from brain injury .....		[9,000]
		Regenerative engineering for complex tissue regeneration & limb reconstruction.		[5,000]
021	0602716E	ELECTRONICS TECHNOLOGY .....	357,384	393,384
		Program increase—ERI 2.0 .....		[36,000]
022	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH.	197,011	197,011
023	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH.	9,601	9,601
024	0602890D8Z	HIGH ENERGY LASER RESEARCH .....	45,997	115,997
		Directed energy innovation—improved beam control .....		[50,000]
		Joint Directed Energy Transition Office .....		[20,000]
025	1160401BB	SOF TECHNOLOGY DEVELOPMENT .....	44,829	48,829
		Program increase—sustained human performance and resilience .....		[4,000]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>2,130,395</b>	<b>2,810,495</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
026	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	23,213	23,213
027	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT .....	4,665	4,665
028	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	69,376	69,376
029	0603133D8Z	FOREIGN COMPARATIVE TESTING .....	25,432	25,432
031	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	399,362	404,362
		Reduced order models .....		[5,000]
032	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	15,800	29,700
		BATMAA BMDS advanced technology .....		[8,700]
		MDA UFR—Cybersecurity improvements .....		[5,200]
033	0603180C	ADVANCED RESEARCH .....	21,466	26,466
		Program increase—high speed flight experiment testing .....		[5,000]
034	0603183D8Z	JOINT HYPERSONIC TECHNOLOGY DEVELOPMENT & TRANSITION.	51,340	51,340
035	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT.	19,063	19,063
036	0603286E	ADVANCED AEROSPACE SYSTEMS .....	174,043	256,043
		Glide breaker .....		[20,000]
		Hypersonic Air-Breathing Weapon Concept (HAWC) .....		[37,000]
		OpFires .....		[10,000]
		Tactical Boost Glide (TBG) .....		[15,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	101,524	186,524
		Blackjack critical risk reduction .....		[25,000]
		Blackjack schedule assurance .....		[30,000]
		Robotic Servicing of Geosynchronous Satellites (RSGS) .....		[30,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS .....	24,012	24,012
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....	51,513	51,513
042	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING .....	115,443	193,443
		Defense critical supply chain documentation and monitoring .....		[3,000]
		Rapid Innovation Program .....		[75,000]
043	0603342D8Z	DEFENSE INNOVATION UNIT (DIU) .....	31,873	31,873
044	0603375D8Z	TECHNOLOGY INNOVATION .....	54,433	54,433
045	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	197,824	197,824
046	0603527D8Z	RETRACT LARCH .....	99,175	99,175
047	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	18,221	18,221
048	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	102,669	102,669
049	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	2,984	2,984
050	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	134,022	380,322

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		Additive manufacturing training .....		[5,000]
		Biotechnology innovation—enabling modular and scalable bioindustrial and reusable assets.		[200,000]
		Certification-based workforce training programs for manufacturing ...		[3,000]
		CPF—cold spray and rapid deposition lab .....		[1,300]
		Cybersecurity for industrial control systems .....		[3,000]
		Data analytics and visual system .....		[3,000]
		HPC-enabled advanced manufacturing .....		[8,000]
		Hypersonics advanced manufacturing .....		[10,000]
		Integrated silicon-based lasers .....		[10,000]
		Virtual reality-enabled smart installation experimentation .....		[3,000]
051	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	37,543	47,543
		Program increase—steel performance initiative .....		[10,000]
053	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS.	12,418	12,418
054	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	51,863	81,863
		Program increase—AFFF replacement, disposal, and cleanup technology.		[15,000]
		Program increase—PFAS remediation and disposal technology .....		[15,000]
055	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	160,821	160,821
056	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	2,169	2,169
057	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	116,716	140,716
		Program increase—ERI 2.0 .....		[24,000]
058	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS ....	251,794	295,394
		Classified increase .....		[21,000]
		Deep water active sonar .....		[15,000]
		Network UP .....		[5,000]
		SHARE alignment with OTNK research .....		[1,100]
		SHARE ICN performance enhancements for operational use .....		[1,500]
059	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	584,771	779,246
		Air combat evolution (ACE) .....		[8,200]
		Artificial intelligence research activities .....		[100,000]
		Assault breaker II .....		[50,000]
		Classified increase .....		[20,400]
		Ocean of things .....		[875]
		Ocean of things phase 3 demonstration .....		[10,000]
		Timely information for maritime engagements (TIMEly) .....		[5,000]
060	0603767E	SENSOR TECHNOLOGY .....	294,792	367,392
		Classified increase .....		[27,800]
		SECTRE munitions digital twin for in theater/flight target additions and performance improvements.		[4,400]
		Systems of systems-enhanced small units (SESU) .....		[4,400]
		Thermal imaging technology experiment-recon (TITE-R) .....		[36,000]
061	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT.	6,398	9,198
		Systems of systems-enhanced small units (SESU) .....		[2,800]
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	14,677	14,977
		CODE enhancements for SESU .....		[300]
065	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM.	107,397	107,397
066	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	267,161	267,161
067	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK .....	21,270	31,270
		Program increase .....		[10,000]
068	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	74,300	74,300
070	0303310D8Z	CWMD SYSTEMS .....		5,000
		Data storage capabilities for special operations forces .....		[5,000]
074	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	93,415	98,415
		SOF platform agnostic data storage capability .....		[5,000]
075	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	172,638	172,638
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.</b>	<b>4,007,596</b>	<b>4,920,571</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
076	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	28,687	28,687
077	0603600D8Z	WALKOFF .....	108,652	108,652
078	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES.		5,000
		CDO for ADA .....		[5,000]
079	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	71,429	89,429
		Military energy resilience catalyst .....		[3,000]
		Program increase—AFFF replacement, disposal, and cleanup technology.		[5,000]
		Program increase—PFAS remediation and disposal technology .....		[10,000]

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080	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	277,949	213,382
		Unjustified request, lacking acquisition strategy—LHD .....		[-64,567]
081	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	745,144	740,144
		Unjustified growth—ground support and fire control LHD lack of validated requirement and acquisition strategy.		[-5,000]
082	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DE/MVAL.	129,445	129,445
083	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	224,750	227,762
		MDA UFR—Cybersecurity improvements .....		[3,012]
084	0603890C	BMD ENABLING PROGRAMS .....	595,301	631,881
		MDA UFR—Cybersecurity improvements .....		[44,830]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-8,250]
085	0603891C	SPECIAL PROGRAMS—MDA .....	413,374	413,374
086	0603892C	AEGIS BMD .....	732,512	694,418
		Layered homeland defense lack of requirement .....		[-86,494]
		MDA UFR—Radar upgrades .....		[48,400]
087	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	603,448	587,424
		MDA UFR—Cybersecurity improvements .....		[2,000]
		MDA UFR—JADC2 integration .....		[4,476]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-22,500]
088	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT.	50,594	50,594
089	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	52,403	52,403
090	0603906C	REGARDING TRENCH .....	11,952	11,952
091	0603907C	SEA BASED X-BAND RADAR (SBX) .....	147,241	147,241
092	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	300,000	300,000
093	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	362,906	362,906
094	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	553,334	568,784
		Advanced target front end configuration 3 tech maturation .....		[5,000]
		Architecture RTS development .....		[10,000]
		MDS architecture IAC prototype .....		[5,000]
		Unjustified growth—LHD lack of validated requirement and acquisition strategy.		[-4,550]
096	0603923D8Z	COALITION WARFARE .....	5,103	5,103
097	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G).	374,665	474,665
		5G acceleration activities .....		[100,000]
098	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,259	3,259
099	0604102C	GUAM DEFENSE DEVELOPMENT .....	78,300	138,300
		INDOPACOM UFR—Guam Defense System .....		[60,000]
100	0604115C	TECHNOLOGY MATURATION INITIATIVES .....		34,000
		Program increase—diode pumped alkali laser .....		[14,000]
		Short pulse laser directed energy demonstration .....		[20,000]
103	0604181C	HYPERSONIC DEFENSE .....	247,931	309,796
		MDA UFR—Accelerate hypersonic defensive systems .....		[61,865]
104	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	716,456	831,456
		Mission-based acquisition .....		[100,000]
		Program increase—mobile nuclear microreactor .....		[15,000]
105	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	509,195	548,995
		Advanced analog & mixed signal microelectronics design and manufacturing.		[6,800]
		Radiation-hardened application specific integrated circuits .....		[18,000]
		Trusted and assured GaN and GaAs RFIC technology .....		[15,000]
106	0604331D8Z	RAPID PROTOTYPING PROGRAM .....	103,575	182,575
		ADA network resiliency/cloud .....		[79,000]
107	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING .....	11,213	26,213
		National security innovation capital program increase .....		[15,000]
108	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	2,778	2,778
109	0604551BR	CATAPULT .....	7,166	7,166
110	0604555D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT—NON S&T.	23,200	23,200
111	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H) .....		75,000
		INDOPACOM UFR—Restoration of HDR-H .....		[75,000]
113	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA).	3,519	3,519
114	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	17,439	17,439
115	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR) .....	133,335	133,335
116	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....	926,125	926,125
117	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	32,697	32,697

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
118	0604878C	AEGIS BMD TEST .....	117,055	111,255
		Unjustified growth—AEGIS LHD test funding early to need .....		[-5,800]
119	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	77,428	77,428
120	0604880C	LAND-BASED SM-3 (LBSM3) .....	43,158	43,158
121	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST.	61,424	61,424
122	0202057C	SAFETY PROGRAM MANAGEMENT .....	2,323	2,323
123	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS .....	2,568	2,568
125	0305103C	CYBER SECURITY INITIATIVE .....	1,142	1,142
126	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	636,179	648,179
		Laser communication terminal technologies .....		[6,000]
		Space laser communications .....		[6,000]
127	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	15,176	15,176
128	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	292,811	292,811
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>9,854,341</b>	<b>10,394,563</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
129	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	5,682	5,682
131	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD ..	299,848	299,848
132	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS).	9,345	9,345
133	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.	14,063	14,063
134	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	4,265	4,265
135	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	7,205	7,205
136	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	5,447	5,447
137	0605027D8Z	OSD(C) IT DEVELOPMENT INITIATIVES .....	16,892	34,892
		ADVANA for ADA .....		[18,000]
138	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	679	679
140	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM.	32,254	32,254
142	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	5,500	5,500
143	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	7,148	7,148
144	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	113,895	113,895
146	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS .....	3,991	3,991
149	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	2,227	2,227
150	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,246	20,246
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>548,687</b>	<b>566,687</b>
		<b>MANAGEMENT SUPPORT</b>		
151	0603829J	JOINT CAPABILITY EXPERIMENTATION .....	8,444	8,444
152	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	7,508	7,508
153	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	7,859	7,859
154	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	550,140	550,140
155	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	17,980	17,980
156	0605001E	MISSION SUPPORT .....	73,145	73,145
157	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).	71,410	71,410
159	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	52,671	52,671
161	0605142D8Z	SYSTEMS ENGINEERING .....	40,030	40,030
162	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	4,612	4,612
163	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	14,429	14,429
164	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.	4,759	4,759
165	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	1,952	1,952
166	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	110,503	110,503
172	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,639	3,639
173	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE .....	25,889	63,889
		Regional secure computing enclave pilot .....		[38,000]
174	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	39,774	257,774
		ISR & information operations .....		[10,000]
		PNT modernization—signals of opportunity .....		[140,000]
		Spectrum innovation—low SWaP-C directional sources .....		[68,000]
175	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	61,453	61,453
176	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	18,762	18,762
177	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	27,366	27,366

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
178	0605898E	MANAGEMENT HQ—R&D .....	12,740	12,740
179	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC).	3,549	3,549
180	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	15,438	15,438
181	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS .....	2,897	2,897
182	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT.	918	918
183	0606771D8Z	CYBER RESILIENCY AND CYBERSECURITY POLICY .....	31,638	31,638
184	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	2,925	2,925
185	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	977	977
186	0208045K	C4I INTEROPERABILITY .....	55,361	60,361
		Joint warfighting network architecture .....		[5,000]
189	0303140SE	INFORMATION SYSTEMS SECURITY PROGRAM .....	853	853
191	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO).	969	969
192	0305172K	COMBINED ADVANCED APPLICATIONS .....	15,696	15,696
194	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	3,073	3,073
197	0804768J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—NON-MHA.	29,530	29,530
198	0808709SE	DEFENSE EQUAL OPPORTUNITY MANAGEMENT INSTITUTE (DEOMI).	689	689
199	0901598C	MANAGEMENT HQ—MDA .....	24,102	24,102
200	0903235K	JOINT SERVICE PROVIDER (JSP) .....	2,645	2,645
999	9999999999	CLASSIFIED PROGRAMS .....	37,520	37,520
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>1,383,845</b>	<b>1,644,845</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
202	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	5,355	5,355
203	0604532K	JOINT ARTIFICIAL INTELLIGENCE .....	10,033	67,833
		JAIC for ADA .....		[57,800]
206	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT.	58,189	149,689
		Accelerated training in defense manufacturing (ATDM) pilot .....		[10,000]
		Carbon/carbon industrial base enhancement .....		[6,000]
		Demonstration program on domestic production of rare earth elements from coal byproducts.		[3,000]
		Digital manufacturing .....		[1,500]
		Directed energy supply chain assurance .....		[2,000]
		Industrial skills training .....		[2,500]
		Machine and advanced manufacturing—IACMI .....		[20,000]
		Program increase .....		[20,000]
		Radar resiliency .....		[2,500]
		Rare earth element separation technologies .....		[4,000]
		Submarine construction workforce training pipeline .....		[20,000]
207	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	18,721	18,721
208	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	7,398	7,398
209	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT).	58,261	58,261
215	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION.	16,233	16,233
216	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	10,275	10,275
217	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN).	4,892	4,892
218	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	83,751	83,751
219	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	49,191	69,191
		Workforce transformation cyber initiative pilot program .....		[20,000]
220	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	423,745	535,845
		Additional cybersecurity support for the defense industrial base .....		[25,000]
		Hardening DOD networks .....		[12,100]
		JFHQ DODIN staffing and tools .....		[50,000]
		Pilot program on public-private partnership with internet ecosystem companies.		[25,000]
221	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	5,707	5,707
222	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	4,150	4,150
223	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	19,302	19,302
224	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS) .....	9,342	9,342
226	0303430V	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY.	15,326	15,326
232	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES .....	8,800	8,800
235	0305146V	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	3,820	3,820
237	0305186D8Z	POLICY R&D PROGRAMS .....	4,843	4,843
238	0305199D8Z	NET CENTRICITY .....	13,471	13,471
240	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	5,994	5,994
247	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM.	1,273	1,273
255	0708012K	LOGISTICS SUPPORT ACTIVITIES .....	1,690	1,690
256	0708012S	PACIFIC DISASTER CENTERS .....	1,799	1,799

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2022 Request	Conference Authorized
257	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....	6,390	6,390
259	1105219BB	MQ-9 UAV .....	19,065	19,065
261	1160403BB	AVIATION SYSTEMS .....	173,537	173,537
262	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT .....	32,766	32,766
263	1160408BB	OPERATIONAL ENHANCEMENTS .....	145,830	167,230
		Program increase—AISUM .....		[21,400]
264	1160431BB	WARRIOR SYSTEMS .....	78,592	82,803
		SOCOM UFR—Maritime scalable effects acceleration .....		[4,211]
265	1160432BB	SPECIAL PROGRAMS .....	6,486	6,486
266	1160434BB	UNMANNED ISR .....	18,006	18,006
267	1160480BB	SOF TACTICAL VEHICLES .....	7,703	7,703
268	1160483BB	MARITIME SYSTEMS .....	58,430	58,430
270	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	10,990	10,990
999	9999999999	CLASSIFIED PROGRAMS .....	5,208,029	5,208,029
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.</b>	<b>6,607,385</b>	<b>6,914,396</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
		<b>UNDISTRIBUTED</b>		
272	0604532K	JOINT ARTIFICIAL INTELLIGENCE .....	186,639	186,639
273	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES— SOFTWARE PILOT PROGRAM.	123,570	123,570
274	0608648DSZ	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM ...	18,307	18,307
275	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	32,774	32,774
276	0308588DSZ	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS— SOFTWARE PILOT PROGRAM.	247,452	283,452
		MAVEN for ADA .....		[36,000]
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>608,742</b>	<b>644,742</b>
		<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>36,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>25,857,875</b>	<b>28,784,404</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b>		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	105,394	105,394
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	68,549	68,549
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	42,648	62,648
		Joint Test and Evaluation restoration .....		[20,000]
		<b>SUBTOTAL MANAGEMENT SUPPORT</b> .....	<b>216,591</b>	<b>236,591</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE</b> .....	<b>216,591</b>	<b>236,591</b>
		<b>TOTAL RDT&amp;E</b> .....	<b>111,964,192</b>	<b>117,729,317</b>

1 **TITLE XLIII—OPERATION AND**  
2 **MAINTENANCE**

3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2022 Request	Conference Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	3,563,856	3,528,856
	Unjustified growth .....		[-35,000]
020	MODULAR SUPPORT BRIGADES .....	142,082	142,082
030	ECHELONS ABOVE BRIGADE .....	758,174	758,174
040	THEATER LEVEL ASSETS .....	2,753,783	2,653,783
	Unjustified growth .....		[-100,000]
050	LAND FORCES OPERATIONS SUPPORT .....	1,110,156	1,110,156
060	AVIATION ASSETS .....	1,795,522	1,775,522
	Unjustified growth .....		[-20,000]
070	FORCE READINESS OPERATIONS SUPPORT .....	7,442,976	7,652,631
	Advanced bomb suit .....		[12,940]
	Army UFR—Aretic cold weather gloves .....		[13,867]

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	Army UFR—Arctic OCIE .....		[65,050]
	Army UFR—ECWCS procurement .....		[8,999]
	Army UFR—Female/small stature body armor .....		[81,750]
	Army UFR—Garrison Installation Facilities-Related Control Systems (FRCS) .....		[13,071]
	Army UFR—Heavylift transportation for OIR .....		[33,854]
	Army UFR—Industrial base special installation control systems .....		[14,824]
	CENTCOM UFR—Heavylift logistics .....		[40,300]
	Unjustified growth .....		[-75,000]
080	LAND FORCES SYSTEMS READINESS .....	580,921	594,921
	CENTCOM UFR—COMSAT air time .....		[34,000]
	Unjustified growth .....		[-20,000]
090	LAND FORCES DEPOT MAINTENANCE .....	1,257,959	1,346,976
	Army UFR—Tactical Combat Vehicle Repair Cycle Float .....		[89,017]
100	MEDICAL READINESS .....	1,102,964	1,102,964
110	BASE OPERATIONS SUPPORT .....	8,878,603	8,868,603
	Program decrease .....		[-10,000]
120	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	4,051,869	4,534,869
	Program increase—FSRM .....		[483,000]
130	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	289,891	289,891
140	ADDITIONAL ACTIVITIES .....	526,517	526,517
160	RESET .....	397,196	392,196
	Unjustified growth .....		[-5,000]
170	US AFRICA COMMAND .....	384,791	518,337
	AFRICOM UFR—Commercial SATCOM .....		[16,500]
	AFRICOM UFR—ISR improvements .....		[67,000]
	Army UFR—MQ-9 COCO Support to AFRICOM .....		[50,046]
180	US EUROPEAN COMMAND .....	293,932	335,910
	EUCOM UFR—Information Operations .....		[26,765]
	EUCOM UFR—Mission Partner Environment .....		[15,213]
190	US SOUTHERN COMMAND .....	196,726	196,726
200	US FORCES KOREA .....	67,052	67,052
210	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	621,836	654,751
	Army UFR—Critical infrastructure risk management cyber resiliency mitigations .....		[13,630]
	Army UFR—MRCT / Cyber I&W / Ops Cell .....		[4,655]
	Army UFR—Security Operations Center as a Service (SOCaaS) .....		[14,630]
220	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	629,437	726,176
	Army UFR—C-SCRM supplier vetting and equipment inspection .....		[1,200]
	Army UFR—Cybersecurity control systems assessments .....		[89,889]
	Army UFR—Cyber-Supply Chain Risk Mgmt (C-SCRM) program .....		[2,750]
	Army UFR—Defensive cyber sensors .....		[2,900]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>36,846,243</b>	<b>37,777,093</b>
	<b>MOBILIZATION</b>		
230	STRATEGIC MOBILITY .....	353,967	353,967
240	ARMY PREPOSITIONED STOCKS .....	381,192	381,192
250	INDUSTRIAL PREPAREDNESS .....	3,810	3,810
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>738,969</b>	<b>738,969</b>
	<b>TRAINING AND RECRUITING</b>		
260	OFFICER ACQUISITION .....	163,568	163,568
270	RECRUIT TRAINING .....	75,140	75,140
280	ONE STATION UNIT TRAINING .....	81,274	81,274
290	SENIOR RESERVE OFFICERS TRAINING CORPS .....	520,973	520,973
300	SPECIALIZED SKILL TRAINING .....	998,869	998,869
310	FLIGHT TRAINING .....	1,309,556	1,309,556
320	PROFESSIONAL DEVELOPMENT EDUCATION .....	218,651	218,651
330	TRAINING SUPPORT .....	616,380	629,480
	Army UFR—ATRRS Modernization .....		[18,100]
	Unjustified growth .....		[-5,000]
340	RECRUITING AND ADVERTISING .....	683,569	684,963
	Army UFR—Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER) .....		[1,394]
350	EXAMINING .....	169,442	169,442
360	OFF-DUTY AND VOLUNTARY EDUCATION .....	214,923	231,078
	Army UFR—Tuition assistance .....		[16,155]
370	CIVILIAN EDUCATION AND TRAINING .....	220,589	220,589
380	JUNIOR RESERVE OFFICER TRAINING CORPS .....	187,569	187,569

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	<b>SUBTOTAL TRAINING AND RECRUITING</b>	<b>5,460,503</b>	<b>5,491,152</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
400	SERVICEWIDE TRANSPORTATION	684,562	672,562
	Unjustified growth		[-12,000]
410	CENTRAL SUPPLY ACTIVITIES	808,895	808,895
420	LOGISTIC SUPPORT ACTIVITIES	767,053	796,157
	Army UFR—AMC LITeS		[29,104]
430	AMMUNITION MANAGEMENT	469,038	469,038
440	ADMINISTRATION	488,535	484,535
	Unjustified growth		[-4,000]
450	SERVICEWIDE COMMUNICATIONS	1,952,742	2,007,462
	Army UFR—CHRA IT Cloud		[5,300]
	Army UFR—ERP convergence/modernization		[49,420]
460	MANPOWER MANAGEMENT	323,273	323,273
470	OTHER PERSONNEL SUPPORT	663,602	694,670
	Army UFR—Enterprise Technology Integration, Governance, and Engineering Requirements (ETIGER)		[1,393]
	Army UFR—HR cloud and IT modernization		[29,675]
480	OTHER SERVICE SUPPORT	2,004,981	2,031,364
	Program increase—DFAS unfunded requirement		[49,983]
	Unjustified growth		[-23,600]
490	ARMY CLAIMS ACTIVITIES	180,178	180,178
500	REAL ESTATE MANAGEMENT	269,009	272,509
	Program increase—real estate inventory tool		[3,500]
510	FINANCIAL MANAGEMENT AND AUDIT READINESS	437,940	437,940
520	INTERNATIONAL MILITARY HEADQUARTERS	482,571	482,571
530	MISC. SUPPORT OF OTHER NATIONS	29,670	29,670
9999	CLASSIFIED PROGRAMS	2,008,633	2,026,633
	SOUTHCOM UFR—Additional traditional ISR operations		[18,000]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b>	<b>11,570,682</b>	<b>11,717,457</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED		-125,000
	Historical unobligated balances		[-125,000]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>-125,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b>	<b>54,616,397</b>	<b>55,599,671</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES	10,465	10,465
020	ECHELONS ABOVE BRIGADE	554,992	554,992
030	THEATER LEVEL ASSETS	120,892	120,892
040	LAND FORCES OPERATIONS SUPPORT	597,718	597,718
050	AVIATION ASSETS	111,095	111,095
060	FORCE READINESS OPERATIONS SUPPORT	385,506	385,506
070	LAND FORCES SYSTEMS READINESS	98,021	98,021
080	LAND FORCES DEPOT MAINTENANCE	34,368	34,368
090	BASE OPERATIONS SUPPORT	584,513	584,513
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION	342,433	342,433
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,472	22,472
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,764	2,764
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,476	7,476
	<b>SUBTOTAL OPERATING FORCES</b>	<b>2,872,715</b>	<b>2,872,715</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
140	SERVICEWIDE TRANSPORTATION	15,400	15,400
150	ADMINISTRATION	19,611	19,611
160	SERVICEWIDE COMMUNICATIONS	37,458	37,458
170	MANPOWER MANAGEMENT	7,162	7,162
180	RECRUITING AND ADVERTISING	48,289	48,289
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>127,920</b>	<b>127,920</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED		-10,000
	Historical unobligated balances		[-10,000]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>-10,000</b>



SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>3,000,635</b>	<b>2,990,635</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	799,854	799,854
020	MODULAR SUPPORT BRIGADES .....	211,561	211,561
030	ECHELONS ABOVE BRIGADE .....	835,709	835,709
040	THEATER LEVEL ASSETS .....	101,179	101,179
050	LAND FORCES OPERATIONS SUPPORT .....	34,436	34,436
060	AVIATION ASSETS .....	1,110,416	1,100,416
	Unjustified growth .....		[-10,000]
070	FORCE READINESS OPERATIONS SUPPORT .....	704,827	709,927
	CNGB UFR—Weapons of Mass Destruction Civil Support Teams Equipment Sustainment .....		[5,100]
080	LAND FORCES SYSTEMS READINESS .....	47,886	47,886
090	LAND FORCES DEPOT MAINTENANCE .....	244,439	244,439
100	BASE OPERATIONS SUPPORT .....	1,097,960	1,097,960
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	956,988	956,988
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	1,047,870	1,047,870
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	8,071	8,071
140	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	7,828	7,828
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>7,209,024</b>	<b>7,204,124</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	8,017	8,017
160	ADMINISTRATION .....	76,993	81,993
	Program increase—State Partnership Program .....		[5,000]
170	SERVICEWIDE COMMUNICATIONS .....	101,113	101,113
180	MANPOWER MANAGEMENT .....	8,920	8,920
190	OTHER PERSONNEL SUPPORT .....	240,292	240,292
200	REAL ESTATE MANAGEMENT .....	2,850	2,850
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>438,185</b>	<b>443,185</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....		-40,000
	Historical unobligated balances .....		[-40,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-40,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG .....</b>	<b>7,647,209</b>	<b>7,607,309</b>
	<b>AFGHANISTAN SECURITY FORCES FUND</b>		
	<b>AFGHAN NATIONAL ARMY</b>		
010	SUSTAINMENT .....	1,053,668	0
	Program reduction .....		[-1,053,668]
020	INFRASTRUCTURE .....	1,818	0
	Program reduction .....		[-1,818]
030	EQUIPMENT AND TRANSPORTATION .....	22,911	0
	Program reduction .....		[-22,911]
040	TRAINING AND OPERATIONS .....	31,837	0
	Program reduction .....		[-31,837]
	<b>SUBTOTAL AFGHAN NATIONAL ARMY .....</b>	<b>1,110,234</b>	<b>0</b>
	<b>AFGHAN NATIONAL POLICE</b>		
050	SUSTAINMENT .....	440,628	0
	Program reduction .....		[-440,628]
070	EQUIPMENT AND TRANSPORTATION .....	38,551	0
	Program reduction .....		[-38,551]
080	TRAINING AND OPERATIONS .....	38,152	0
	Program reduction .....		[-38,152]
	<b>SUBTOTAL AFGHAN NATIONAL POLICE .....</b>	<b>517,331</b>	<b>0</b>
	<b>AFGHAN AIR FORCE</b>		
090	SUSTAINMENT .....	562,056	0
	Program reduction .....		[-562,056]
110	EQUIPMENT AND TRANSPORTATION .....	26,600	0
	Program reduction .....		[-26,600]
120	TRAINING AND OPERATIONS .....	169,684	0
	Program reduction .....		[-169,684]
	<b>SUBTOTAL AFGHAN AIR FORCE .....</b>	<b>758,340</b>	<b>0</b>

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>AFGHAN SPECIAL SECURITY FORCES</b>			
130	SUSTAINMENT .....	685,176	0
	Program reduction .....		[-685,176]
150	EQUIPMENT AND TRANSPORTATION .....	78,962	0
	Program reduction .....		[-78,962]
160	TRAINING AND OPERATIONS .....	177,767	0
	Program reduction .....		[-177,767]
	<b>SUBTOTAL AFGHAN SPECIAL SECURITY FORCES</b> .....	<b>941,905</b>	<b>0</b>
	<b>TOTAL AFGHANISTAN SECURITY FORCES FUND</b> .....	<b>3,327,810</b>	<b>0</b>
<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>			
<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>			
010	IRAQ .....	345,000	345,000
020	SYRIA .....	177,000	177,000
	<b>SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b> .....	<b>522,000</b>	<b>522,000</b>
	<b>TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b> .....	<b>522,000</b>	<b>522,000</b>
<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	6,264,654	6,545,054
	Navy UFR—Flying hour program - fleet operations .....		[280,400]
020	FLEET AIR TRAINING .....	2,465,007	2,465,007
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES ....	55,140	55,140
040	AIR OPERATIONS AND SAFETY SUPPORT .....	197,904	197,904
050	AIR SYSTEMS SUPPORT .....	1,005,932	1,005,932
060	AIRCRAFT DEPOT MAINTENANCE .....	1,675,356	1,897,556
	Navy UFR—Additional aircraft depot maintenance events .....		[222,200]
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	65,518	65,518
080	AVIATION LOGISTICS .....	1,460,546	1,460,546
090	MISSION AND OTHER SHIP OPERATIONS .....	5,858,028	5,893,028
	Navy UFR—Resilient Communications and PNT for Combat Logis- tics Fleet (CLF) .....		[29,000]
	Navy UFR—Submarine Tender Overhaul .....		[42,000]
	Unjustified growth .....		[-36,000]
100	SHIP OPERATIONS SUPPORT & TRAINING .....	1,154,696	1,154,696
110	SHIP DEPOT MAINTENANCE .....	10,300,078	10,514,878
	Navy UFR—A-120 availability .....		[39,800]
	Retained cruisers .....		[135,000]
	USS Connecticut emergent repairs .....		[40,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....	2,188,454	2,188,454
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE ..	1,551,846	1,551,846
140	SPACE SYSTEMS AND SURVEILLANCE .....	327,251	327,251
150	WARFARE TACTICS .....	798,082	798,082
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	447,486	447,486
170	COMBAT SUPPORT FORCES .....	2,250,756	2,282,856
	CENTCOM UFR—Naval patrol craft support .....		[47,100]
	Unjustified growth .....		[-15,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	192,968	192,968
190	COMBATANT COMMANDERS CORE OPERATIONS .....	61,614	61,614
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	198,596	445,596
	INDOPACOM UFR—Critical HQ manpower positions .....		[4,620]
	INDOPACOM UFR—ISR augmentation .....		[41,000]
	INDOPACOM UFR—Multi-Domain Training and Experimentation Capability .....		[59,410]
	Program increase—INDOPACOM Future fusion centers .....		[3,300]
	Program increase—INDOPACOM Mission Partner Environment .....		[50,170]
	Program increase—INDOPACOM Pacific Movement Coordination Center .....		[500]
	Program increase—INDOPACOM Wargaming analytical tools .....		[88,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS .....	8,984	36,984
	Program increase—INDOPACOM Military Information Support Op- erations .....		[28,000]
220	CYBERSPACE ACTIVITIES .....	565,926	560,926
	Identity, credentialing, and access management reduction .....		[-5,000]

<b>SEC. 4301. OPERATION AND MAINTENANCE</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
230	FLEET BALLISTIC MISSILE .....	1,476,247	1,476,247
240	WEAPONS MAINTENANCE .....	1,538,743	1,513,743
	Historical underexecution .....		[-25,000]
250	OTHER WEAPON SYSTEMS SUPPORT .....	592,357	592,357
260	ENTERPRISE INFORMATION .....	734,970	690,970
	Unjustified growth .....		[-44,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	2,961,937	3,511,937
	Program increase—FSRM .....		[550,000]
280	BASE OPERATING SUPPORT .....	4,826,314	4,816,314
	Program decrease .....		[-10,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>51,225,390</b>	<b>52,750,890</b>
<b>MOBILIZATION</b>			
290	SHIP PREPOSITIONING AND SURGE .....	457,015	457,015
300	READY RESERVE FORCE .....	645,522	645,522
310	SHIP ACTIVATIONS/INACTIVATIONS .....	353,530	349,030
	Historical underexecution .....		[-4,500]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	149,384	149,384
330	COAST GUARD SUPPORT .....	20,639	20,639
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>1,626,090</b>	<b>1,621,590</b>
<b>TRAINING AND RECRUITING</b>			
340	OFFICER ACQUISITION .....	172,913	172,913
350	RECRUIT TRAINING .....	13,813	13,813
360	RESERVE OFFICERS TRAINING CORPS .....	167,152	167,152
370	SPECIALIZED SKILL TRAINING .....	1,053,104	1,053,104
380	PROFESSIONAL DEVELOPMENT EDUCATION .....	311,209	311,209
390	TRAINING SUPPORT .....	306,302	306,302
400	RECRUITING AND ADVERTISING .....	205,219	205,219
410	OFF-DUTY AND VOLUNTARY EDUCATION .....	79,053	79,053
420	CIVILIAN EDUCATION AND TRAINING .....	109,754	109,754
430	JUNIOR ROTC .....	57,323	57,323
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>2,475,842</b>	<b>2,475,842</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
440	ADMINISTRATION .....	1,268,961	1,290,961
	Program increase—Naval Audit Service .....		[25,000]
	Unjustified growth .....		[-3,000]
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	212,952	212,952
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	562,546	562,546
470	MEDICAL ACTIVITIES .....	285,436	285,436
480	SERVICEWIDE TRANSPORTATION .....	217,782	217,782
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT .....	479,480	479,480
510	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	741,045	741,045
520	INVESTIGATIVE AND SECURITY SERVICES .....	738,187	736,687
	Unjustified growth .....		[-1,500]
9999	CLASSIFIED PROGRAMS .....	607,517	603,477
	Classified adjustment .....		[-4,040]
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>5,113,906</b>	<b>5,130,366</b>
<b>UNDISTRIBUTED</b>			
998	UNDISTRIBUTED .....		-58,000
	Historical unobligated balances .....		[-58,000]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-58,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....	<b>60,441,228</b>	<b>61,920,688</b>
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>			
<b>OPERATING FORCES</b>			
010	OPERATIONAL FORCES .....	1,587,456	1,632,756
	Marine Corps UFR—Plate Carrier Gen III .....		[45,300]
020	FIELD LOGISTICS .....	1,532,630	1,527,630
	Unjustified growth .....		[-5,000]
030	DEPOT MAINTENANCE .....	215,949	215,949
040	MARITIME PREPOSITIONING .....	107,969	107,969
050	CYBERSPACE ACTIVITIES .....	233,486	233,486
060	SUSTAINMENT, RESTORATION & MODERNIZATION .....	1,221,117	1,354,117
	Program increase—FSRM .....		[133,000]
070	BASE OPERATING SUPPORT .....	2,563,278	2,560,278
	Unjustified growth .....		[-3,000]

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	<b>SUBTOTAL OPERATING FORCES</b>	<b>7,461,885</b>	<b>7,632,185</b>
	<b>TRAINING AND RECRUITING</b>		
080	RECRUIT TRAINING	24,729	24,729
090	OFFICER ACQUISITION	1,208	1,208
100	SPECIALIZED SKILL TRAINING	110,752	110,752
110	PROFESSIONAL DEVELOPMENT EDUCATION	61,539	61,539
120	TRAINING SUPPORT	490,975	490,975
130	RECRUITING AND ADVERTISING	223,643	223,643
140	OFF-DUTY AND VOLUNTARY EDUCATION	49,369	49,369
150	JUNIOR ROTC	26,065	26,065
	<b>SUBTOTAL TRAINING AND RECRUITING</b>	<b>988,280</b>	<b>988,280</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEMAN TRANSPORTATION	100,475	100,475
170	ADMINISTRATION	410,729	410,729
9999	CLASSIFIED PROGRAMS	63,422	63,422
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>574,626</b>	<b>574,626</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED		-10,000
	Historical unobligated balances		[-10,000]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>-10,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b>	<b>9,024,791</b>	<b>9,185,091</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS	628,522	628,522
020	INTERMEDIATE MAINTENANCE	9,593	9,593
030	AIRCRAFT DEPOT MAINTENANCE	135,280	135,280
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	497	497
050	AVIATION LOGISTICS	29,435	29,435
070	COMBAT COMMUNICATIONS	18,469	18,469
080	COMBAT SUPPORT FORCES	136,710	136,710
090	CYBERSPACE ACTIVITIES	440	440
100	ENTERPRISE INFORMATION	26,628	26,628
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,311	42,311
120	BASE OPERATING SUPPORT	103,606	103,606
	<b>SUBTOTAL OPERATING FORCES</b>	<b>1,131,491</b>	<b>1,131,491</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	ADMINISTRATION	1,943	1,943
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	12,191	12,191
150	ACQUISITION AND PROGRAM MANAGEMENT	3,073	3,073
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>17,207</b>	<b>17,207</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED		-2,500
	Historical unobligated balances		[-2,500]
	<b>SUBTOTAL UNDISTRIBUTED</b>		<b>-2,500</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b>	<b>1,148,698</b>	<b>1,146,198</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE OPERATING FORCES</b>		
010	OPERATING FORCES	102,271	148,171
	Marine Corps UFR—Individual combat clothing and equipment		[45,900]
020	DEPOT MAINTENANCE	16,811	16,811
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	42,702	42,702
040	BASE OPERATING SUPPORT	109,210	109,210
	<b>SUBTOTAL OPERATING FORCES</b>	<b>270,994</b>	<b>316,894</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	ADMINISTRATION	14,056	14,056
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b>	<b>14,056</b>	<b>14,056</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b>	<b>285,050</b>	<b>330,950</b>

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>			
<b>OPERATING FORCES</b>			
010	PRIMARY COMBAT FORCES .....	706,860	680,530
	A-10 aircraft retention .....		[1,670]
	Unjustified growth .....		[-28,000]
020	COMBAT ENHANCEMENT FORCES .....	2,382,448	2,346,948
	CENTCOM—MQ-9 combat lines .....		[53,000]
	EUCOM UFR—Air base air defense operations center .....		[1,500]
	Unjustified growth .....		[-90,000]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,555,320	1,542,750
	A-10 aircraft retention .....		[12,430]
	Contract adversary air .....		[5,000]
	Unjustified growth .....		[-30,000]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	3,661,762	3,707,337
	A-10 aircraft retention .....		[65,575]
	Unjustified growth .....		[-20,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	3,867,114	4,342,114
	Program increase—FSRM .....		[475,000]
060	CYBERSPACE SUSTAINMENT .....	179,568	179,568
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	8,457,653	8,784,538
	A-10 aircraft retention .....		[15,885]
	A-10/F-35 contract maintenance .....		[156,000]
	Program increase—F-35 sustainment .....		[185,000]
	Unjustified growth .....		[-30,000]
080	FLYING HOUR PROGRAM .....	5,646,730	5,699,590
	A-10 aircraft retention .....		[52,860]
090	BASE SUPPORT .....	9,846,037	9,776,037
	Unjustified growth .....		[-70,000]
100	GLOBAL C3I AND EARLY WARNING .....	979,705	988,905
	EUCOM—MPE air component battle network .....		[9,200]
110	OTHER COMBAT OPS SPT PROGRAMS .....	1,418,515	1,399,625
	EUCOM UFR—Air base air defense .....		[110]
	Unjustified growth .....		[-19,000]
120	CYBERSPACE ACTIVITIES .....	864,761	864,761
150	SPACE CONTROL SYSTEMS .....	13,223	13,223
160	US NORTHCOM/NORAD .....	196,774	196,774
170	US STRATCOM .....	475,015	475,015
180	US CYBERCOM .....	389,663	416,163
	CYBERCOM UFR—Acceleration of cyber intelligence .....		[3,200]
	Program increase—cyber training .....		[23,300]
190	US CENTCOM .....	372,354	386,354
	CENTCOM UFR—MISO program .....		[24,000]
	Unjustified growth—OSC-I .....		[-10,000]
200	US SOCOM .....	28,733	28,733
220	CENTCOM CYBERSPACE SUSTAINMENT .....	1,289	1,289
230	USSPACECOM .....	272,601	282,601
	SPACECOM UFR—Bridging space protection gaps .....		[10,000]
9999	CLASSIFIED PROGRAMS .....	1,454,383	1,454,383
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>42,770,508</b>	<b>43,567,238</b>
<b>MOBILIZATION</b>			
240	AIRLIFT OPERATIONS .....	2,422,784	2,397,784
	Unjustified growth .....		[-25,000]
250	MOBILIZATION PREPAREDNESS .....	667,851	667,851
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>3,090,635</b>	<b>3,065,635</b>
<b>TRAINING AND RECRUITING</b>			
260	OFFICER ACQUISITION .....	156,193	156,193
270	RECRUIT TRAINING .....	26,072	26,072
280	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	127,693	127,693
290	SPECIALIZED SKILL TRAINING .....	491,286	481,286
	Unjustified growth .....		[-10,000]
300	FLIGHT TRAINING .....	718,742	718,742
310	PROFESSIONAL DEVELOPMENT EDUCATION .....	302,092	302,092
320	TRAINING SUPPORT .....	162,165	162,165
330	RECRUITING AND ADVERTISING .....	171,339	171,339
340	EXAMINING .....	8,178	8,178
350	OFF-DUTY AND VOLUNTARY EDUCATION .....	236,760	236,760
360	CIVILIAN EDUCATION AND TRAINING .....	306,602	306,602

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
370	JUNIOR ROTC .....	65,940	65,940
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>2,773,062</b>	<b>2,763,062</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
380	LOGISTICS OPERATIONS .....	1,062,709	1,062,709
390	TECHNICAL SUPPORT ACTIVITIES .....	169,957	169,957
400	ADMINISTRATION .....	1,005,827	987,327
	Unjustified growth .....		[-18,500]
410	SERVICEWIDE COMMUNICATIONS .....	31,054	31,054
420	OTHER SERVICEWIDE ACTIVITIES .....	1,470,757	1,470,757
430	CIVIL AIR PATROL .....	29,128	47,300
	Program increase .....		[18,172]
450	INTERNATIONAL SUPPORT .....	81,118	81,118
9999	CLASSIFIED PROGRAMS .....	1,391,720	1,391,428
	Classified adjustment .....		[-292]
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>5,242,270</b>	<b>5,241,650</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....		-150,000
	Historical unobligated balances .....		[-150,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-150,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE ....</b>	<b>53,876,475</b>	<b>54,487,585</b>
	<b>OPERATION &amp; MAINTENANCE, SPACE FORCE OPERATING FORCES</b>		
010	GLOBAL C3I & EARLY WARNING .....	495,615	495,615
020	SPACE LAUNCH OPERATIONS .....	185,700	185,700
030	SPACE OPERATIONS .....	611,269	611,269
040	EDUCATION & TRAINING .....	22,887	22,887
060	DEPOT MAINTENANCE .....	280,165	306,165
	Program increase—weapon system sustainment .....		[26,000]
070	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	213,347	279,647
	Space Force UFR—FSRM Cheyenne Mountain Complex .....		[66,300]
080	CONTRACTOR LOGISTICS AND SYSTEM SUPPORT .....	1,158,707	1,246,707
	Program increase—weapon system sustainment .....		[94,000]
	Unjustified growth .....		[-6,000]
090	SPACE OPERATIONS -BOS .....	143,520	143,520
9999	CLASSIFIED PROGRAMS .....	172,755	172,755
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,283,965</b>	<b>3,464,265</b>
	<b>ADMINISTRATION AND SERVICE WIDE ACTIVITIES</b>		
100	ADMINISTRATION .....	156,747	146,747
	Unjustified growth .....		[-10,000]
	<b>SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES .....</b>	<b>156,747</b>	<b>146,747</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, SPACE FORCE .....</b>	<b>3,440,712</b>	<b>3,611,012</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,665,015	1,636,015
	Unjustified growth .....		[-29,000]
020	MISSION SUPPORT OPERATIONS .....	179,486	179,486
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	530,540	530,540
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	114,987	123,987
	Program increase—FSRM .....		[9,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	254,831	254,831
060	BASE SUPPORT .....	470,801	470,801
070	CYBERSPACE ACTIVITIES .....	1,372	1,372
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,217,032</b>	<b>3,197,032</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
080	ADMINISTRATION .....	91,289	91,289
090	RECRUITING AND ADVERTISING .....	23,181	23,181
100	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	13,966	13,966
110	OTHER PERS SUPPORT (DISABILITY COMP) .....	6,196	6,196

SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
120	AUDIOVISUAL .....	442	442
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>135,074</b>	<b>135,074</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....		-18,000
	Historical unobligated balances .....		[-18,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-18,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b>	<b>3,352,106</b>	<b>3,314,106</b>
	<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	2,281,432	2,281,432
020	MISSION SUPPORT OPERATIONS .....	582,848	588,748
	CNGB UFR—HRF/CERFP sustainment .....		[5,900]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	1,241,318	1,226,318
	Unjustified growth .....		[-15,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	353,193	379,193
	Program increase—FSRM .....		[26,000]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,077,654	1,067,654
	Unjustified growth .....		[-10,000]
060	BASE SUPPORT .....	908,198	908,198
070	CYBERSPACE SUSTAINMENT .....	23,895	23,895
080	CYBERSPACE ACTIVITIES .....	17,263	17,263
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,485,801</b>	<b>6,492,701</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
090	ADMINISTRATION .....	46,455	46,455
100	RECRUITING AND ADVERTISING .....	41,764	41,764
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES .....</b>	<b>88,219</b>	<b>88,219</b>
	<b>UNDISTRIBUTED</b>		
998	UNDISTRIBUTED .....		-15,000
	Historical unobligated balances .....		[-15,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-15,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>6,574,020</b>	<b>6,565,920</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	407,240	402,240
	Unjustified growth .....		[-5,000]
020	JOINT CHIEFS OF STAFF—CE2T2 .....	554,634	607,734
	AFRICOM UFR—Joint Exercise Program .....		[18,000]
	INDOPACOM UFR—Joint Exercise Program .....		[35,100]
030	JOINT CHIEFS OF STAFF—CYBER .....	8,098	8,098
050	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES .....	2,044,479	2,047,789
	SOCOM—Armored ground mobility systems (AGMS) acceleration .....		[3,310]
060	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVI- TIES .....	45,851	45,851
070	SPECIAL OPERATIONS COMMAND INTELLIGENCE .....	1,614,757	1,614,757
080	SPECIAL OPERATIONS COMMAND MAINTENANCE .....	1,081,869	1,088,210
	SOCOM UFR—Modernized forward look sonar .....		[900]
	SOCOM UFR—Personal signature management acceleration .....		[5,441]
090	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPER- ATIONAL HEADQUARTERS .....	180,042	180,042
100	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT .....	1,202,060	1,202,060
110	SPECIAL OPERATIONS COMMAND THEATER FORCES .....	3,175,789	3,175,789
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>10,314,819</b>	<b>10,372,570</b>
	<b>TRAINING AND RECRUITING</b>		
130	DEFENSE ACQUISITION UNIVERSITY .....	171,607	171,607
140	JOINT CHIEFS OF STAFF .....	92,905	92,905
150	PROFESSIONAL DEVELOPMENT EDUCATION .....	31,669	31,669
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>296,181</b>	<b>296,181</b>

<b>SEC. 4301. OPERATION AND MAINTENANCE</b> (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
170	CIVIL MILITARY PROGRAMS .....	137,311	264,592
	Program increase—National Guard Youth Challenge .....		[85,281]
	Program increase—STARBASE .....		[42,000]
190	DEFENSE CONTRACT AUDIT AGENCY .....	618,526	606,526
	Unjustified growth .....		[-12,000]
200	DEFENSE CONTRACT AUDIT AGENCY—CYBER .....	3,984	3,984
220	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,438,296	1,435,796
	Unjustified growth .....		[-2,500]
230	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER .....	11,999	11,999
240	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY .....		
	Unjustified growth .....	941,488	931,488
	Unjustified growth .....		[-10,000]
260	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER .....		
	Unjustified growth .....	9,859	9,859
270	DEFENSE HUMAN RESOURCES ACTIVITY .....	816,168	881,168
	DHRA/DSPO—support FY2021 congressional increases .....		[5,000]
	DHRA/SAPRO—FY2021 baseline restoral .....		[60,000]
280	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER .....	17,655	17,655
290	DEFENSE INFORMATION SYSTEMS AGENCY .....	1,913,734	1,934,769
	milCloud 2.0 migration .....		[21,035]
310	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER .....	530,278	612,378
	Program increase—hardening DOD networks .....		[62,100]
	Program increase—securing the Department of Defense Information Network .....		[20,000]
350	DEFENSE LEGAL SERVICES AGENCY .....	229,498	229,498
360	DEFENSE LOGISTICS AGENCY .....	402,864	407,664
	Program increase—Procurement Technical Assistance Program .....		[4,800]
370	DEFENSE MEDIA ACTIVITY .....	222,655	222,655
380	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	130,174	155,174
	DPAA (POW/MIA)—support FY2021 congressional increases .....		[25,000]
390	DEFENSE SECURITY COOPERATION AGENCY .....	2,067,446	1,922,157
	Program increase .....		[104,711]
	Transfer to Ukraine Security Assistance .....		[-250,000]
420	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	39,305	39,305
440	DEFENSE THREAT REDUCTION AGENCY .....	885,749	885,749
460	DEFENSE THREAT REDUCTION AGENCY—CYBER .....	36,736	36,736
470	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	3,138,345	3,208,345
	Program increase—Impact Aid .....		[50,000]
	Program increase—Impact Aid for children with severe disabilities .....		[20,000]
490	MISSILE DEFENSE AGENCY .....	502,450	502,450
530	OFFICE OF THE LOCAL DEFENSE COMMUNITY COOPERATION—OSD .....		
	Program increase—Defense Community Infrastructure Program .....	89,686	104,686
	Program increase—Defense Community Infrastructure Program .....		[15,000]
540	OFFICE OF THE SECRETARY OF DEFENSE .....	1,766,614	1,844,114
	Bien Hoa dioxin cleanup .....		[15,000]
	Cost Assessment Data Enterprise .....		[3,500]
	Military working dog pilot program .....		[10,000]
	National Commission on Synthetic Biology .....		[10,000]
	Office of the Secretary of Defense civilian workforce .....		[9,000]
	Personnel in the Office of Assistant Secretary of Defense Sustainment and Environment, Safety, and Occupational Health .....		[3,000]
	Program increase—Afghanistan War Commission .....		[5,000]
	Program increase—CDC water contamination study and assessment .....		[15,000]
	Program increase—Commission on Planning, Programming, Budgeting, and Execution Reform .....		[5,000]
	Program increase—Commission on the National Defense Strategy .....		[5,000]
	Program increase—Commission on the Strategic Posture of the U.S. .....		[7,000]
	Unjustified growth—non-pay .....		[-10,000]
550	OFFICE OF THE SECRETARY OF DEFENSE—CYBER .....	32,851	32,851
560	SPACE DEVELOPMENT AGENCY .....	53,851	53,851
570	WASHINGTON HEADQUARTERS SERVICES .....	369,698	364,698
	Unjustified growth .....		[-5,000]
999	CLASSIFIED PROGRAMS .....	17,900,146	17,833,213
	Classified adjustment .....		[-66,933]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>34,307,366</b>	<b>34,553,360</b>
<b>UNDISTRIBUTED</b>			
998	UNDISTRIBUTED .....		490,304
	Depot capital investment .....		[500,000]



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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
	Program reduction—SOCOM unjustified increase in management and headquarters expenses .....		[-9,696]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>490,304</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE</b> .....	<b>44,918,366</b>	<b>45,712,415</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>US COURT OF APPEALS FOR THE ARMED FORCES, DEF</b>		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	15,589	15,589
	<b>SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEF</b> .....	<b>15,589</b>	<b>15,589</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>15,589</b>	<b>15,589</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b>		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	110,051	150,051
	Program increase .....		[40,000]
	<b>SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b> .....	<b>110,051</b>	<b>150,051</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>110,051</b>	<b>150,051</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>COOPERATIVE THREAT REDUCTION ACCOUNT</b>		
010	COOPERATIVE THREAT REDUCTION .....	239,849	344,849
	Program increase—Biological Threat Reduction Program .....		[105,000]
	<b>SUBTOTAL COOPERATIVE THREAT REDUCTION ACCOUNT</b> .....	<b>239,849</b>	<b>344,849</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>239,849</b>	<b>344,849</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>ACQUISITION WORKFORCE DEVELOPMENT</b>		
010	ACQ WORKFORCE DEV FD .....	54,679	54,679
	<b>SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT</b> .....	<b>54,679</b>	<b>54,679</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>54,679</b>	<b>54,679</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>ENVIRONMENTAL RESTORATION, ARMY</b>		
050	ENVIRONMENTAL RESTORATION, ARMY .....	200,806	299,606
	Program increase for PFAS .....		[98,800]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY</b> .....	<b>200,806</b>	<b>299,606</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>200,806</b>	<b>299,606</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>ENVIRONMENTAL RESTORATION, NAVY</b>		
060	ENVIRONMENTAL RESTORATION, NAVY .....	298,250	465,550
	Program increase for PFAS .....		[167,300]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY</b> .....	<b>298,250</b>	<b>465,550</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>298,250</b>	<b>465,550</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
	<b>ENVIRONMENTAL RESTORATION, AIR FORCE</b>		
070	ENVIRONMENTAL RESTORATION, AIR FORCE .....	301,768	476,768
	Program increase for PFAS .....		[175,000]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE</b> .....	<b>301,768</b>	<b>476,768</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>301,768</b>	<b>476,768</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		

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SEC. 4301. OPERATION AND MAINTENANCE (In Thousands of Dollars)			
Line	Item	FY 2022 Request	Conference Authorized
<b>ENVIRONMENTAL RESTORATION, DEFENSE</b>			
080	ENVIRONMENTAL RESTORATION, DEFENSE .....	8,783	10,979
	Program increase .....		[2,196]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION, DE- FENSE</b> .....	<b>8,783</b>	<b>10,979</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>8,783</b>	<b>10,979</b>
<b>MISCELLANEOUS APPROPRIATIONS</b>			
<b>ENVIRONMENTAL RESTORATION FORMERLY USED SITES</b>			
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES .....	218,580	292,580
	Program increase for PFAS .....		[74,000]
	<b>SUBTOTAL ENVIRONMENTAL RESTORATION FOR- MERLY USED SITES</b> .....	<b>218,580</b>	<b>292,580</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS</b> .....	<b>218,580</b>	<b>292,580</b>
<b>UKRAINE SECURITY ASSISTANCE</b>			
<b>UKRAINE SECURITY ASSISTANCE</b>			
010	UKRAINE SECURITY ASSISTANCE .....		300,000
	Program increase .....		[50,000]
	Transfer from Defense Security Cooperation Agency .....		[250,000]
	<b>TOTAL UKRAINE SECURITY ASSISTANCE</b> .....		<b>300,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>253,623,852</b>	<b>255,404,231</b>

1 **TITLE XLIV—MILITARY**  
2 **PERSONNEL**  
3 **SEC. 4401. MILITARY PERSONNEL.**

SEC. 4401. MILITARY PERSONNEL (In Thousands of Dollars)			
	Item	FY 2022 Request	Conference Authorized
	Military Personnel Appropriations .....	157,947,920	157,567,460
	ARNG CBRN Response Forces Readiness .....		[9,200]
	Manpower costs associated with retaining two cruisers .....		[45,000]
	A-10/F-35 Active duty maintainers .....		[93,000]
	Military personnel historical underexecution .....		[-527,660]
	Medicare-Eligible Retiree Health Care Fund Contributions .....	9,337,175	9,337,175
	<b>TOTAL, Military Personnel</b> .....	<b>167,285,095</b>	<b>166,904,635</b>

4 **TITLE XLV—OTHER**  
5 **AUTHORIZATIONS**  
6 **SEC. 4501. OTHER AUTHORIZATIONS.**

SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)			
	Program Title	FY 2022 Request	Conference Authorized
<b>WORKING CAPITAL FUND, ARMY</b>			
	ARMY ARSENALS INITIATIVE .....	26,935	26,935
	ARMY SUPPLY MANAGEMENT .....	357,776	357,776
	<b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>384,711</b>	<b>384,711</b>

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SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)		
Program Title	FY 2022 Request	Conference Authorized
<b>WORKING CAPITAL FUND, NAVY</b>		
SUPPLY MANAGEMENT—NAVY .....	150,000	150,000
<b>TOTAL WORKING CAPITAL FUND, NAVY .....</b>	<b>150,000</b>	<b>150,000</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
SUPPLY MANAGEMENT .....	77,453	77,453
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE .....</b>	<b>77,453</b>	<b>77,453</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
ENERGY MANAGEMENT—DEFENSE .....	40,000	40,000
SUPPLY CHAIN MANAGEMENT—DEFENSE .....	87,765	87,765
<b>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE .....</b>	<b>127,765</b>	<b>127,765</b>
<b>WORKING CAPITAL FUND, DECA</b>		
COMMISSARY OPERATIONS .....	1,162,071	1,162,071
<b>TOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,162,071</b>	<b>1,162,071</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
CHEM DEMILITARIZATION—O&M .....	93,121	93,121
CHEM DEMILITARIZATION—RDT&E .....	1,001,231	1,001,231
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION ...</b>	<b>1,094,352</b>	<b>1,094,352</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
COUNTER-NARCOTICS SUPPORT .....	593,250	593,250
DRUG DEMAND REDUCTION PROGRAM .....	126,024	126,024
NATIONAL GUARD COUNTER-DRUG PROGRAM .....	96,970	96,970
NATIONAL GUARD COUNTER-DRUG SCHOOLS .....	5,664	5,664
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVI- TIES, DEF .....</b>	<b>821,908</b>	<b>821,908</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OFFICE OF THE INSPECTOR GENERAL .....	434,700	434,700
OFFICE OF THE INSPECTOR GENERAL—CYBER .....	1,218	1,218
OFFICE OF THE INSPECTOR GENERAL—RDTE .....	2,365	2,365
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT .....	80	80
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>438,363</b>	<b>438,363</b>
<b>DEFENSE HEALTH PROGRAM</b>		
IN-HOUSE CARE .....	9,720,004	9,587,742
Assumptions for care .....		[-27,800]
Excess funding for capability replacement .....		[-104,462]
PRIVATE SECTOR CARE .....	18,092,679	18,068,879
Unjustified support services growth .....		[-23,800]
CONSOLIDATED HEALTH SUPPORT .....	1,541,122	1,556,522
Assumptions for care .....		[-14,600]
Program increase: Anomalous health incidents care capacity .....		[30,000]
INFORMATION MANAGEMENT .....	2,233,677	2,233,677
MANAGEMENT ACTIVITIES .....	335,138	335,138
EDUCATION AND TRAINING .....	333,234	333,234
BASE OPERATIONS/COMMUNICATIONS .....	1,926,865	1,921,865
Program decrease .....		[-5,000]
R&D RESEARCH .....	9,091	9,091
R&D EXPLORATORY DEVELOPMENT .....	75,463	75,463
R&D ADVANCED DEVELOPMENT .....	235,556	235,556
R&D DEMONSTRATION/VALIDATION .....	142,252	142,252
R&D ENGINEERING DEVELOPMENT .....	101,054	101,054
R&D MANAGEMENT AND SUPPORT .....	49,645	49,645
R&D CAPABILITIES ENHANCEMENT .....	17,619	17,619
UNDISTRIBUTED RDT&E .....		12,500
Combat triple negative breast cancer .....		[10,000]
Post-traumatic stress disorder .....		[2,500]
PROC INITIAL OUTFITTING .....	20,926	20,926
PROC REPLACEMENT & MODERNIZATION .....	250,366	250,366
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER ....	72,302	72,302
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZA- TION .....	435,414	435,414
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>35,592,407</b>	<b>35,459,245</b>
<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>39,849,030</b>	<b>39,715,868</b>

1 **TITLE XLVI—MILITARY**  
 2 **CONSTRUCTION**  
 3 **SEC. 4601. MILITARY CONSTRUCTION.**

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	Alabama			
Army	Fort Rucker	AIT Barracks Complex .....	0	66,000
Army	Redstone Arsenal	Propulsion Systems Lab .....	55,000	55,000
	Belgium			
Army	Shape Headquarters	Command and Control Facility .....	16,000	16,000
	California			
Army	Fort Irwin	Simulations Center .....	52,000	52,000
	Georgia			
Army	Fort Gordon	Cyber Center of Excellence School Headquarters and Classrooms (P&D) .....	0	3,670
Army	Fort Gordon	Cyber Instructional Fac (Admin/Cmd), Inc. 2 .....	69,000	69,000
Army	Fort Stewart	Barracks .....	0	105,000
	Germany			
Army	East Camp Grafenwoehr	EDI: Barracks and Dining Facility .....	103,000	103,000
Army	Smith Barracks	Indoor Small Arms Range .....	17,500	17,500
Army	Smith Barracks	Live Fire Exercise Shoothouse .....	16,000	16,000
	Hawaii			
Army	Fort Shafter	Cte—Command and Control Facility .....	0	55,000
Army	Wheeler Army Airfield	Rotary Wing Parking Apron .....	0	56,000
Army	Wheeler Army Airfield	Aviation Unit OPS Building .....	0	84,000
Army	West Loch Nav Mag Annex	Ammunition Storage .....	51,000	51,000
	Kansas			
Army	Fort Leavenworth	Child Development Center .....	0	34,000
	Kentucky			
Army	Fort Knox	Child Development Center .....	0	27,000
	Louisiana			
Army	Fort Polk	Joint Operations Center .....	55,000	55,000
Army	Fort Polk	Barracks .....	0	56,000
	Maryland			
Army	Aberdeen Proving Ground	Moving Target Simulator (Combat Systems Simulation Laboratory) .....	0	0
Army	Fort Detrick	Medical Waste Incinerator .....	0	23,981
Army	Fort Detrick	USAMRMC Headquarters .....	0	0
Army	Fort Meade	Barracks .....	81,000	81,000
	Mississippi			
Army	Engineer Research and Development Center	Communications Center .....	0	0
Army	Engineer Research and Development Center	Rtd&e (Risk Lab) .....	0	0
	Missouri			
Army	Fort Leonard Wood	Advanced Individual Training Battalion Complex (P&D) .....	0	4,000
	New Jersey			
Army	Picatinny Arsenal	Igloo Storage, Installation .....	0	0
	New Mexico			
Army	White Sands Missile Range	Missile Assembly Support Facility .....	0	29,000
	New York			
Army	Fort Hamilton	Information Systems Facility .....	26,000	26,000
Army	West Point Military Reservation	Cte—Engineering Center .....	0	17,200
Army	Watervliet Arsenal	Access Control Point .....	20,000	20,000
	Pennsylvania			
Army	Letterkenny Army Depot	Fire Station .....	21,000	21,000
	South Carolina			
Army	Fort Jackson	Reception Barracks Complex, Ph2, Inc. 2 .....	34,000	34,000
Army	Fort Jackson	Cte- Reception Barracks, Ph1 .....	0	21,000
	Texas			
Army	Camp Bullis	Cte- Vehicle Maintenance Shop .....	0	16,400
Army	Fort Hood	Barracks .....	0	61,000
Army	Fort Hood	Barracks .....	0	69,000
	Virginia			
Army	Joint Base Langley-Eustis	AIT Barracks Complex, Ph4 .....	0	16,000
	Worldwide Classified			
Army	Classified Location	Forward Operating Site .....	31,000	31,000

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Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Army	Worldwide Unspecified Unspecified Worldwide Locations	Host Nation Support .....	27,000	27,000
Army	Unspecified Worldwide Locations	Minor Construction .....	35,543	35,543
Army	Unspecified Worldwide Locations	Planning and Design .....	124,649	134,649
Army	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	45,000
Army	Worldwide Various Locations	Cost to Complete—Unspecified Minor Construction	0	69,000
<b>Military Construction, Army Total .....</b>			<b>834,692</b>	<b>1,727,943</b>
Arizona				
Navy	Marine Corps Air Station Yuma	Combat Training Tank Complex .....	0	29,300
Navy	Marine Corps Air Station Yuma	Bachelor Enlisted Quarters .....	0	0
California				
Navy	Marine Corps Base Camp Pendleton	I MEF Consolidated Information Center Inc. ....	19,869	19,869
Navy	Marine Corps Base Camp Pendleton	Warehouse Replacement .....	0	22,200
Navy	Marine Corps Base Camp Pendleton	Basilone Road Realignment .....	0	0
Navy	Marine Corps Air Station Miramar	F-35 Centralized Engine Repair Facility .....	0	31,400
Navy	Marine Corps Air Station Miramar	Aircraft Maintenance Hangar .....	0	185,991
Navy	Naval Air Station Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) Inc. ....	75,070	50,000
Navy	Marine Corps Air Ground Combat Center	Cost to Complete—Wastewater Treatment Plant ...	0	45,000
Navy	Naval Base Ventura County	Combat Vehicle Maintenance Facility .....	0	48,700
Navy	Naval Base Ventura County	MQ-25 Aircraft Maintenance Hangar .....	0	125,291
Navy	Naval Base Coronado	CMV-22B Aircraft Maintenance Hangar .....	0	63,600
Navy	Marine Corps Base Camp Pendleton	CLB MEU Complex .....	0	83,900
Navy	Marine Corps Reserve Depot San Diego	Recruit Mess Hall Replacement .....	0	93,700
Navy	Naval Information Warfare Center Pacific	Reconfigurable Cyber Laboratory .....	0	0
Navy	Naval Weapons Station Seal Beach	Missile Magazines Inc. ....	10,840	10,840
Navy	Naval Base San Diego	Pier 6 Replacement Inc. ....	50,000	50,000
Navy	San Nicholas Island	Directed Energy Weapons Test Facilities .....	19,907	19,907
District of Columbia				
Navy	Naval Research Laboratory	Electromagnetic & Cyber Countermeasures Laboratory.	0	0
Navy	Naval Research Laboratory	Biomolecular Science & Synthetic Biology Laboratory.	0	0
El Salvador				
Navy	Cooperative Security Location Comalapa	Hangar and Ramp Expansion .....	0	0
Florida				
Navy	Naval Air Station Jacksonville	Planning and Design for Lighterage and Small Craft.	0	7,000
Navy	Naval Surface Warfare Center Panama City Division	Unmanned Vehicle Littoral Combat Space .....	0	0
Navy	Naval Surface Warfare Center Panama City Division	Mine Warfare RDT&E Facility .....	0	0
Navy	Naval Undersea Warfare Center Panama City Division	AUTEC Pier Facility 1902 .....	0	37,980
Navy	Marine Corps Support Facility Blount Island	Lighterage and Small Craft Facility .....	0	69,400
Navy	Naval Undersea Warfare Center Panama City Division	Array Calibration Facility .....	0	0
Greece				

**SEC. 4601. MILITARY CONSTRUCTION**  
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Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Naval Support Activity Souda Bay	EDI: Joint Mobility Processing Center .....	41,650	41,650
	Guam			
Navy	Andersen Air Force Base	Aviation Admin Building .....	50,890	50,890
Navy	Joint Region Marianas	4th Marines Regiment Facilities .....	109,507	65,000
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H Inc. ....	43,200	43,200
Navy	Joint Region Marianas	Combat Logistics Battalion-4 Facility .....	92,710	49,710
Navy	Joint Region Marianas	Consolidated Armory .....	43,470	43,470
Navy	Joint Region Marianas	Infantry Battalion Company HQ .....	44,100	44,100
Navy	Joint Region Marianas	Joint Communication Upgrade Inc. ....	84,000	84,000
Navy	Joint Region Marianas	Marine Expeditionary Brigade Enablers .....	66,830	66,830
Navy	Joint Region Marianas	Principal End Item (PEI) Warehouse .....	47,110	47,110
Navy	Joint Region Marianas	X-Ray Wharf Berth 2 .....	103,800	51,900
	Hawaii			
Navy	Marine Corps Training Area Bellows	Perimeter Security Fence .....	0	6,220
Navy	Marine Corps Base Kaneohe	Bachelor Enlisted Quarters, Ph 2 Inc. ....	0	101,200
Navy	Marine Corps Base Kaneohe	Electrical Distribution Modernization .....	0	64,500
	Indiana			
Navy	Naval Surface Warfare Center Crane Division	Strategic Systems Engineering & Hardware Assurance Center.	0	0
Navy	Naval Surface Warfare Center Crane Division	Corporate Operations and Training Center .....	0	0
Navy	Naval Surface Warfare Center Crane Division	Anti-Ship Missile Defense Life Cycle Integration and Test Center.	0	0
	Japan			
Navy	Fleet Activities Yokosuka	Pier 5 (Berths 2 and 3) Inc. ....	15,292	15,292
Navy	Fleet Activities Yokosuka	Ship Handling & Combat Training Facilities .....	49,900	49,900
	Maine			
Navy	Naval Support Activity Cutler	Firehouse (P&D) .....	0	2,500
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension Inc. ....	250,000	250,000
Navy	Portsmouth Naval Shipyard	Multi-Mission Drydock #1 Extension Inc.—Navy #1 Ufr.	0	0
	Maryland			
Navy	Naval Air Station Patuxent River	Planning and Design for Aircraft Prototyping Facility, Ph 3.	0	1,500
Navy	Naval Air Warfare Center Aircraft Division	Aircraft Prototyping Facility, Ph 3 .....	0	0
Navy	Naval Air Warfare Center Aircraft Division	Rotary Wing T&E Hangar Replacement .....	0	0
Navy	Naval Surface Warfare Center Carderock Division	Ship Systems Design & Integration Facility .....	0	0
Navy	Naval Surface Warfare Center Carderock Division	ARD Range Craft Berthing Facility .....	0	0
Navy	Naval Surface Warfare Center Carderock Division	Navy Combatant Craft Laboratory .....	0	0
Navy	Naval Surface Warfare Center Indian Head	Planning and Design for Contained Burn Facility ..	0	1,500
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 2.	0	0
Navy	Naval Surface Warfare Center Indian Head	Contained Burn Facility .....	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetic Chemical Scale-up Facility .....	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetics Prototyping Facility .....	0	0
Navy	Naval Surface Warfare Center Indian Head	Energetic Systems and Technology Laboratory Complex, Ph 3.	0	0
	Nevada			
Navy	Naval Air Station Fallon	Training Range Land Acquisition—Ph 2 .....	48,250	0
	North Carolina			

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Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Marine Corps Base Camp Lejeune	Cost to Complete—Water Treatment Plant Replacement Hadnot Pt.	0	64,200
Navy	Marine Corps Base Camp Lejeune	II MEF Operations Center Replacement Inc. ....	42,200	42,200
Navy	Marine Corps Air Station Cherry Point	Aircraft Maintenance Hangar .....	207,897	57,897
Navy	Marine Corps Air Station Cherry Point	F-35 Flightline Utilities Modernization Ph 2 .....	113,520	30,000
Navy	Marine Corps Air Station Cherry Point	F-35 Joint Strike Fighter Sustainment Center (P-993) (P&D).	0	10,000
Navy	Marine Corps Air Station Cherry Point	Cte—ATC Tower and Airfield Operations .....	0	18,700
Navy	Marine Corps Air Station New River	Maintenance Hangar (P&D) .....	0	13,300
Navy	Marine Corps Air Station New River	Aircraft Maintenance Hangar Addition/Alteration (P&D).	0	2,700
Pennsylvania				
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Control Development Center .....	0	77,290
Navy	Naval Surface Warfare Center Philadelphia Division	Machinery Integration Lab, Ph 1 .....	0	0
Navy	Naval Surface Warfare Center Philadelphia Division	Power & Energy Tech Systems Integration Lab .....	0	0
Poland				
Navy	Redzikowo	AEGIS Ashore Barracks Planning and Design .....	0	
Rhode Island				
Navy	Naval Station Newport	Next Generation Torpedo Integration Lab (P&D) ...	0	1,200
Navy	Naval Station Newport	Submarine Payloads Integration Laboratory (P&D)	0	1,400
Navy	Naval Station Newport	Consolidated RDT&E Systems Facility (P&D) .....	0	1,700
Navy	Naval Station Newport	Next Generation Secure Submarine Platform Facility (P&D).	0	4,000
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Secure Submarine Platform Facility.	0	0
Navy	Naval Undersea Warfare Center Newport Division	Next Generation Torpedo Integration Lab .....	0	0
Navy	Naval Undersea Warfare Center Newport Division	Submarine Payloads Integration Facility .....	0	0
Navy	Naval Undersea Warfare Center Newport Division	Consolidation RDT&E Systems Facility .....	0	0
South Carolina				
Navy	Marine Corps Air Station Beaufort	Instrument Landing System .....	0	3,000
Navy	Marine Corps Air Station Beaufort	F-35 Operational Support Facility .....	0	4,700
Navy	Marine Corps Air Station Beaufort	Cte—Recycling/Hazardous Waste Facility .....	0	5,000
Navy	Marine Corps Air Station Beaufort	Aircraft Maintenance Hangar .....	0	122,600
Navy	Marine Corps Reserve Depot Parris Island	Entry Control Facility .....	0	6,000
Spain				
Navy	Naval Station Rota	EDI: Explosive Ordnance Disposal (EOD) Mobile Unit Facilities.	0	85,600
Texas				
Navy	Naval Air Station Kingsville	Planning and Design for Fire Rescue Safety Center	0	2,500
Virginia				
Navy	Naval Station Norfolk	CMV-22 Aircraft Maintenance Hangar and Airfield Improvement.	0	75,100
Navy	Naval Station Norfolk	Submarine Pier 3 Inc. ....	88,923	43,923
Navy	Naval Surface Warfare Center Dahlgren Division	Cyber Threat & Weapon Systems Engineering Complex.	0	0
Navy	Naval Surface Warfare Center Dahlgren Division	High Powered Electric Weapons Laboratory .....	0	0
Navy	Norfolk Naval Shipyard	Dry Dock Saltwater System for CVN-78 .....	156,380	30,000
Navy	Marine Corps Base Quantico	Vehicle Inspection and Visitor Control Center .....	42,850	42,850

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Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Navy	Marine Corps Base Quantico	Wargaming Center Inc. ....	30,500	30,500
Navy	Naval Weapons Station Yorktown	Navy Munitions Command (Nmc) Ordnance Facilities Recap, Phase 2.	0	93,500
Navy	Worldwide Unspecified Locations	Planning and Design .....	363,252	413,252
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program .....	0	225,000
Navy	Unspecified Worldwide Locations	Shipyards Investment Optimization Program—Planning and Design.	0	62,820
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction .....	56,435	56,435
Navy	Worldwide Various Locations	PDI: Planning and Design Unfunded Requirement	0	68,200
Navy	Worldwide Various Locations	Unspecified Minor Construction .....	0	75,000
Navy	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	50,000
<b>Military Construction, Navy Total .....</b>			<b>2,368,352</b>	<b>3,895,117</b>
Alaska				
AF	Eielson Air Force Base	Contaminated Soil Removal .....	0	44,850
AF	Joint Base Elmendorf-Richardson	Extend Runway 16/34, Inc. 1 .....	79,000	79,000
Arizona				
AF	Davis-Monthan Air Force Base	South Wilmot Gate .....	13,400	13,400
AF	Luke Air Force Base	F-35A ADAL AMU Facility Squadron #6 .....	28,000	28,000
AF	Luke Air Force Base	F-35A Squadron Operations Facility #6 .....	21,000	21,000
Australia				
AF	Royal Australian Air Force Base Darwin	Squadron Operations Facility .....	7,400	7,400
AF	Royal Australian Air Force Base Tindal	Aircraft Maintenance Support Facility .....	6,200	6,200
AF	Royal Australian Air Force Base Tindal	Squadron Operations Facility .....	8,200	8,200
California				
AF	Edwards Air Force Base	Flight Test Engineering Lab Complex .....	4,000	4,000
AF	Edwards Air Force Base	Upgrade Munitions Complex .....	0	0
AF	Edwards Air Force Base	Rocket Engineering, Analysis, and Collaboration Hub (Reach).	0	0
AF	Vandenberg Space Force Base	GBSD Re-Entry Vehicle Facility .....	48,000	48,000
AF	Vandenberg Space Force Base	GBSD Stage Processing Facility .....	19,000	19,000
Colorado				
AF	Schriever Space Force Base	ADAL Fitness Center .....	0	30,000
AF	United States Air Force Academy	Add High Bay Vehicle Maintenance .....	0	4,360
AF	United States Air Force Academy	Cadet Prep School Dormitory .....	0	0
District of Columbia				
AF	Joint Base Anacostia Bolling	Joint Air Defense Operations Center Ph 2 .....	24,000	24,000
Florida				
AF	Eglin Air Force Base	Weapons Technology Integration Center (P&D) .....	0	40,000
AF	Eglin Air Force Base	HC-Blackfyre Facilities .....	0	0
AF	Eglin Air Force Base	JADC2 & Abms Test Facility .....	0	0
AF	Eglin Air Force Base	F-35A Development/Operational Test 2-Bay Hangar (P&D).	0	4,000
AF	Eglin Air Force Base	Cte—Advanced Munitions Technology Complex .....	0	35,000
AF	Eglin Air Force Base	Integrated Control Facility .....	0	0
AF	Eglin Air Force Base	F-35A Development Test 2-Bay MX Hangar .....	0	0
AF	Eglin Air Force Base	Flightline Fire Station at Duke Field .....	0	14,000
Georgia				
AF	Moody Air Force Base	41 Rqs Hh-60w Apron .....	0	0
Germany				
AF	Spangdahlem Air Base	F/a-22 LO/Composite Repair Facility .....	22,625	22,625
Guam				
AF	Joint Region Marianas	Airfield Damage Repair Warehouse .....	30,000	30,000
AF	Joint Region Marianas	Hayman Munitions Storage Igloos, MSA2 .....	9,824	9,824
AF	Joint Region Marianas	Munitions Storage Igloos IV .....	55,000	55,000
Hawaii				



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<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
AF	Maui Experimental Site #3	Secure Integration Support Lab W/ Land Acquisition (P&D).	0	8,800
	Hungary			
AF	Keeskemet Air Base	EDI: Construct Airfield Upgrades .....	20,564	20,564
AF	Keeskemet Air Base	EDI: Construct Parallel Taxiway .....	38,650	38,650
	Italy			
AF	Aviano Air Force Base	Area A1 Entry Control Point .....	0	10,200
	Japan			
AF	Kadena Air Base	Airfield Damage Repair Storage Facility .....	38,000	38,000
AF	Kadena Air Base	Helicopter Rescue OPS Maintenance Hangar .....	168,000	35,000
AF	Kadena Air Base	Replace Munitions Structures .....	26,100	26,100
AF	Misawa Air Base	Airfield Damage Repair Facility .....	25,000	25,000
AF	Yokota Air Base	C-130J Corrosion Control Hangar .....	67,000	67,000
AF	Yokota Air Base	Airfield Damage Repair Warehouse .....	0	39,000
AF	Yokota Air Base	Construct CATM Facility .....	25,000	25,000
	Louisiana			
AF	Barksdale Air Force Base	Weapons Generation Facility, Inc. 1 .....	40,000	40,000
AF	Barksdale Air Force Base	New Entrance Road and Gate Complex—Cte .....	0	36,000
	Maryland			
AF	Joint Base Andrews	Fire Crash Rescue Station .....	26,000	26,000
AF	Joint Base Andrews	Military Working Dog Kennel—Cte .....	0	10,000
	Massachusetts			
AF	Hanscom Air Force Base	NC3 Acquisitions Management Facility .....	66,000	66,000
	Nebraska			
AF	Offutt Air Force Base	Replace Trestle F312 .....	0	0
	Nevada			
AF	Creech Air Force Base	Warrior Fitness Training Center (P&D) .....	0	2,200
AF	Creech Air Force Base	Mission Support Facility .....	0	14,200
	New Mexico			
AF	Cannon Air Force Base	192 Bed Dormitory (P&D) .....	0	5,568
AF	Cannon Air Force Base	Deployment Processing Center (P&D) .....	0	5,976
AF	Holloman Air Force Base	Indoor Target Flip Facility (P&D) .....	0	2,340
AF	Holloman Air Force Base	RAMS Indoor Target Flip Facility .....	0	0
AF	Holloman Air Force Base	Holloman High Speed Test Track Recapitalization	0	0
AF	Holloman Air Force Base	ADAL Fabrication Shop .....	0	0
AF	Holloman Air Force Base	MQ-9 Formal Training Unit Operations Facility ...	0	0
AF	Kirtland Air Force Base	Dedicated Facility for the Space Rapid Capabilities Office (P&D).	0	5,280
AF	Kirtland Air Force Base	Cte—Wyoming Gate Antiterrorism Compliance .....	0	5,600
AF	Kirtland Air Force Base	Pj/Cro Urban Training Complex (P&D) .....	0	810
AF	Kirtland Air Force Base	High Power Electromagnetic (HPEM) Laboratory	0	0
AF	Kirtland Air Force Base	Laser Effects & Simulation Laboratory .....	0	0
AF	Kirtland Air Force Base	ADAL Systems & Engineering Lab .....	0	0
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	SFS OPS Confinement Facility (P&D) .....	0	450
	Ohio			
AF	Wright-Patterson Air Force Base	Child Development Center .....	0	24,000
AF	Wright-Patterson Air Force Base	Human Performance Wing Laboratory .....	0	0
AF	Wright-Patterson Air Force Base	Biontronics Research Center Laboratory .....	0	0
	Oklahoma			
AF	Tinker Air Force Base	KC-46A 3-Bay Depot Maintenance Hangar .....	160,000	60,000
	South Carolina			
AF	Joint Base Charleston	Flightline Support Facility .....	0	29,000
AF	Joint Base Charleston	Fire and Rescue Station .....	0	30,000
	South Dakota			
AF	Ellsworth Air Force Base	B-21 2-Bay LO Restoration Facility, Inc. 2 .....	91,000	41,000
AF	Ellsworth Air Force Base	B-21 ADAL Flight Simulator .....	24,000	24,000
AF	Ellsworth Air Force Base	B-21 Field Training Detachment Facility .....	47,000	47,000

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Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
AF	Ellsworth Air Force Base	B-21 Formal Training Unit/AMU .....	70,000	70,000
AF	Ellsworth Air Force Base	B-21 Mission Operations Planning Facility .....	36,000	36,000
AF	Ellsworth Air Force Base	B-21 Washrack & Maintenance Hangar .....	65,000	65,000
	Spain			
AF	Moron Air Base	EDI-Hot Cargo Pad .....	8,542	8,542
	Tennessee			
AF	Arnold Air Force Base	Cooling Water Expansion, Rowland Creek .....	0	0
AF	Arnold Air Force Base	Add/Alter Test Cell Delivery Bay .....	0	14,600
AF	Arnold Air Force Base	Primary Pumping Station Upgrades .....	0	0
	Texas			
AF	Joint Base San Antonio	BMT Recruit Dormitory 7 .....	141,000	40,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc. 3 .....	31,000	31,000
AF	Joint Base San Antonio—Fort Sam Houston	Child Development Center .....	0	29,000
AF	Joint Base San Antonio—Fort Sam Houston	Directed Energy Research Center .....	0	0
AF	Joint Base San Antonio—Lackland Air Force Base	Child Development Center .....	0	29,000
AF	Sheppard Air Force Base	Child Development Center .....	20,000	20,000
	United Kingdom			
AF	Royal Air Force Fairford	EDI: Construct DABS-FEV Storage .....	94,000	94,000
AF	Royal Air Force Lakenheath	F-35A Child Development Center .....	0	24,000
AF	Royal Air Force Lakenheath	F-35A Munition Inspection Facility .....	31,000	31,000
AF	Royal Air Force Lakenheath	F-35 ADAL Conventional Munitions MX .....	0	4,500
AF	Royal Air Force Lakenheath	F-35A Weapons Load Training Facility .....	49,000	49,000
	Utah			
AF	Hill Air Force Base	GBSD Organic Software Sustainment Ctr, Inc. 2 ...	31,000	31,000
	Virginia			
AF	Joint Base Langley-Eustis	Fuel Systems Maintenance Dock .....	0	24,000
	Worldwide Unspecified			
AF	Various Worldwide Locations	EDI: Planning & Design .....	648	10,648
AF	Various Worldwide Locations	PDI: Planning & Design .....	27,200	47,200
AF	Various Worldwide Locations	Planning & Design .....	201,453	201,453
AF	Various Worldwide Locations	Intelligence, Surveillance, and Reconnaissance Infrastructure Planning and Design.	0	20,000
AF	Various Worldwide Locations	Cost to Complete—Natural Disaster Conus-Based Projects.	0	100,000
AF	Various Worldwide Locations	EDI: UMMC .....	0	15,000
AF	Various Worldwide Locations	Unspecified Minor Military Construction .....	58,884	58,884
AF	Worldwide Various Locations	Labs and RDT&E Planning and Design Unfunded Requirement.	0	75,000
	<b>Military Construction, Air Force Total</b> .....		<b>2,102,690</b>	<b>2,485,424</b>
	Alabama			
Def-Wide	Fort Rucker	10 MW RICE Generator Plant and Microgrid Controls.	0	24,000
Def-Wide	Redstone Arsenal	Msic Advanced Analysis Facility Phase 1 (Inc) .....	0	25,000
	Belgium			
Def-Wide	Chievres Air Force Base	Europe West District Superintendent's Office .....	15,000	15,000
	California			
Def-Wide	Marine Corps Base Camp Pendleton	Veterinary Treatment Facility Replacement .....	13,600	13,600
Def-Wide	Silver Strand Training Complex	SOF ATC Operations Support Facility .....	21,700	21,700
Def-Wide	Silver Strand Training Complex	SOF NSWG11 Operations Support Facility .....	12,000	12,000

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<b>SEC. 4601. MILITARY CONSTRUCTION</b> (In Thousands of Dollars)				
<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
Def-Wide	Marine Corps Air Station Miramar	Additional LFG Power Meter Station .....	0	4,054
Def-Wide	Naval Air Weapons Station China Lake	Solar Energy Storage System .....	0	9,120
Def-Wide	Naval Amphibious Base Coronado	Cte- SOF Training Command .....	0	20,500
	Colorado			
Def-Wide	Buckley Air Force Base	JCC Expansion .....	20,000	20,000
	District of Columbia			
Def-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps .....	0	2,257
Def-Wide	Joint Base Anacostia-Bolling	PV Carports .....	0	29,004
	Florida			
Def-Wide	MacDill Air Force Base	Transmission and Switching Stations .....	0	22,000
	Georgia			
Def-Wide	Fort Benning	4.8 MW Generation and Microgrid .....	0	17,593
Def-Wide	Fort Benning	SOF Battalion Headquarters Facility .....	62,000	62,000
Def-Wide	Fort Stewart	10 MW Generation Plant, With Microgrid Controls	0	22,000
Def-Wide	Kings Bay Naval Submarine Base	Electrical Transmission and Distribution .....	0	19,314
	Germany			
Def-Wide	Ramstein Air Base	Ramstein Middle School .....	93,000	13,000
	Guam			
Def-Wide	Polaris Point Submarine Base	Inner Apra Harbor Resiliency Upgrades Ph1 .....	0	38,300
	Hawaii			
Def-Wide	Hdr-Hawaii	Homeland Defense Radar (P&D) .....	0	9,000
Def-Wide	Joint Base Pearl Harbor-Hickam	Veterinary Treatment Facility Replacement .....	29,800	29,800
	Idaho			
Def-Wide	Mountain Home Air Force Base	Water Treatment Plant and Pump Station .....	0	33,800
	Japan			
Def-Wide	Marine Corps Air Base Iwakuni	Fuel Pier .....	57,700	57,700
Def-Wide	Kadena Air Base	Operations Support Facility .....	24,000	24,000
Def-Wide	Kadena Air Base	Truck Unload Facilities .....	22,300	22,300
Def-Wide	Misawa Air Base	Additive Injection Pump and Storage Sys .....	6,000	6,000
Def-Wide	Naval Air Facility Atsugi	Smart Grid for Utility and Facility Controls .....	0	3,810
Def-Wide	Yokota Air Base	Hangar/AMU .....	108,253	31,653
	Kuwait			
Def-Wide	Camp Arifjan	Microgrid Controller, 1.25 MW Solar PV, and 1.5 MWH Battery.	0	15,000
	Maryland			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition / Alteration, Inc. 5 .....	153,233	153,233
Def-Wide	Fort Meade	NSAW Mission OPS and Records Center Inc. 1 .....	94,000	94,000
Def-Wide	Fort Meade	NSAW Recap Building 4, Inc. 1 .....	104,100	104,100
Def-Wide	Fort Meade	SOF Operations Facility .....	100,000	75,000
	Michigan			
Def-Wide	Camp Grayling	650 KW Gas-Fired Micro-Turbine Generation System.	0	5,700
	Mississippi			
Def-Wide	Camp Shelby	10 MW Generation Plant an Feeder Level Microgrid System.	0	34,500
Def-Wide	Camp Shelby	Electrical Distribution Infrastructure Undergrounding Hardening Project.	0	11,155
	Missouri			
Def-Wide	Fort Leonard Wood	Hospital Replacement, Inc. 4 .....	160,000	160,000
	New Mexico			
Def-Wide	Kirtland Air Force Base	Environmental Health Facility Replacement .....	8,600	8,600
	New York			
Def-Wide	Fort Drum	Wellfield Expansion Resiliency Project .....	0	27,000
	North Carolina			
Def-Wide	Camp Lejeune	Cte—SOF Motor Transport Maintenance Expansion.	0	0
Def-Wide	Fort Bragg	Cte—SOF Intelligence Training Center .....	0	0
Def-Wide	Fort Bragg	10 MW Microgrid Utilizing Existing and New Generators.	0	19,464
Def-Wide	Fort Bragg	Emergency Water System .....	0	7,705
	North Dakota			
Def-Wide	Cavalier Air Force Station	Pears Emergency Power Plant Fuel Storage .....	0	24,150

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	Ohio			
Def-Wide	Springfield-Beckley Municipal Airport	Base-Wide Microgrid With Natural Gas Generator, Photovoltaic, and Battery Storage.	0	4,700
	Puerto Rico			
Def-Wide	Fort Allen	Microgrid Control System, 690 KW PV, 275 KW Gen, 570 Kwh Bess.	0	12,190
Def-Wide	Punta Borinquen	Ramey Unit School Replacement .....	84,000	84,000
Def-Wide	Aguadilla Ramey Unit School	Microgrid Control System, 460 KW PV, 275 KW Generator, 660 Kwh Bess.	0	10,120
	Tennessee			
Def-Wide	Memphis International Airport	PV Arrays and Battery Storage .....	0	4,780
	Texas			
Def-Wide	Joint Base San Antonio	Ambulatory Care Center Ph 4 .....	35,000	35,000
	United Kingdom			
Def-Wide	Menwith Hill Station	Rafmh Main Gate Rehabilitation .....	20,000	20,000
Def-Wide	Royal Air Force Lakenheath	Hospital Replacement-Temporary Facilities .....	19,283	19,283
	Virginia			
Def-Wide	Fort Belvoir	Veterinary Treatment Facility Replacement .....	29,800	29,800
Def-Wide	Humphries Engineer Center and Support Activity	SOF Battalion Operations Facility .....	0	36,000
Def-Wide	Pentagon	Consolidated Maintenance Complex (RRMC) .....	20,000	20,000
Def-Wide	Pentagon	Force Protection Perimeter Enhancements .....	8,608	8,608
Def-Wide	Pentagon	Public Works Support Facility .....	21,935	21,935
Def-Wide	Fort Belvoir, NGA Campus East	Led Upgrade Package .....	0	365
Def-Wide	Pentagon, Mark Center, and Raven Rock Mountain Complex	Recommissioning of Hvac Systems, Part B .....	0	2,600
Def-Wide	National Geospatial-Intelligence Agency Campus East	Electrical System Redundancy .....	0	5,299
	Washington			
Def-Wide	Oak Harbor	ACC / Dental Clinic (Oak Harbor) .....	59,000	59,000
	Worldwide Unspecified			
Def-Wide	Unspecified Worldwide Locations	DIA Planning and Design .....	11,000	11,000
Def-Wide	Unspecified Worldwide Locations	DODEA Planning and Design .....	13,317	13,317
Def-Wide	Unspecified Worldwide Locations	DODEA Unspecified Minor Construction .....	8,000	8,000
Def-Wide	Unspecified Worldwide Locations	ERCIP Design .....	40,150	40,150
Def-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog. ....	246,600	0
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction .....	5,615	5,615
Def-Wide	Unspecified Worldwide Locations	MDA Unspecified Minor Construction .....	4,435	4,435
Def-Wide	Unspecified Worldwide Locations	NSA Planning and Design .....	83,840	83,840
Def-Wide	Unspecified Worldwide Locations	NSA Unspecified Minor Military Construction .....	12,000	12,000
Def-Wide	Unspecified Worldwide Locations	Planning and Design .....	14,194	14,194
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Military Construction .....	21,746	21,746
Def-Wide	Unspecified Worldwide Locations	TJS Planning and Design .....	2,000	2,000
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,000	3,000
Def-Wide	Unspecified Worldwide Locations	WHHS Planning and Design .....	5,275	5,275
Def-Wide	Various Worldwide Locations	DHA Planning and Design .....	35,099	35,099
Def-Wide	Various Worldwide Locations	DLA Planning and Design .....	20,862	20,862
Def-Wide	Various Worldwide Locations	DLA Unspecified Minor Construction .....	6,668	6,668
Def-Wide	Various Worldwide Locations	SOCOM Planning and Design .....	20,576	20,576
	<b>Military Construction, Defense-Wide Total</b> .....		<b>1,957,289</b>	<b>2,029,569</b>
	Worldwide Unspecified			

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
NATO	NATO Security Investment Program	NATO Security Investment Program .....	205,853	205,853
<b>NATO Security Investment Program Total .....</b>			<b>205,853</b>	<b>205,853</b>
Army NG	Alabama Redstone Arsenal	National Guard Readiness Center .....	0	17,000
Army NG	Alaska Joint Base Elmendorf-Richardson	Planning and Design for National Guard Readiness Center.	0	5,000
Army NG	Connecticut Connecticut Army National Guard Readiness Center—Putnam	National Guard Readiness Center .....	17,500	17,500
Army NG	Georgia Fort Benning	Post-Initial Mil. Training Unaccomp. Housing .....	13,200	13,200
Army NG	Guam Guam National Guard Readiness Center Barrigada	National Guard Readiness Center Addition .....	34,000	34,000
Army NG	Idaho Jerome National Guard Armory	National Guard Readiness Center .....	15,000	15,000
Army NG	Illinois Bloomington National Guard Armory	National Guard Vehicle Maintenance Shop .....	15,000	15,000
Army NG	Kansas Nickell Memorial Armory	National Guard/Reserve Center Building SCIF (P&D).	0	420
Army NG	Nickell Memorial Armory	National Guard/Reserve Center Building .....	16,732	16,732
Army NG	Louisiana Camp Minden Training Site	Collective Training Unaccompanied Housing .....	0	13,800
Army NG	Lake Charles National Guard Readiness Center	National Guard Readiness Center .....	18,500	18,500
Army NG	Maine Saco National Guard Readiness Center	National Guard Vehicle Maintenance Shop .....	21,200	21,200
Army NG	Michigan Camp Grayling Military Installation	National Guard Readiness Center .....	0	16,000
Army NG	Mississippi Camp Shelby Training Site	Maneuver Area Training Equipment Site .....	0	15,500
Army NG	Missouri Aviation Classification Repair Activity Depot	Averad Aircraft Maintenance Hangar Addition (P&D).	0	3,800
Army NG	Montana Butte Military Entrance Training Site	National Guard Readiness Center .....	16,000	16,000
Army NG	Nebraska Mead Army National Guard Readiness Center	Collective Training Unaccompanied Housing .....	0	11,000
Army NG	North Dakota Dickinson National Guard Armory	National Guard Readiness Center .....	15,500	15,500
Army NG	South Dakota Sioux Falls Army National Guard	National Guard Readiness Center .....	0	15,000
Army NG	Vermont Ethan Allen Air Force Base	Family Readiness Center .....	0	4,665
Army NG	Vermont National Guard Armory	National Guard Readiness Center .....	0	16,900
Army NG	Virginia Virginia National Guard Readiness Center	Army Aviation Support Facility (P&D) .....	0	5,805
Army NG	Virginia National Guard Readiness Center	Combined Support Maintenance Shop Addition .....	6,900	6,900
Army NG	Virginia National Guard Readiness Center	National Guard Readiness Center Addition .....	6,100	6,100

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SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
Army NG	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	22,000	32,000
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	39,471	39,471
Army NG	Various Worldwide Locations	Army National Guard Transformation Plan .....	0	0
<b>Military Construction, Army National Guard Total .....</b>			<b>257,103</b>	<b>391,993</b>
Army Res	Michigan Southfield	Area Maintenance Support Activity .....	12,000	12,000
Army Res	Ohio Wright-Patterson Air Force Base	AR Center Training Building/ UHS .....	19,000	19,000
Army Res	Wisconsin Fort McCoy	Transient Training BN HQ .....	12,200	12,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks .....	0	29,200
Army Res	Fort McCoy	Transient Training Officer Barracks .....	0	29,200
Army Res	Fort McCoy	Transient Training Enlisted Barracks .....	0	0
Army Res	Worldwide Unspecified Unspecified Worldwide Locations	Planning and Design .....	7,167	7,167
Army Res	Unspecified Worldwide Locations	Cost to Complete .....	0	0
Army Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction .....	14,544	14,544
<b>Military Construction, Army Reserve Total .....</b>			<b>64,911</b>	<b>123,311</b>
N/MC Res	Michigan Navy Operational Support Center Battle Creek	Reserve Center & Vehicle Maintenance Facility .....	49,090	49,090
N/MC Res	Minnesota Minneapolis	Joint Reserve Intelligence Center .....	14,350	14,350
N/MC Res	Worldwide Unspecified Unspecified Worldwide Locations	MCNR Planning & Design .....	1,257	1,257
N/MC Res	Unspecified Worldwide Locations	MCNR Unspecified Minor Construction .....	2,359	2,359
N/MC Res	Unspecified Worldwide Locations	USMCR Planning and Design .....	4,748	4,748
<b>Military Construction, Naval Reserve Total .....</b>			<b>71,804</b>	<b>71,804</b>
Air NG	Alabama Sumpter Smith Air National Guard Base	Security and Services Training Facility .....	0	7,500
Air NG	Montgomery Regional Airport	Aircraft Maintenance Facility .....	0	19,200
Air NG	Connecticut Bradley International Airport	Composite ASE/Vehicle MX Facility .....	0	17,000
Air NG	Delaware Newcastle Air National Guard Base	Fuel Cell/Corrosion Control Hangar .....	0	17,500
Air NG	Idaho Boise Air National Guard Base Gowen Field	Medical Training Facility .....	0	6,500
Air NG	Illinois Abraham Lincoln Capital Airport	Base Civil Engineering Facility .....	0	10,200
Air NG	Massachusetts Barnes Air National Guard	Combined Engine/ASE/NDI Shop .....	12,200	12,200
Air NG	Michigan Alpena County Regional Airport	Aircraft Maintenance Hangar/Shops .....	23,000	23,000
Air NG	Selfridge Air National Guard Base	a-10 Maintenance Hangar and Shops .....	0	28,000
Air NG	W. K. Kellogg Regional Airport	Construct Main Base Entrance .....	10,000	10,000
Air NG	Mississippi Jackson International Airport	Fire Crash and Rescue Station .....	9,300	9,300

SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
	New York			
Air NG	Francis S. Gabreski Airport	Base Civil Engineer Complex .....	0	14,800
Air NG	Schenectady Municipal Airport	C-130 Flight Simulator Facility .....	10,800	10,800
	Ohio			
Air NG	Camp Perry	Red Horse Logistics Complex .....	7,800	7,800
	South Carolina			
Air NG	Meentire Joint National Guard Base	Hazardous Cargo Pad .....	0	9,000
Air NG	Meentire Joint National Guard Base	F-16 Mission Training Center .....	9,800	9,800
	South Dakota			
Air NG	Joe Foss Field	F-16 Mission Training Center .....	9,800	9,800
	Texas			
Air NG	Kelly Field Annex	Aircraft Corrosion Control .....	0	9,500
	Washington			
Air NG	Camp Murray Air National Guard Station	Air Support Operations Complex .....	0	27,000
	Wisconsin			
Air NG	Truax Field	F-35 3-Bay Specialized Hangar .....	31,000	31,000
Air NG	Truax Field	Medical Readiness Facility .....	13,200	13,200
Air NG	Volk Combat Readiness Training Center	Replace Aircraft Maintenance Hangar/Shops (P&D)	0	2,280
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	29,068	29,068
Air NG	Various Worldwide Locations	Planning and Design .....	18,402	34,402
	Wyoming			
Air NG	Cheyenne Municipal Airport	Combined Vehicle Maintenance & ASE Complex .....	13,400	13,400
<b>Military Construction, Air National Guard Total .....</b>			<b>197,770</b>	<b>382,250</b>
	California			
AF Res	Beale Air Force Base	940 ARW SQ OPS &amu Complex .....	0	33,000
	Florida			
AF Res	Homestead Air Force Reserve Base	Corrosion Control Facility .....	14,000	14,000
AF Res	Patrick Air Force Base	Simulator C-130J .....	18,500	18,500
	Indiana			
AF Res	Grissom Air Reserve Base	Logistics Readiness Complex .....	0	29,000
	Minnesota			
AF Res	Minneapolis-St Paul International Airport	Mission Support Group Facility .....	14,000	14,000
	New York			
AF Res	Niagara Falls Air Reserve Station	Main Gate .....	10,600	10,600
	Ohio			
AF Res	Youngstown Air Reserve Base	Assault Runway .....	0	8,700
	Worldwide Unspecified			
AF Res	Worldwide Various Locations	KC-46 Mob 5 (P&D) .....	0	15,000
AF Res	Unspecified Worldwide Locations	Planning & Design .....	5,830	5,830
AF Res	Unspecified Worldwide Locations	Unspecified Minor Military Construction .....	15,444	15,444
<b>Military Construction, Air Force Reserve Total .....</b>			<b>78,374</b>	<b>164,074</b>
	Italy			
FH Con Army	Vicenza	Family Housing New Construction .....	92,304	92,304
	Kwajalein Atoll			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction .....	0	10,000
	Pennsylvania			
FH Con Army	Tobyhanna Army Depot	Cte- Family Housing Replacement Construction .....	0	7,500
	Puerto Rico			
FH Con Army	Fort Buchanan	Cte- Family Housing Replacement Construction .....	0	14,000
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P&D .....	7,545	37,545
<b>Family Housing Construction, Army Total .....</b>			<b>99,849</b>	<b>161,349</b>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2022 Request</b>	<b>Conference Authorized</b>
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings .....	18,077	18,077
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support .....	38,404	38,404
FH Ops Army	Unspecified Worldwide Locations	Leasing .....	128,110	128,110
FH Ops Army	Unspecified Worldwide Locations	Maintenance .....	111,181	111,181
FH Ops Army	Unspecified Worldwide Locations	Management .....	42,850	42,850
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous .....	556	556
FH Ops Army	Unspecified Worldwide Locations	Services .....	8,277	8,277
FH Ops Army	Unspecified Worldwide Locations	Utilities .....	43,772	43,772
<b>Family Housing Operation And Maintenance, Army Total .....</b>			<b>391,227</b>	<b>391,227</b>
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements .....	71,884	71,884
FH Con Navy	Unspecified Worldwide Locations	Planning & Design .....	3,634	3,634
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design .....	2,098	2,098
<b>Family Housing Construction, Navy And Marine Corps Total .....</b>			<b>77,616</b>	<b>77,616</b>
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings .....	16,537	16,537
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support .....	54,544	54,544
FH Ops Navy	Unspecified Worldwide Locations	Leasing .....	62,567	62,567
FH Ops Navy	Unspecified Worldwide Locations	Maintenance .....	95,417	95,417
FH Ops Navy	Unspecified Worldwide Locations	Management .....	54,083	54,083
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous .....	285	285
FH Ops Navy	Unspecified Worldwide Locations	Services .....	17,637	17,637
FH Ops Navy	Unspecified Worldwide Locations	Utilities .....	56,271	56,271
<b>Family Housing Operation And Maintenance, Navy And Marine Corps Total.</b>			<b>357,341</b>	<b>357,341</b>
	Georgia			
FH Con AF	Robins Air Force Base	Robins 2 MHPI Restructure .....	6,000	6,000
	Nebraska			
FH Con AF	Offutt Air Force Base	Offutt MHPI Restructure .....	50,000	50,000
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements .....	49,258	49,258
FH Con AF	Unspecified Worldwide Locations	Planning & Design .....	10,458	10,458
<b>Family Housing Construction, Air Force Total .....</b>			<b>115,716</b>	<b>115,716</b>
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings .....	26,842	26,842
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization .....	23,275	23,275
FH Ops AF	Unspecified Worldwide Locations	Leasing .....	9,520	9,520
FH Ops AF	Unspecified Worldwide Locations	Maintenance .....	141,754	141,754
FH Ops AF	Unspecified Worldwide Locations	Management .....	70,062	70,062
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous .....	2,200	2,200
FH Ops AF	Unspecified Worldwide Locations	Services .....	8,124	8,124



SEC. 4601. MILITARY CONSTRUCTION (In Thousands of Dollars)				
Account	State/Country and Installation	Project Title	FY 2022 Request	Conference Authorized
FH Ops AF	Unspecified Worldwide Locations	Utilities .....	43,668	43,668
<b>Family Housing Operation And Maintenance, Air Force Total .....</b>			<b>325,445</b>	<b>325,445</b>
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	DIA Furnishings .....	656	656
FH Ops DW	Unspecified Worldwide Locations	DIA Leasing .....	31,430	31,430
FH Ops DW	Unspecified Worldwide Locations	DIA Utilities .....	4,166	4,166
FH Ops DW	Unspecified Worldwide Locations	Maintenance .....	49	49
FH Ops DW	Unspecified Worldwide Locations	NSA Furnishings .....	83	83
FH Ops DW	Unspecified Worldwide Locations	NSA Leasing .....	13,387	13,387
FH Ops DW	Unspecified Worldwide Locations	NSA Utilities .....	14	14
<b>Family Housing Operation And Maintenance, Defense-Wide Total .....</b>			<b>49,785</b>	<b>49,785</b>
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF .....	6,081	6,081
<b>Unaccompanied Housing Improvement Fund Total .....</b>			<b>6,081</b>	<b>6,081</b>
	Worldwide Unspecified			
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF .....	494	494
<b>Unaccompanied Housing Improvement Fund Total .....</b>			<b>494</b>	<b>494</b>
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure .....	65,301	115,301
<b>Base Realignment and Closure—Army Total .....</b>			<b>65,301</b>	<b>115,301</b>
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	Base Realignment & Closure .....	111,155	161,155
<b>Base Realignment and Closure—Navy Total .....</b>			<b>111,155</b>	<b>161,155</b>
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force .....	104,216	104,216
<b>Base Realignment and Closure—Air Force Total .....</b>			<b>104,216</b>	<b>104,216</b>
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	Base Realignment and Closure .....	0	0
BRAC	Unspecified Worldwide Locations	Int-4: DLA Activities .....	3,967	3,967
<b>Base Realignment and Closure—Defense-wide Total .....</b>			<b>3,967</b>	<b>3,967</b>
<b>Total, Military Construction .....</b>			<b>9,847,031</b>	<b>13,347,031</b>

1 **TITLE XLVII—DEPARTMENT OF**  
 2 **ENERGY NATIONAL SECURITY**  
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**  
 5 **PROGRAMS.**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
<b>Discretionary Summary by Appropriation</b>		
<b>Energy and Water Development and Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
Nuclear energy .....	149,800	149,800
<b>Atomic Energy Defense Activities</b>		
<b>National Nuclear Security Administration:</b>		
Weapons activities .....	15,484,295	15,981,328
Defense nuclear nonproliferation .....	1,934,000	1,957,000
Naval reactors .....	1,860,705	1,860,705
Federal Salaries and Expenses .....	464,000	464,000
<b>Total, National Nuclear Security Administration .....</b>	<b>19,743,000</b>	<b>20,263,033</b>
Defense environmental cleanup .....	6,841,670	6,480,759
Defense Uranium Enrichment D&D .....	0	0
Other defense activities .....	1,170,000	920,000
<b>Total, Atomic Energy Defense Activities .....</b>	<b>27,754,670</b>	<b>27,663,792</b>
<b>Total, Discretionary Funding .....</b>	<b>27,904,470</b>	<b>27,813,592</b>
<b>Nuclear Energy</b>		
Safeguards and security .....	149,800	149,800
<b>Total, Nuclear Energy .....</b>	<b>149,800</b>	<b>149,800</b>
<b>National Nuclear Security Administration</b>		
<b>Federal Salaries and Expenses</b>		
Program direction .....	464,000	464,000
<b>Weapons Activities</b>		
<b>Stockpile management</b>		
<b>Stockpile major modernization</b>		
B61 Life extension program .....	771,664	771,664
W76-2 Modification program .....	0	0
W88 Alteration program .....	207,157	207,157
W80-4 Life extension program .....	1,080,400	1,080,400
W80-4 ALT SLCM .....	10,000	10,000
W87-1 Modification Program (formerly IW1) .....	691,031	691,031
W93 .....	72,000	72,000
<b>Subtotal, Stockpile major modernization .....</b>	<b>2,832,252</b>	<b>2,832,252</b>
Stockpile sustainment .....	1,180,483	1,180,483
Weapons dismantlement and disposition .....	51,000	51,000
Production operations .....	568,941	568,941
<b>Total, Stockpile management .....</b>	<b>4,632,676</b>	<b>4,632,676</b>
<b>Production modernization</b>		
<b>Primary Capability Modernization</b>		
<b>Plutonium Modernization</b>		
<b>Los Alamos plutonium modernization</b>		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
Los Alamos Plutonium Operations .....	660,419	660,419
21-D-512, Plutonium Pit Production Project, LANL .....	350,000	350,000
<b>Subtotal, Los Alamos plutonium modernization .....</b>	<b>1,010,419</b>	<b>1,010,419</b>
<b>Savannah River plutonium modernization</b>		
Savannah River plutonium operations .....	128,000	128,000
21-D-511, Savannah River Plutonium Processing Facility, SRS .....	475,000	475,000
<b>Subtotal, Savannah River plutonium moderniza- tion .....</b>	<b>603,000</b>	<b>603,000</b>
Enterprise Plutonium Support .....	107,098	107,098
<b>Total, Plutonium Modernization .....</b>	<b>1,720,517</b>	<b>1,720,517</b>
High Explosives & Energetics .....	68,785	68,785
<b>Total, Primary Capability Modernization .....</b>	<b>1,789,302</b>	<b>1,789,302</b>
Secondary Capability Modernization .....	488,097	488,097
Tritium and Domestic Uranium Enrichment .....	489,017	489,017
Non-Nuclear Capability Modernization .....	144,563	144,563
<b>Total, Production modernization .....</b>	<b>2,910,979</b>	<b>2,910,979</b>
<b>Stockpile research, technology, and engineering</b>		
Assessment science .....	689,578	769,394
Engineering and integrated assessments .....	336,766	292,085
Inertial confinement fusion .....	529,000	580,000
Advanced simulation and computing .....	747,012	747,012
Weapon technology and manufacturing maturation .....	292,630	292,630
Academic programs .....	95,645	101,945
<b>Total, Stockpile research, technology, and engineering .....</b>	<b>2,690,631</b>	<b>2,783,066</b>
<b>Infrastructure and operations</b>		
<b>Operating</b>		
Operations of facilities .....	1,014,000	1,014,000
Safety and Environmental Operations .....	165,354	165,354
Maintenance and Repair of Facilities .....	670,000	1,020,000
<b>Recapitalization</b>		
Infrastructure and Safety .....	508,664	508,664
Capabilities Based Investments .....	143,066	143,066
Planning for Programmatic Construction (Pre-CD-1) .....	0	0
<b>Subtotal, Recapitalization .....</b>	<b>651,730</b>	<b>651,730</b>
<b>Total, Operating .....</b>	<b>2,501,084</b>	<b>2,851,084</b>
<b>Construction</b>		
<b>Programmatic</b>		
22-D-513 Power Sources Capability, SNL .....	13,827	13,827
21-D-510, HE Synthesis, Formulation, and Production Facil- ity, PX .....	44,500	36,200
18-D-690, Lithium Processing Facility, Y-12 .....	167,902	167,902
18-D-650, Tritium Finishing Facility, SRS .....	27,000	27,000
18-D-620, Exascale Computing Facility Modernization Project, LLNL .....	0	0
17-D-640, U1a Complex Enhancements Project, NNSS .....	135,000	135,000
15-D-302, TA-55 Reinvestment Project—Phase 3, LANL .....	27,000	27,000
15-D-301, HE Science & Engineering Facility, PX .....	0	0
07-D-220-04, Transuranic Liquid Waste Facility, LANL .....	0	0
06-D-141, Uranium Processing Facility, Y-12 .....	524,000	600,000
04-D-125, Chemistry and Metallurgy Research Replacement Project, LANL .....	138,123	138,123
<b>Total, Programmatic .....</b>	<b>1,077,352</b>	<b>1,145,052</b>
<b>Mission enabling</b>		
22-D-514 Digital Infrastructure Capability Expansion .....	8,000	8,000
<b>Total, Mission enabling .....</b>	<b>8,000</b>	<b>8,000</b>
<b>Total, Construction .....</b>	<b>1,085,352</b>	<b>1,153,052</b>
<b>Total, Infrastructure and operations .....</b>	<b>3,586,436</b>	<b>4,004,136</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	213,704	213,704
Program direction .....	117,060	117,060
<b>Total, Secure transportation asset .....</b>	<b>330,764</b>	<b>330,764</b>
<b>Defense nuclear security</b>		
Operations and maintenance .....	824,623	811,521
Security improvements program .....	0	0
<b>Construction:</b>		

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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
17-D-710, West end protected area reduction project, Y-12 .....	23,000	23,000
<b>Subtotal, construction</b> .....	<b>23,000</b>	<b>23,000</b>
<b>Total, Defense nuclear security</b> .....	<b>847,623</b>	<b>834,521</b>
<b>Information technology and cybersecurity</b> .....	<b>406,530</b>	406,530
<b>Legacy contractor pensions</b> .....	<b>78,656</b>	78,656
<b>Total, Weapons Activities</b> .....	<b>15,484,295</b>	<b>15,981,328</b>
<b>Adjustments</b>		
Use of prior year balances .....	0	0
<b>Total, Adjustments</b> .....	<b>0</b>	<b>0</b>
<b>Total, Weapons Activities</b> .....	<b>15,484,295</b>	<b>15,981,328</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
<b>Material management and minimization</b>		
Conversion (formerly HEU Reactor Conversion) .....	100,660	100,660
Nuclear material removal .....	42,100	42,100
Material disposition .....	200,186	200,186
Laboratory and partnership support .....	0	0
<b>Total, Material management &amp; minimization</b> .....	<b>342,946</b>	<b>342,946</b>
<b>Global material security</b>		
International nuclear security .....	79,939	79,939
Domestic radiological security .....	158,002	158,002
International radiological security .....	85,000	85,000
Nuclear smuggling detection and deterrence .....	175,000	185,000
<b>Total, Global material security</b> .....	<b>497,941</b>	<b>507,941</b>
Nonproliferation and arms control .....	184,795	184,795
National Technical Nuclear Forensics R&D .....	45,000	45,000
<b>Defense nuclear nonproliferation R&amp;D</b>		
Proliferation detection .....	269,407	269,407
Nonproliferation stewardship program .....	87,329	100,329
Nuclear detonation detection .....	271,000	271,000
Nonproliferation fuels development .....	0	0
<b>Total, Defense Nuclear Nonproliferation R&amp;D</b> .....	<b>627,736</b>	<b>640,736</b>
<b>Nonproliferation construction</b>		
<b>U. S. Construction:</b>		
18-D-150 Surplus Plutonium Disposition Project .....	156,000	156,000
99-D-143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS .....	0	0
<b>Total, U. S. Construction:</b> .....	<b>156,000</b>	<b>156,000</b>
<b>Total, Nonproliferation construction</b> .....	<b>156,000</b>	<b>156,000</b>
<b>Total, Defense Nuclear Nonproliferation Programs</b> .....	<b>1,854,418</b>	<b>1,877,418</b>
Legacy contractor pensions .....	38,800	38,800
<b>Nuclear counterterrorism and incident response program</b>		
Emergency Operations .....	14,597	14,597
Counterterrorism and Counterproliferation .....	356,185	356,185
<b>Total, Nuclear counterterrorism and incident response pro- gram</b> .....	<b>370,782</b>	<b>370,782</b>
<b>Subtotal, Defense Nuclear Nonproliferation</b> .....	<b>2,264,000</b>	<b>2,287,000</b>
<b>Adjustments</b>		
Use of prior year balances .....	0	0
Use of prior year MOX funding .....	-330,000	-330,000
<b>Total, Adjustments</b> .....	<b>-330,000</b>	<b>-330,000</b>
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>1,934,000</b>	<b>1,957,000</b>
<b>Naval Reactors</b>		
Naval reactors development .....	640,684	640,684
Columbia-Class reactor systems development .....	55,000	55,000
S8G Prototype refueling .....	126,000	126,000
Naval reactors operations and infrastructure .....	594,017	594,017
Program direction .....	55,579	55,579
<b>Construction:</b>		

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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
22-D-532 Security Upgrades KL .....	5,100	5,100
22-D-531 KL Chemistry & Radiological Health Building .....	41,620	41,620
21-D-530 KL Steam and Condensate Upgrades .....	0	0
14-D-901, Spent Fuel Handling Recapitalization Project, NRF .....	348,705	348,705
<b>Total, Construction</b> .....	<b>395,425</b>	<b>395,425</b>
Use of Prior Year unobligated balances .....	-6,000	-6,000
<b>Total, Naval Reactors</b> .....	<b>1,860,705</b>	<b>1,860,705</b>
<b>TOTAL, National Nuclear Security Administration</b> .....	<b>19,743,000</b>	<b>20,263,033</b>
<b>Defense Environmental Cleanup</b>		
Closure sites administration .....	3,987	3,987
<b>Richland:</b>		
River corridor and other cleanup operations .....	196,000	211,000
Central plateau remediation .....	689,776	689,776
Richland community and regulatory support .....	5,121	5,121
18-D-404 Modification of Waste Encapsulation and Storage Facility .....	8,000	8,000
22-D-401 L-888, 400 Area Fire Station .....	15,200	15,200
22-D-402 L-897, 200 Area Water Treatment Facility .....	12,800	12,800
<b>Total, Richland</b> .....	<b>926,897</b>	<b>941,897</b>
<b>Office of River Protection:</b>		
Waste Treatment Immobilization Plant Commissioning .....	50,000	50,000
Rad liquid tank waste stabilization and disposition .....	817,642	837,642
<b>Construction:</b>		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW .....	586,000	586,000
01-D-16 D, High-level waste facility .....	60,000	60,000
01-D-16 E, Pretreatment Facility .....	20,000	20,000
<b>Total, Construction</b> .....	<b>666,000</b>	<b>666,000</b>
ORP Low-level waste offsite disposal .....	7,000	7,000
<b>Total, Office of River Protection</b> .....	<b>1,540,642</b>	<b>1,560,642</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	358,925	358,925
Idaho community and regulatory support .....	2,658	2,658
<b>Construction:</b>		
22-D-403 Idaho Spent Nuclear Fuel Staging Facility .....	3,000	3,000
22-D-404 Addl ICDF Landfill Disposal Cell and Evaporation Ponds Project .....	5,000	5,000
<b>Total, Construction</b> .....	<b>8,000</b>	<b>8,000</b>
<b>Total, Idaho National Laboratory</b> .....	<b>369,583</b>	<b>369,583</b>
<b>NNSA sites and Nevada off-sites</b>		
Lawrence Livermore National Laboratory .....	1,806	1,806
LLNL Excess facilities D&D .....	35,000	35,000
Separations Processing Research Unit .....	15,000	15,000
Nevada Test Site .....	60,737	60,737
Sandia National Laboratory .....	4,576	4,576
Los Alamos National Laboratory .....	275,119	275,119
Los Alamos Excess facilities D&D .....	58,381	58,381
<b>Total, NNSA sites and Nevada off-sites</b> .....	<b>450,619</b>	<b>450,619</b>
<b>Oak Ridge Reservation:</b>		
OR Nuclear facility D&D .....	274,923	287,316
U233 Disposition Program .....	55,000	55,000
OR cleanup and waste disposition .....	73,725	73,725
<b>Construction:</b>		
17-D-401 On-site waste disposal facility .....	12,500	12,500
14-D-403 Outfall 200 Mercury Treatment Facility .....	0	0
<b>Subtotal, Construction:</b> .....	<b>12,500</b>	<b>12,500</b>
OR community & regulatory support .....	5,096	5,096
OR technology development and deployment .....	3,000	3,000
<b>Total, Oak Ridge Reservation</b> .....	<b>424,244</b>	<b>436,637</b>
<b>Savannah River Site:</b>		
Savannah River risk management operations .....	452,724	454,090
SR legacy pensions .....	130,882	130,882
SR community and regulatory support .....	5,805	11,805
<b>Construction:</b>		

<b>SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS</b> (In Thousands of Dollars)		
Program	FY 2022 Request	Conference Authorized
20-D-402 Advanced Manufacturing Collaborative Facility (AMC) ...	0	0
20-D-401 Saltstone Disposal Unit #10, 11, 12 .....	19,500	19,500
19-D-701 SR Security systems replacement .....	5,000	5,000
18-D-402 Saltstone disposal unit #8/9 .....	68,000	68,000
17-D-402 Saltstone Disposal Unit #7 .....	0	0
05-D-405 Salt waste processing facility, SRS .....	0	0
8-D-402 Emergency Operations Center Replacement, SR .....	8,999	8,999
Radioactive liquid tank waste stabilization .....	890,865	890,865
<b>Total, Savannah River Site .....</b>	<b>1,581,775</b>	<b>1,589,141</b>
<b>Waste Isolation Pilot Plant</b>		
Waste Isolation Pilot Plant .....	350,424	350,424
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	55,000	55,000
15-D-412 Exhaust shaft, WIPP .....	25,000	25,000
21-D-401 Hoisting Capability Project .....	0	0
<b>Total, Construction .....</b>	<b>80,000</b>	<b>80,000</b>
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>430,424</b>	<b>430,424</b>
Program direction—Defense Environmental Cleanup .....	293,106	293,106
Program support—Defense Environmental Cleanup .....	62,979	62,979
Safeguards and Security—Defense Environmental Cleanup .....	316,744	316,744
Technology development and deployment .....	25,000	25,000
Federal contribution to the Uranium Enrichment D&D Fund .....	415,670	0
Use of prior year balances .....	0	0
<b>Subtotal, Defense environmental cleanup .....</b>	<b>6,841,670</b>	<b>6,480,759</b>
<b>TOTAL, Defense Environmental Cleanup .....</b>	<b>6,841,670</b>	<b>6,480,759</b>
<b>Defense Uranium Enrichment D&amp;D .....</b>	<b>0</b>	<b>0</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security mission support .....	130,809	130,809
Program direction .....	75,511	75,511
<b>Total, Environment, health, safety and security .....</b>	<b>206,320</b>	<b>206,320</b>
<b>Independent enterprise assessments</b>		
Enterprise assessments .....	27,335	27,335
Program direction—Office of Enterprise Assessments .....	56,049	56,049
<b>Total, Office of Enterprise Assessments .....</b>	<b>83,384</b>	<b>83,384</b>
Specialized security activities .....	283,500	283,500
<b>Office of Legacy Management</b>		
Legacy management activities—defense .....	408,797	158,797
Program direction .....	19,933	19,933
<b>Total, Office of Legacy Management .....</b>	<b>428,730</b>	<b>178,730</b>
Defense related administrative support .....	163,710	163,710
Office of hearings and appeals .....	4,356	4,356
<b>Subtotal, Other defense activities .....</b>	<b>1,170,000</b>	<b>920,000</b>
Use of prior year balances .....	0	0
<b>Total, Other Defense Activities .....</b>	<b>1,170,000</b>	<b>920,000</b>

1 **DIVISION E—DEPARTMENT OF**  
2 **STATE AUTHORIZATION ACT**  
3 **OF 2021**

Sec. 5001. Short title.

Sec. 5002. Definitions.

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “Department of  
6 State Authorization Act of 2021”.

7 **SEC. 5002. DEFINITIONS.**

8 In this division:

9 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
10 **TEES.**—The term “appropriate congressional com-  
11 mittees” means the Committee on Foreign Relations  
12 of the Senate and the Committee on Foreign Affairs  
13 of the House of Representatives.

14 (2) **DEPARTMENT.**—If not otherwise specified,  
15 the term “Department” means the Department of  
16 State.

17 (3) **SECRETARY.**—If not otherwise specified, the  
18 term “Secretary” means the Secretary of State.

19 **TITLE LI—ORGANIZATION AND**  
20 **OPERATIONS OF THE DE-**  
21 **PARTMENT OF STATE**

Sec. 5101. Sense of Congress on importance of Department of State’s work.

Sec. 5102. Assistant Secretary for International Narcotics and Law Enforcement Affairs.

Sec. 5103. Bureau of Consular Affairs; Bureau of Population, Refugees, and Migration.

- Sec. 5104. Office of International Disability Rights.  
Sec. 5105. Special appointment authority.  
Sec. 5106. Repeal of authority for Special Representative and Policy Coordinator for Burma.  
Sec. 5107. Anti-piracy information sharing.  
Sec. 5108. Importance of foreign affairs training to national security.  
Sec. 5109. Classification and assignment of Foreign Service officers.  
Sec. 5110. Reporting on implementation of GAO recommendations.  
Sec. 5111. Extension of period for reimbursement of fishermen for costs incurred from the illegal seizure and detention of U.S.-flag fishing vessels by foreign governments.  
Sec. 5112. Art in embassies.  
Sec. 5113. International fairs and expositions.  
Sec. 5114. Amendment or repeal of reporting requirements.

1 **SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DE-**  
2 **PARTMENT OF STATE'S WORK.**

3 It is the sense of Congress that—

4 (1) United States global engagement is key to  
5 a stable and prosperous world;

6 (2) United States leadership is indispensable in  
7 light of the many complex and interconnected  
8 threats facing the United States and the world;

9 (3) diplomacy and development are critical tools  
10 of national power, and full deployment of these tools  
11 is vital to United States national security;

12 (4) challenges such as the global refugee and  
13 migration crises, terrorism, historic famine and food  
14 insecurity, and fragile or repressive societies cannot  
15 be addressed without sustained and robust United  
16 States diplomatic and development leadership;

17 (5) the United States Government must use all  
18 of the instruments of national security and foreign  
19 policy at its disposal to protect United States citi-



1 zens, promote United States interests and values,  
2 and support global stability and prosperity;

3 (6) United States security and prosperity de-  
4 pend on having partners and allies that share our in-  
5 terests and values, and these partnerships are nur-  
6 tured and our shared interests and values are pro-  
7 moted through United States diplomatic engage-  
8 ment, security cooperation, economic statecraft, and  
9 assistance that helps further economic development,  
10 good governance, including the rule of law and  
11 democratic institutions, and the development of  
12 shared responses to natural and humanitarian disas-  
13 ters;

14 (7) as the United States Government agencies  
15 primarily charged with conducting diplomacy and  
16 development, the Department and the United States  
17 Agency for International Development (USAID) re-  
18 quire sustained and robust funding to carry out this  
19 important work, which is essential to our ability to  
20 project United States leadership and values and to  
21 advance United States interests around the world;

22 (8) the work of the Department and USAID  
23 makes the United States and the world safer and  
24 more prosperous by alleviating global poverty and  
25 hunger, fighting HIV/AIDS and other infectious dis-

1       eases, strengthening alliances, expanding educational  
2       opportunities for women and girls, promoting good  
3       governance and democracy, supporting anti-corrup-  
4       tion efforts, driving economic development and  
5       trade, preventing armed conflicts and humanitarian  
6       crises, and creating American jobs and export oppor-  
7       tunities;

8               (9) the Department and USAID are vital na-  
9       tional security agencies, whose work is critical to the  
10       projection of United States power and leadership  
11       worldwide, and without which Americans would be  
12       less safe, United States economic power would be di-  
13       minished, and global stability and prosperity would  
14       suffer;

15              (10) investing in diplomacy and development  
16       before conflicts break out saves American lives while  
17       also being cost-effective; and

18              (11) the contributions of personnel working at  
19       the Department and USAID are extraordinarily val-  
20       uable and allow the United States to maintain its  
21       leadership around the world.

1 **SEC. 5102. ASSISTANT SECRETARY FOR INTERNATIONAL**  
2 **NARCOTICS AND LAW ENFORCEMENT AF-**  
3 **FAIRS.**

4 (a) IN GENERAL.—Section 1(c) of the State Depart-  
5 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a(c))  
6 is amended—

7 (1) by redesignating paragraphs (3) and (4) as  
8 paragraphs (4) and (5), respectively; and

9 (2) by inserting after paragraph (2) the fol-  
10 lowing new paragraph:

11 “(3) ASSISTANT SECRETARY FOR INTER-  
12 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-  
13 FAIRS.—

14 “(A) IN GENERAL.—There is authorized to  
15 be in the Department of State an Assistant  
16 Secretary for International Narcotics and Law  
17 Enforcement Affairs, who shall be responsible  
18 to the Secretary of State for all matters, pro-  
19 grams, and related activities pertaining to inter-  
20 national narcotics, anti-crime, and law enforce-  
21 ment affairs in the conduct of foreign policy by  
22 the Department, including, as appropriate, lead-  
23 ing the coordination of programs carried out by  
24 United States Government agencies abroad, and  
25 such other related duties as the Secretary may  
26 from time to time designate.

1           “(B) AREAS OF RESPONSIBILITY.—The  
2           Assistant Secretary for International Narcotics  
3           and Law Enforcement Affairs shall maintain  
4           continuous observation and coordination of all  
5           matters pertaining to international narcotics,  
6           anti-crime, and law enforcement affairs in the  
7           conduct of foreign policy, including programs  
8           carried out by other United States Government  
9           agencies when such programs pertain to the fol-  
10          lowing matters:

11                   “(i) Combating international narcotics  
12                   production and trafficking.

13                   “(ii) Strengthening foreign justice sys-  
14                   tems, including judicial and prosecutorial  
15                   capacity, appeals systems, law enforcement  
16                   agencies, prison systems, and the sharing  
17                   of recovered assets.

18                   “(iii) Training and equipping foreign  
19                   police, border control, other government of-  
20                   ficials, and other civilian law enforcement  
21                   authorities for anti-crime purposes, includ-  
22                   ing ensuring that no foreign security unit  
23                   or member of such unit shall receive such  
24                   assistance from the United States Govern-  
25                   ment absent appropriate vetting.

1           “(iv) Ensuring the inclusion of human  
2 rights and women’s participation issues in  
3 law enforcement programs, in consultation  
4 with the Assistant Secretary for Democ-  
5 racy, Human Rights, and Labor, and other  
6 senior officials in regional and thematic  
7 bureaus and offices.

8           “(v) Combating, in conjunction with  
9 other relevant bureaus of the Department  
10 of State and other United States Govern-  
11 ment agencies, all forms of transnational  
12 organized crime, including human traf-  
13 ficking, illicit trafficking in arms, wildlife,  
14 and cultural property, migrant smuggling,  
15 corruption, money laundering, the illicit  
16 smuggling of bulk cash, the licit use of fi-  
17 nancial systems for malign purposes, and  
18 other new and emerging forms of crime.

19           “(vi) Identifying and responding to  
20 global corruption, including strengthening  
21 the capacity of foreign government institu-  
22 tions responsible for addressing financial  
23 crimes and engaging with multilateral or-  
24 ganizations responsible for monitoring and

1 supporting foreign governments' anti-cor-  
2 ruption efforts.

3 “(C) ADDITIONAL DUTIES.—In addition to  
4 the responsibilities specified in subparagraph  
5 (B), the Assistant Secretary for International  
6 Narcotics and Law Enforcement Affairs shall  
7 also—

8 “(i) carry out timely and substantive  
9 consultation with chiefs of mission and, as  
10 appropriate, the heads of other United  
11 States Government agencies to ensure ef-  
12 fective coordination of all international  
13 narcotics and law enforcement programs  
14 carried out overseas by the Department  
15 and such other agencies;

16 “(ii) coordinate with the Office of Na-  
17 tional Drug Control Policy to ensure les-  
18 sons learned from other United States  
19 Government agencies are available to the  
20 Bureau of International Narcotics and  
21 Law Enforcement Affairs of the Depart-  
22 ment;

23 “(iii) develop standard requirements  
24 for monitoring and evaluation of Bureau  
25 programs, including metrics for success

1 that do not rely solely on the amounts of  
2 illegal drugs that are produced or seized;

3 “(iv) in coordination with the Sec-  
4 retary of State, annually certify in writing  
5 to the Committee on Foreign Relations of  
6 the Senate that United States and the  
7 Committee on Foreign Affairs of the  
8 House of Representatives enforcement per-  
9 sonnel posted abroad whose activities are  
10 funded to any extent by the Bureau of  
11 International Narcotics and Law Enforce-  
12 ment Affairs are complying with section  
13 207 of the Foreign Service Act of 1980  
14 (22 U.S.C. 3927); and

15 “(v) carry out such other relevant du-  
16 ties as the Secretary may assign.

17 “(D) RULE OF CONSTRUCTION.—Nothing  
18 in this paragraph may be construed to limit or  
19 impair the authority or responsibility of any  
20 other Federal agency with respect to law en-  
21 forcement, domestic security operations, or in-  
22 telligence activities as defined in Executive  
23 Order 12333.”.

24 (b) MODIFICATION OF ANNUAL INTERNATIONAL  
25 NARCOTICS CONTROL STRATEGY REPORT.—Subsection

1 (a) of section 489 of the Foreign Assistance Act of 1961  
2 (22 U.S.C. 2291h) is amended by inserting after para-  
3 graph (9) the following new paragraph:

4           “(10) A separate section that contains an iden-  
5 tification of all United States Government-supported  
6 units funded by the Bureau of International Nar-  
7 cotics and Law Enforcement Affairs and any Bu-  
8 reau-funded operations by such units in which  
9 United States law enforcement personnel have been  
10 physically present.”.

11 **SEC. 5103. BUREAU OF CONSULAR AFFAIRS; BUREAU OF**  
12 **POPULATION, REFUGEES, AND MIGRATION.**

13 Section 1 of the State Department Basic Authorities  
14 Act of 1956 (22 U.S.C. 2651a) is amended—

15           (1) by redesignating subsection (g) as sub-  
16 section (j); and

17           (2) by inserting after subsection (f) the fol-  
18 lowing new subsections:

19           “(g) BUREAU OF CONSULAR AFFAIRS.—There is in  
20 the Department of State the Bureau of Consular Affairs,  
21 which shall be headed by the Assistant Secretary of State  
22 for Consular Affairs.

23           “(h) BUREAU OF POPULATION, REFUGEES, AND MI-  
24 GRATION.—There is in the Department of State the Bu-  
25 reau of Population, Refugees, and Migration, which shall



1 be headed by the Assistant Secretary of State for Popu-  
2 lation, Refugees, and Migration.”.

3 **SEC. 5104. OFFICE OF INTERNATIONAL DISABILITY RIGHTS.**

4 (a) ESTABLISHMENT.—There should be established  
5 in the Department of State an Office of International Dis-  
6 ability Rights (referred to in this section as the “Office”).

7 (b) DUTIES.—The Office should—

8 (1) seek to ensure that all United States for-  
9 eign operations are accessible to, and inclusive of,  
10 persons with disabilities;

11 (2) promote the human rights and full partici-  
12 pation in international development activities of all  
13 persons with disabilities;

14 (3) promote disability inclusive practices and  
15 the training of Department of State staff on solici-  
16 ting quality programs that are fully inclusive of peo-  
17 ple with disabilities;

18 (4) represent the United States in diplomatic  
19 and multilateral fora on matters relevant to the  
20 rights of persons with disabilities, and work to raise  
21 the profile of disability across a broader range of or-  
22 ganizations contributing to international develop-  
23 ment efforts;

24 (5) conduct regular consultation with civil soci-  
25 ety organizations working to advance international

1 disability rights and empower persons with disabili-  
2 ties internationally;

3 (6) consult with other relevant offices at the  
4 Department that are responsible for drafting annual  
5 reports documenting progress on human rights, in-  
6 cluding, wherever applicable, references to instances  
7 of discrimination, prejudice, or abuses of persons  
8 with disabilities;

9 (7) advise the Bureau of Human Resources or  
10 its equivalent within the Department regarding the  
11 hiring and recruitment and overseas practices of civil  
12 service employees and Foreign Service officers with  
13 disabilities and their family members with chronic  
14 medical conditions or disabilities; and

15 (8) carry out such other relevant duties as the  
16 Secretary of State may assign.

17 (c) SUPERVISION.—The Office may be headed by—

18 (1) a senior advisor to the appropriate Assist-  
19 ant Secretary of State; or

20 (2) an officer exercising significant authority  
21 who reports to the President or Secretary of State,  
22 appointed by and with the advice and consent of the  
23 Senate.

24 (d) CONSULTATION.—The Secretary of State should  
25 direct Ambassadors at Large, Representatives, Special

1 Envoys, and coordinators working on human rights to con-  
2 sult with the Office to promote the human rights and full  
3 participation in international development activities of all  
4 persons with disabilities.

5 **SEC. 5105. SPECIAL APPOINTMENT AUTHORITY.**

6 Section 1 of the State Department Basic Authorities  
7 Act of 1956 (22 U.S.C. 2651a), as amended by section  
8 6103 of this Act, is further amended by inserting after  
9 subsection (h) the following new subsection:

10 “(i) SPECIAL APPOINTMENTS.—

11 “(1) POSITIONS EXERCISING SIGNIFICANT AU-  
12 THORITY.—The President may, by and with the ad-  
13 vice and consent of the Senate, appoint an individual  
14 as a Special Envoy, Special Representative, Special  
15 Coordinator, Special Negotiator, Envoy, Representa-  
16 tive, Coordinator, Special Advisor, or other position  
17 performing a similar function, regardless of title, at  
18 the Department of State exercising significant au-  
19 thority pursuant to the laws of the United States.  
20 Except as provided in paragraph (3) or in clause 3,  
21 section 2, article II of the Constitution (relating to  
22 recess appointments), an individual may not be des-  
23 ignated as a Special Envoy, Special Representative,  
24 Special Coordinator, Special Negotiator, Envoy,  
25 Representative, Coordinator, Special Advisor, or

1 other position performing a similar function, regard-  
2 less of title, at the Department exercising significant  
3 authority pursuant to the laws of the United States  
4 without the advice and consent of the Senate.

5 “(2) POSITIONS NOT EXERCISING SIGNIFICANT  
6 AUTHORITY.—The President or Secretary of State  
7 may appoint any Special Envoy, Special Representa-  
8 tive, Special Coordinator, Special Negotiator, Special  
9 Envoy, Representative, Coordinator, Special Advisor,  
10 or other position performing a similar function, re-  
11 gardless of title, at the Department of State not ex-  
12 ercising significant authority pursuant to the laws of  
13 the United States without the advice and consent of  
14 the Senate, if the President or Secretary, not later  
15 than 15 days before the appointment of a person to  
16 such a position, submits to the appropriate congress-  
17 sional committees a notification that includes the  
18 following:

19 “(A) A certification that the position does  
20 not require the exercise of significant authority  
21 pursuant to the laws of the United States.

22 “(B) A description of the duties and pur-  
23 pose of the position.

24 “(C) The rationale for giving the specific  
25 title and function to the position.

1           “(3) LIMITED EXCEPTION FOR TEMPORARY AP-  
2           POINTMENTS EXERCISING SIGNIFICANT AUTHOR-  
3           ITY.—The President may maintain or establish a po-  
4           sition with the title of Special Envoy, Special Rep-  
5           resentative, Special Coordinator, Special Negotiator,  
6           Envoy, Representative, Coordinator, Special Advisor,  
7           or other position performing a similar function, re-  
8           gardless of title, at the Department of State exer-  
9           cising significant authority pursuant to the laws of  
10          the United States for not longer than 180 days if  
11          the Secretary of State, not later than 15 days after  
12          the appointment of a person to such a position, or  
13          30 days after the date of the enactment of this sub-  
14          section, whichever is earlier, submits to the Com-  
15          mittee on Foreign Relations of the Senate and the  
16          Committee on Foreign Affairs of the House of Rep-  
17          resentatives a notification that includes the fol-  
18          lowing:

19                   “(A) The necessity for conferring such title  
20                   and function.

21                   “(B) The dates during which such title  
22                   and function will be held.

23                   “(C) The justification for not submitting  
24                   the proposed conferral of such title and func-

1           tion to the Senate as a nomination for advice  
2           and consent to appointment.

3           “(D) All relevant information concerning  
4           any potential conflict of interest which the pro-  
5           posed recipient of such title and function may  
6           have with regard to the appointment.

7           “(4) RENEWAL OF TEMPORARY APPOINT-  
8           MENT.—The President may renew for one period not  
9           to exceed 180 days any position maintained or es-  
10          tablished under paragraph (3) if the President, not  
11          later than 15 days before issuing such renewal, sub-  
12          mits to the Committee on Foreign Relations of the  
13          Senate and the Committee on Foreign Affairs of the  
14          House of Representatives a detailed justification on  
15          the necessity of such extension, including the dates  
16          with respect to which such title will continue to be  
17          held and the justification for not submitting such  
18          title to the Senate as a nomination for advice and  
19          consent.

20          “(5) EXEMPTION.—Paragraphs (1) through (4)  
21          shall not apply to a Special Envoy, Special Rep-  
22          resentative, Special Coordinator, Special Negotiator,  
23          Envoy, Representative, Coordinator, Special Advisor,  
24          or other person performing a similar function, re-

1            regardless of title, at the Department of State if the  
2            position is expressly mandated by statute.

3            “(6) EFFECTIVE DATE.—This subsection shall  
4            apply to appointments made on or after January 3,  
5            2023.”.

6    **SEC. 5106. REPEAL OF AUTHORITY FOR SPECIAL REP-**  
7                            **RESENTATIVE AND POLICY COORDINATOR**  
8                            **FOR BURMA.**

9            Section 7 of the Tom Lantos Block Burmese Jade  
10          (Junta’s Anti-Democratic Efforts) Act of 2008 (Public  
11          Law 110–286; 50 U.S.C. 1701 note) relating to the estab-  
12          lishment of a Special Representative and Policy Coordi-  
13          nator for Burma) is hereby repealed.

14    **SEC. 5107. ANTI-PIRACY INFORMATION SHARING.**

15          The Secretary is authorized to provide for the partici-  
16          pation by the United States in the Information Sharing  
17          Centre located in Singapore, as established by the Re-  
18          gional Cooperation Agreement on Combating Piracy and  
19          Armed Robbery against Ships in Asia (ReCAAP).

20    **SEC. 5108. IMPORTANCE OF FOREIGN AFFAIRS TRAINING**  
21                            **TO NATIONAL SECURITY.**

22          (a) SENSE OF CONGRESS.—It is the sense of Con-  
23          gress that—

24                  (1) the Department is a crucial national secu-  
25          rity agency, whose employees, both Foreign and Civil

1 Service, require the best possible training at every  
2 stage of their careers to prepare them to promote  
3 and defend United States national interests and the  
4 health and safety of United States citizens abroad;

5 (2) the Department's investment of time and  
6 resources with respect to the training and education  
7 of its personnel is considerably below the level of  
8 other Federal departments and agencies in the na-  
9 tional security field, and falls well below the invest-  
10 ments many allied and adversarial countries make in  
11 the development of their diplomats;

12 (3) the Department faces increasingly complex  
13 and rapidly evolving challenges, many of which are  
14 science and technology-driven, and which demand  
15 the continual, high-quality training and education of  
16 its personnel;

17 (4) the Department must move beyond reliance  
18 on "on-the-job training" and other informal  
19 mentorship practices, which lead to an inequality in  
20 skillset development and career advancement oppor-  
21 tunities, often particularly for minority personnel,  
22 and towards a robust professional tradecraft train-  
23 ing continuum that will provide for greater equality  
24 in career advancement and increase minority partici-  
25 pation in the senior ranks;



1           (5) the Department’s Foreign Service Institute  
2           and other training facilities should seek to substan-  
3           tially increase their educational and training offer-  
4           ings to Department personnel, including developing  
5           new and innovative educational and training courses,  
6           methods, programs, and opportunities; and

7           (6) consistent with existing Department gift ac-  
8           ceptance authority and other applicable laws, the  
9           Department and Foreign Service Institute may ac-  
10          cept funds and other resources from foundations,  
11          not-for-profit corporations, and other appropriate  
12          sources to help the Department and the Institute en-  
13          hance the quantity and quality of training offerings,  
14          especially in the introduction of new, innovative, and  
15          pilot model courses.

16          (b) TRAINING FLOAT.—Not later than 90 days after  
17          the date of the enactment of this Act, the Secretary of  
18          State shall develop and submit to the appropriate congres-  
19          sional committees a strategy to establish a “training float”  
20          to allow for up to 15 percent of the Civil and Foreign  
21          Service to participate in long-term training at any given  
22          time. The strategy should identify steps necessary to en-  
23          sure the implementation of the training priorities identi-  
24          fied in subsection (c), sufficient training capacity and op-  
25          portunities are available to Civil and Foreign Service offi-

1 cers, the equitable distribution of long-term training op-  
2 portunities to Civil and Foreign Service officers, and the  
3 provision of any additional resources or authorities nec-  
4 essary to facilitate such a training float, including pro-  
5 grams at the George P. Schultz National Foreign Affairs  
6 Training Center, the Foreign Service Institute, the For-  
7 eign Affairs Security Training Center, and other facilities  
8 or programs operated by the Department of State. The  
9 strategy shall identify which types of training would be  
10 prioritized, the extent (if any) to which such training is  
11 already being provided to Civil and Foreign Service offi-  
12 cers by the Department of State, any factors incentivizing  
13 or disincentivizing such training, and why such training  
14 cannot be achieved without Civil and Foreign Service offi-  
15 cers leaving the workforce. In addition to training oppor-  
16 tunities provided by the Department, the strategy shall  
17 consider training that could be provided by the other  
18 United States Government training institutions, as well as  
19 nongovernmental educational institutions. The strategy  
20 shall consider approaches to overcome disincentives to  
21 pursuing long-term training.

22 (c) PRIORITIZATION.—In order to provide the Civil  
23 and Foreign Service with the level of education and train-  
24 ing needed to effectively advance United States interests  
25 across the globe, the Department of State should—

1 (1) increase its offerings—

2 (A) of virtual instruction to make training  
3 more accessible to personnel deployed through-  
4 out the world; or

5 (B) at partner organizations to provide  
6 useful outside perspectives to Department per-  
7 sonnel;

8 (2) offer courses utilizing computer-based or as-  
9 sisted simulations, allowing civilian officers to lead  
10 decisionmaking in a crisis environment; and

11 (3) consider increasing the duration and ex-  
12 panding the focus of certain training courses, includ-  
13 ing—

14 (A) the A-100 orientation course for For-  
15 eign Service officers, and

16 (B) the chief of mission course to more ac-  
17 curately reflect the significant responsibilities  
18 accompanying such role.

19 (d) OTHER AGENCY RESPONSIBILITIES.—Other na-  
20 tional security agencies should increase the enrollment of  
21 their personnel in courses at the Foreign Service Institute  
22 and other Department of State training facilities to pro-  
23 mote a whole-of-government approach to mitigating na-  
24 tional security challenges.

1 **SEC. 5109. CLASSIFICATION AND ASSIGNMENT OF FOREIGN**  
2 **SERVICE OFFICERS.**

3 The Foreign Service Act of 1980 is amended—

4 (1) in section 501 (22 U.S.C. 3981), by insert-  
5 ing “If a position designated under this section is  
6 unfilled for more than 365 calendar days, such posi-  
7 tion may be filled, as appropriate, on a temporary  
8 basis, in accordance with section 309.” after “Posi-  
9 tions designated under this section are excepted  
10 from the competitive service.”; and

11 (2) in paragraph (2) of section 502(a) (22  
12 U.S.C. 3982(a)), by inserting “, or domestically, in  
13 a position working on issues relating to a particular  
14 country or geographic area,” after “geographic  
15 area”.

16 **SEC. 5110. REPORTING ON IMPLEMENTATION OF GAO REC-**  
17 **COMMENDATIONS.**

18 (a) INITIAL REPORT.—Not later than 120 days after  
19 the date of the enactment of this Act, the Secretary shall  
20 submit to the appropriate congressional committees a re-  
21 port that lists all of the Government Accountability Of-  
22 fice’s recommendations relating to the Department that  
23 have not been fully implemented.

24 (b) IMPLEMENTATION REPORT.—

25 (1) IN GENERAL.—Not later than 120 days  
26 after the date of the submission of the Comptroller

1 General's report under subsection (b), the Secretary  
2 shall submit to the appropriate congressional com-  
3 mittees a report that describes the implementation  
4 status of each recommendation from the Govern-  
5 ment Accountability Office included in the report  
6 submitted under subsection (a).

7 (2) JUSTIFICATION.—The report under para-  
8 graph (1) shall include—

9 (A) a detailed justification for each deci-  
10 sion not to fully implement a recommendation  
11 or to implement a recommendation in a dif-  
12 ferent manner than specified by the Govern-  
13 ment Accountability Office;

14 (B) a timeline for the full implementation  
15 of any recommendation the Secretary has de-  
16 cided to adopt, but has not yet fully imple-  
17 mented; and

18 (C) an explanation for any discrepancies  
19 included in the Comptroller General report sub-  
20 mitted under subsection (b).

21 (c) FORM.—The information required in each report  
22 under this section shall be submitted in unclassified form,  
23 to the maximum extent practicable, but may be included  
24 in a classified annex to the extent necessary.

1 **SEC. 5111. EXTENSION OF PERIOD FOR REIMBURSEMENT**  
2 **OF FISHERMEN FOR COSTS INCURRED FROM**  
3 **THE ILLEGAL SEIZURE AND DETENTION OF**  
4 **U.S.-FLAG FISHING VESSELS BY FOREIGN**  
5 **GOVERNMENTS.**

6 (a) IN GENERAL.—Subsection (e) of section 7 of the  
7 Fishermen’s Protective Act of 1967 (22 U.S.C. 1977) is  
8 amended to read as follows:

9 “(e) AMOUNTS.—Payments may be made under this  
10 section only to such extent and in such amounts as are  
11 provided in advance in appropriation Acts.”.

12 (b) RETROACTIVE APPLICABILITY.—

13 (1) EFFECTIVE DATE.—The amendment made  
14 by subsection (a) shall take effect on the date of the  
15 enactment of this Act and apply as if the date speci-  
16 fied in subsection (e) of section 7 of the Fishermen’s  
17 Protective Act of 1967, as in effect on the day be-  
18 fore the date of the enactment of this Act, were the  
19 day after such date of enactment.

20 (2) AGREEMENTS AND PAYMENTS.—The Sec-  
21 retary is authorized to—

22 (A) enter into agreements pursuant to sec-  
23 tion 7 of the Fishermen’s Protective Act of  
24 1967 for any claims to which such section  
25 would otherwise apply but for the date specified  
26 in subsection (e) of such section, as in effect on

1 the day before the date of the enactment of this  
2 Act; and

3 (B) make payments in accordance with  
4 agreements entered into pursuant to such sec-  
5 tion if any such payments have not been made  
6 as a result of the expiration of the date speci-  
7 fied in such section, as in effect on the day be-  
8 fore the date of the enactment of this Act.

9 **SEC. 5112. ART IN EMBASSIES.**

10 (a) IN GENERAL.—No funds are authorized to be ap-  
11 propriated for the purchase of any piece of art for the  
12 purposes of installation or display in any embassy, con-  
13 sulate, or other foreign mission of the United States if  
14 the purchase price of such piece of art is in excess of  
15 \$37,500, unless such purchase is subject to prior consulta-  
16 tion with, and the regular notification procedures of, the  
17 appropriate congressional committees.

18 (b) REPORT.—Not later than 90 days after the date  
19 of the enactment of this Act, the Secretary shall submit  
20 to the appropriate congressional committees and the Com-  
21 mittees on Appropriations of the Senate and the House  
22 of Representatives a report on the costs of the Art in Em-  
23 bassies Program for each of fiscal years 2016 through  
24 2020.

1 (c) SUNSET.—This section shall terminate on the  
2 date that is 2 years after the date of the enactment of  
3 this Act.

4 (d) DEFINITION.—In this section, the term “art” in-  
5 cludes paintings, sculptures, photographs, industrial de-  
6 sign, and craft art.

7 **SEC. 5113. INTERNATIONAL FAIRS AND EXPOSITIONS.**

8 There is authorized to be appropriated \$20,000,000  
9 for the Department of State for United States participa-  
10 tion in international fairs and expositions abroad, includ-  
11 ing for construction and the operation of United States  
12 pavilions or other major exhibits.

13 **SEC. 5114. AMENDMENT OR REPEAL OF REPORTING RE-**  
14 **QUIREMENTS.**

15 (a) BURMA.—

16 (1) IN GENERAL.—Section 570 of Public Law  
17 104–208 is amended—

18 (A) by amending subsection (c) to read as  
19 follows:

20 “(c) MULTILATERAL STRATEGY.—The President  
21 shall develop, in coordination with likeminded countries,  
22 a comprehensive, multilateral strategy to—

23 “(1) support democratic governance and inclu-  
24 sive and representative civilian government, includ-  
25 ing by supporting entities promoting democracy in



1 Burma and denying legitimacy and resources to the  
2 military junta;

3 “(2) support organizations that represent the  
4 democratic aspirations of the people of Burma in the  
5 struggle against the military junta;

6 “(3) impose costs on the military junta;

7 “(4) secure the unconditional release of all po-  
8 litical prisoners in Burma;

9 “(5) promote genuine national reconciliation  
10 among Burma’s diverse ethnic and religious groups;

11 “(6) provide humanitarian assistance to inter-  
12 nally displaced persons in Burma, particularly in  
13 areas targeted by the military junta, and in neigh-  
14 boring countries for refugees from Burma;

15 “(7) pursue accountability for atrocities, human  
16 rights violations, and crimes against humanity com-  
17 mitted by the military junta or the Tatmadaw; and

18 “(8) counter corrosive malign influence of the  
19 People’s Republic of China and the Russian Federa-  
20 tion in Burma.”; and

21 (B) in subsection (d)—

22 (i) in the matter preceding paragraph  
23 (1), by striking “six months” and inserting  
24 “year”; and

1                   (ii) by striking paragraphs (1)  
2                   through (3) and inserting the following  
3                   new paragraphs:

4                   “(1) progress towards inclusive, democratic gov-  
5                   ernance in Burma;

6                   “(2) improvements in human rights practices  
7                   and accountability for atrocities, human rights viola-  
8                   tions, and crimes against humanity committed by  
9                   the Tatmadaw, or military junta of Burma;

10                  “(3) progress toward broad-based and inclusive  
11                  economic growth;

12                  “(4) progress toward genuine national reconcili-  
13                  ation;

14                  “(5) steps taken to impose costs on the military  
15                  junta;

16                  “(6) progress made in advancing the strategy  
17                  referred to in subsection (c); and

18                  “(7) actions by the People’s Republic of China  
19                  or the Russian Federation that undermine the sov-  
20                  ereignty, stability, or unity of Burma.”.

21                  (2) EFFECTIVE DATE.—The amendments made  
22                  by paragraph (1) shall take effect on the date of the  
23                  enactment of this Act and apply with respect to the  
24                  first report required under subsection (d) of section

1       570 of Public Law 104–208 that is required after  
2       the date of the enactment of this Act.

3       (b) REPEALS.—The following provisions of law are  
4       hereby repealed:

5             (1) Subsection (b) of section 804 of Public Law  
6       101–246.

7             (2) Section 6 of Public Law 104–45.

8             (3) Subsection (c) of section 702 of Public Law  
9       96–465 (22 U.S.C. 4022).

10            (4) Section 404 of the Arms Control and Disar-  
11       mament Act (22 U.S.C. 2593b).

12            (5) Section 5 of Public Law 94–304 (22 U.S.C.  
13       3005).

14            (6) Subsection (b) of section 502 of the Inter-  
15       national Security and Development Cooperation Act  
16       of 1985 (22 U.S.C. 2349aa–7).

17       (c) REPORT TO CONGRESS.—Not later than 180 days  
18       after the date of the enactment of this Act, the Secretary  
19       of State and the Administrator of the United States Agen-  
20       cy for International Development shall submit to the ap-  
21       propriate congressional committees a report that includes  
22       each of the following:

23            (1) A list of all reports described in subsection  
24       (d) required to be submitted by their respective  
25       agency.

1           (2) For each such report, a citation to the pro-  
2           vision of law under which the report is required to  
3           be submitted.

4           (3) The reporting frequency of each such re-  
5           port.

6           (4) The estimated cost of each report, to in-  
7           clude personnel time costs.

8           (d) COVERED REPORTS.—A report described in this  
9           subsection is a recurring report that is required to be sub-  
10          mitted to Congress by the Department of State or the  
11          United States Agency for International Development, or  
12          by any officer, official, component, or element of each enti-  
13          ty.

14          (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
15          FINED.—In this section, the term “appropriate congres-  
16          sional committees” means the Committee on Foreign Re-  
17          lations of the Senate and the Committee on Foreign Af-  
18          fairs of the House of Representatives and the Committees  
19          on Appropriations of the Senate and the House of Rep-  
20          resentatives.

## 21                                   **TITLE LII—EMBASSY** 22                                   **CONSTRUCTION**

Sec. 5201. Embassy security, construction, and maintenance.

Sec. 5202. Standard design in capital construction.

Sec. 5203. Capital construction transparency.

Sec. 5204. Contractor performance information.

Sec. 5205. Growth projections for new embassies and consulates.

Sec. 5206. Long-range planning process.

Sec. 5207. Value engineering and risk assessment.

Sec. 5208. Business volume.  
Sec. 5209. Embassy security requests and deficiencies.  
Sec. 5210. Overseas security briefings.  
Sec. 5211. Contracting methods in capital construction.  
Sec. 5212. Competition in embassy construction.  
Sec. 5213. Statement of policy.  
Sec. 5214. Definitions.

1 **SEC. 5201. EMBASSY SECURITY, CONSTRUCTION, AND MAIN-**  
2 **TENANCE.**

3 For “Embassy Security, Construction, and Mainte-  
4 nance”, there is authorized to be appropriated  
5 \$1,983,149,000 for fiscal year 2022.

6 **SEC. 5202. STANDARD DESIGN IN CAPITAL CONSTRUCTION.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that the Department’s Bureau of Overseas Building  
9 Operations (OBO) or successor office should give appro-  
10 priate consideration to standardization in construction, in  
11 which each new United States embassy and consulate  
12 starts with a standard design and keeps customization to  
13 a minimum.

14 (b) CONSULTATION.—The Secretary shall carry out  
15 any new United States embassy compound or new con-  
16 sulate compound project that utilizes a non-standard de-  
17 sign, including those projects that are in the design or pre-  
18 design phase as of the date of the enactment of this Act,  
19 only in consultation with the appropriate congressional  
20 committees and the Committees on Appropriations of the  
21 Senate and the House of Representatives. The Secretary  
22 shall provide the appropriate congressional committees

1 and the Committees on Appropriations of the Senate and  
2 the House of Representatives, for each such project, the  
3 following documentation:

4 (1) A comparison of the estimated full lifecycle  
5 costs of the project to the estimated full lifecycle  
6 costs of such project if it were to use a standard de-  
7 sign.

8 (2) A comparison of the estimated completion  
9 date of such project to the estimated completion  
10 date of such project if it were to use a standard de-  
11 sign.

12 (3) A comparison of the security of the com-  
13 pleted project to the security of such completed  
14 project if it were to use a standard design.

15 (4) A justification for the Secretary's selection  
16 of a non-standard design over a standard design for  
17 such project.

18 (5) A written explanation if any of the docu-  
19 mentation necessary to support the comparisons and  
20 justification, as the case may be, described in para-  
21 graphs (1) through (4) cannot be provided.

22 (c) SUNSET.—The consultation requirement under  
23 subsection (b) shall expire on the date that is 4 years after  
24 the date of the enactment of this Act.

1 **SEC. 5203. CAPITAL CONSTRUCTION TRANSPARENCY.**

2 (a) IN GENERAL.—Section 118 of the Department of  
3 State Authorities Act, Fiscal Year 2017 (22 U.S.C. 304)  
4 is amended—

5 (1) in the section heading , by striking “**AN-**  
6 **NUAL REPORT ON EMBASSY CONSTRUCTION**  
7 **COSTS**” and inserting “**BIANNUAL REPORT ON**  
8 **OVERSEAS CAPITAL CONSTRUCTION**  
9 **PROJECTS**”; and

10 (2) by striking subsections (a) and (b) and in-  
11 serting the following new subsections:

12 “(a) IN GENERAL.—Not later than 180 days after  
13 the date of the enactment of this subsection and every 180  
14 days thereafter until the date that is 4 years after such  
15 date of enactment, the Secretary shall submit to the ap-  
16 propriate congressional committees and the Committees  
17 on Appropriations of the Senate and the House of Rep-  
18 resentatives a comprehensive report regarding all ongoing  
19 overseas capital construction projects and major embassy  
20 security upgrade projects.

21 “(b) CONTENTS.—Each report required under sub-  
22 section (a) shall include the following with respect to each  
23 ongoing overseas capital construction project and major  
24 embassy security upgrade project:

25 “(1) The initial cost estimate as specified in the  
26 proposed allocation of capital construction and main-

1       tenance funds required by the Committees on Appro-  
2       priations for Acts making appropriations for the De-  
3       partment of State, foreign operations, and related  
4       programs.

5               “(2) The current cost estimate.

6               “(3) The value of each request for equitable ad-  
7       justment received by the Department to date.

8               “(4) The value of each certified claim received  
9       by the Department to date.

10              “(5) The value of any usage of the project’s  
11       contingency fund to date and the value of the re-  
12       mainder of the project’s contingency fund.

13              “(6) An enumerated list of each request for ad-  
14       justment and certified claim that remains out-  
15       standing or unresolved.

16              “(7) An enumerated list of each request for eq-  
17       uitable adjustment and certified claim that has been  
18       fully adjudicated or that the Department has settled,  
19       and the final dollar amount of each adjudication or  
20       settlement.

21              “(8) The date of estimated completion specified  
22       in the proposed allocation of capital construction  
23       and maintenance funds required by the Committees  
24       on Appropriations not later than 45 days after the  
25       date of the enactment of an Act making appropria-



1 tions for the Department of State, foreign oper-  
2 ations, and related programs.

3 “(9) The current date of estimated comple-  
4 tion.”.

5 (b) CLERICAL AMENDMENT.—The table of contents  
6 in section 1(b) of the Department of State Authorities  
7 Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat.  
8 1905) is amended by amending the item relating to section  
9 118 to read as follows:

“Sec. 118. Biannual report on overseas capital construction projects.”.

10 **SEC. 5204. CONTRACTOR PERFORMANCE INFORMATION.**

11 (a) DEADLINE FOR COMPLETION.—The Secretary  
12 shall complete all contractor performance evaluations out-  
13 standing as of the date of the enactment of this Act re-  
14 quired by subpart 42.15 of the Federal Acquisition Regu-  
15 lation for those contractors engaged in construction of new  
16 embassy or new consulate compounds by April 1, 2022.

17 (b) PRIORITIZATION SYSTEM.—

18 (1) IN GENERAL.—Not later than 90 days after  
19 the date of the enactment of this Act, the Secretary  
20 shall develop a prioritization system for clearing the  
21 current backlog of required evaluations referred to  
22 in subsection (a).

23 (2) ELEMENTS.—The system required under  
24 paragraph (1) should prioritize the evaluations as  
25 follows:

1 (A) Project completion evaluations should  
2 be prioritized over annual evaluations.

3 (B) Evaluations for relatively large con-  
4 tracts should have priority.

5 (C) Evaluations that would be particularly  
6 informative for the awarding of government  
7 contracts should have priority.

8 (c) BRIEFING.—Not later than 90 days after the date  
9 of the enactment of this Act, the Secretary of State shall  
10 brief the appropriate congressional committees on the De-  
11 partment’s plan for completing all evaluations by April 1,  
12 2022, in accordance with subsection (a) and the  
13 prioritization system developed pursuant to subsection (b).

14 (d) SENSE OF CONGRESS.—It is the sense of Con-  
15 gress that—

16 (1) contractors deciding whether to bid on De-  
17 partment contracts would benefit from greater un-  
18 derstanding of the Department as a client; and

19 (2) the Department should develop a forum  
20 where contractors can comment on the Department’s  
21 project management performance.

22 **SEC. 5205. GROWTH PROJECTIONS FOR NEW EMBASSIES**  
23 **AND CONSULATES.**

24 (a) IN GENERAL.—For each new United States em-  
25 bassy compound (NEC) and new consulate compound

1 project (NCC) in or not yet in the design phase as of the  
2 date of the enactment of this Act, the Department shall  
3 project growth over the estimated life of the facility using  
4 all available and relevant data, including the following:

5 (1) Relevant historical trends for Department  
6 personnel and personnel from other agencies rep-  
7 resented at the NEC or NCC that is to be con-  
8 structed.

9 (2) An analysis of the tradeoffs between risk  
10 and the needs of United States Government policy  
11 conducted as part of the most recent Vital Presence  
12 Validation Process, if applicable.

13 (3) Reasonable assumptions about the strategic  
14 importance of the NEC or NCC, as the case may be,  
15 over the life of the building at issue.

16 (4) Any other data that would be helpful in pro-  
17 jecting the future growth of NEC or NCC.

18 (b) OTHER FEDERAL AGENCIES.—The head of each  
19 Federal agency represented at a United States embassy  
20 or consulate shall provide to the Secretary, upon request,  
21 growth projections for the personnel of each such agency  
22 over the estimated life of each embassy or consulate, as  
23 the case may be.

1 (c) BASIS FOR ESTIMATES.—The Department shall  
2 base its growth assumption for all NECs and NCCs on  
3 the estimates required under subsections (a) and (b).

4 (d) CONGRESSIONAL NOTIFICATION.—Any congres-  
5 sional notification of site selection for a NEC or NCC sub-  
6 mitted after the date of the enactment of this Act shall  
7 include the growth assumption used pursuant to sub-  
8 section (c).

9 **SEC. 5206. LONG-RANGE PLANNING PROCESS.**

10 (a) PLANS REQUIRED.—

11 (1) IN GENERAL.—Not later than 180 days  
12 after the date of the enactment of this Act, and an-  
13 nually thereafter for the next five years as the Sec-  
14 retary of State considers appropriate, the Secretary  
15 shall develop—

16 (A) a comprehensive 6-year plan docu-  
17 menting the Department's overseas building  
18 program for the replacement of overseas diplo-  
19 matic posts taking into account security factors  
20 under the Secure Embassy Construction and  
21 Counterterrorism Act of 1999 and other rel-  
22 evant statutes and regulations, as well as occu-  
23 pational safety and health factors pursuant to  
24 the Occupational Safety and Health Act of  
25 1970 and other relevant statutes and regula-

1 tions, including environmental factors such as  
2 indoor air quality that impact employee health  
3 and safety; and

4 (B) a comprehensive 6-year plan detailing  
5 the Department's long-term planning for the  
6 maintenance and sustainment of completed dip-  
7 lomatic posts, which takes into account security  
8 factors under the Secure Embassy Construction  
9 and Counterterrorism Act of 1999 and other  
10 relevant statutes and regulations, as well as oc-  
11 cupational safety and health factors pursuant to  
12 the Occupational Safety and Health Act of  
13 1970 and other relevant statutes and regula-  
14 tions, including environmental factors such as  
15 indoor air quality that impact employee health  
16 and safety.

17 (2) INITIAL REPORT.—The first plan developed  
18 pursuant to paragraph (1)(A) shall also include a  
19 one-time status report on existing small diplomatic  
20 posts and a strategy for establishing a physical dip-  
21 lomatic presence in countries in which there is no  
22 current physical diplomatic presence and with which  
23 the United States maintains diplomatic relations.  
24 Such report, which may include a classified annex,  
25 shall include the following:

1 (A) A description of the extent to which  
2 each small diplomatic post furthers the national  
3 interest of the United States.

4 (B) A description of how each small diplo-  
5 matic post provides American Citizen Services,  
6 including data on specific services provided and  
7 the number of Americans receiving services over  
8 the previous year.

9 (C) A description of whether each small  
10 diplomatic post meets current security require-  
11 ments.

12 (D) A description of the full financial cost  
13 of maintaining each small diplomatic post.

14 (E) Input from the relevant chiefs of mis-  
15 sion on any unique operational or policy value  
16 the small diplomatic post provides.

17 (F) A recommendation of whether any  
18 small diplomatic posts should be closed.

19 (3) UPDATED INFORMATION.—The annual up-  
20 dates of each of the plans developed pursuant to  
21 paragraph (1) shall highlight any changes from the  
22 previous year's plan to the ordering of construction  
23 and maintenance projects.

24 (b) REPORTING REQUIREMENTS.—

1           (1) SUBMISSION OF PLANS TO CONGRESS.—Not  
2 later than 60 days after the completion of each plan  
3 required under subsection (a), the Secretary shall  
4 submit the plans to the appropriate congressional  
5 committees and the Committees on Appropriations  
6 of the Senate and the House of Representatives.

7           (2) REFERENCE IN BUDGET JUSTIFICATION  
8 MATERIALS.—In the budget justification materials  
9 submitted to the appropriate congressional commit-  
10 tees in support of the Department’s budget for any  
11 fiscal year (as submitted with the budget of the  
12 President under section 1105(a) of title 31, United  
13 States Code), the plans required under subsection  
14 (a) shall be referenced to justify funding requested  
15 for building and maintenance projects overseas.

16           (3) FORM OF REPORT.—Each report required  
17 under paragraph (1) shall be submitted in unclassi-  
18 fied form but may include a classified annex.

19           (c) SMALL DIPLOMATIC POST DEFINED.—In this  
20 section, the term “small diplomatic post” means any  
21 United States embassy or consulate that has employed five  
22 or fewer United States Government employees or contrac-  
23 tors on average over the 36 months prior to the date of  
24 the enactment of this Act.

1 **SEC. 5207. VALUE ENGINEERING AND RISK ASSESSMENT.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) Federal departments and agencies are re-  
5 quired to use value engineering (VE) as a manage-  
6 ment tool, where appropriate, to reduce program and  
7 acquisition costs pursuant to OMB Circular A–131,  
8 Value Engineering, dated December 31, 2013.

9 (2) OBO has a Policy Directive and Standard  
10 Operation Procedure, dated May 24, 2017, on con-  
11 ducting risk management studies on all international  
12 construction projects.

13 (b) NOTIFICATION REQUIREMENTS.—

14 (1) SUBMISSION TO AUTHORIZING COMMIT-  
15 TEES.—Any notification that includes the allocation  
16 of capital construction and maintenance funds shall  
17 be submitted to the appropriate congressional com-  
18 mittees.

19 (2) REQUIREMENT TO CONFIRM COMPLETION  
20 OF VALUE ENGINEERING AND RISK ASSESSMENT  
21 STUDIES.—The notifications required under para-  
22 graph (1) shall include confirmation that the De-  
23 partment has completed the requisite VE and risk  
24 management process described in subsection (a), or  
25 applicable successor process.



1 (c) REPORTING AND BRIEFING REQUIREMENTS.—  
2 The Secretary shall provide to the appropriate congres-  
3 sional committees upon request—

4 (1) a description of each risk management  
5 study referred to in subsection (a)(2) and a table de-  
6 tailing which recommendations related to each such  
7 study were accepted and which were rejected; and

8 (2) a report or briefing detailing the rationale  
9 for not implementing any such recommendations  
10 that may otherwise yield significant cost savings to  
11 the Department if implemented.

12 **SEC. 5208. BUSINESS VOLUME.**

13 Section 402(c)(2)(E) of the Omnibus Diplomatic Se-  
14 curity and Antiterrorism Act of 1986 (22 U.S.C.  
15 4852(c)(2)(E)) is amended by striking “in 3 years” and  
16 inserting “cumulatively over 3 years”.

17 **SEC. 5209. EMBASSY SECURITY REQUESTS AND DEFICIENCIES.**  
18

19 The Secretary of State shall provide to the appro-  
20 priate congressional committees, the Committee on Armed  
21 Services of the House of Representatives, and the Com-  
22 mittee on Armed Services of the Senate upon request in-  
23 formation on physical security deficiencies at United  
24 States diplomatic posts, including relating to the fol-  
25 lowing:

1           (1) Requests made over the previous year by  
2           United States diplomatic posts for security up-  
3           grades.

4           (2) Significant security deficiencies at United  
5           States diplomatic posts that are not operating out of  
6           a new embassy compound or new consulate com-  
7           pound.

8   **SEC. 5210. OVERSEAS SECURITY BRIEFINGS.**

9           Not later than one year after the date of the enact-  
10          ment of this Act, the Secretary of State shall revise the  
11          Foreign Affairs Manual to stipulate that information on  
12          the current threat environment shall be provided to all  
13          United States Government employees under chief of mis-  
14          sion authority traveling to a foreign country on official  
15          business. To the extent practicable, such material shall be  
16          provided to such employees prior to their arrival at a  
17          United States diplomatic post or as soon as possible there-  
18          after.

19   **SEC. 5211. CONTRACTING METHODS IN CAPITAL CON-**  
20                           **STRUCTION.**

21          (a) DELIVERY.—Unless the Secretary of State noti-  
22          fies the appropriate congressional committees that the use  
23          of the design-build project delivery method would not be  
24          appropriate, the Secretary shall make use of such method  
25          at United States diplomatic posts that have not yet re-

1 ceived design or capital construction contracts as of the  
2 date of the enactment of this Act.

3 (b) NOTIFICATION.—Before executing a contract for  
4 a delivery method other than design-build in accordance  
5 with subsection (a), the Secretary of State shall notify the  
6 appropriate congressional committees in writing of the de-  
7 cision, including the reasons therefor. The notification re-  
8 quired by this subsection may be included in any other  
9 report regarding a new United States diplomatic post that  
10 is required to be submitted to the appropriate congres-  
11 sional committees.

12 (c) PERFORMANCE EVALUATION.—Not later than  
13 180 days after the date of the enactment of this Act, the  
14 Secretary of State shall report to the appropriate congres-  
15 sional committees regarding performance evaluation meas-  
16 ures in accordance with GAO’s “Standards for Internal  
17 Control in the Federal Government” that will be applica-  
18 ble to design and construction, lifecycle cost, and building  
19 maintenance programs of the Bureau of Overseas Build-  
20 ing Operations of the Department.

21 **SEC. 5212. COMPETITION IN EMBASSY CONSTRUCTION.**

22 Not later than 45 days after the date of the enact-  
23 ment of this Act, the Secretary of State shall submit to  
24 the appropriate congressional committee and the Commit-  
25 tees on Appropriations of the Senate and the House of

1 Representatives a report detailing steps the Department  
2 of State is taking to expand the embassy construction con-  
3 tractor base in order to increase competition and maximize  
4 value.

5 **SEC. 5213. STATEMENT OF POLICY.**

6 It is the policy of the United States that the Bureau  
7 of Overseas Building Operations of the Department or its  
8 successor office shall continue to balance functionality and  
9 security with accessibility, as defined by guidelines estab-  
10 lished by the United States Access Board in constructing  
11 embassies and consulates, and shall ensure compliance  
12 with the Architectural Barriers Act of 1968 (42 U.S.C.  
13 4151 et seq.) to the fullest extent possible.

14 **SEC. 5214. DEFINITIONS.**

15 In this title:

16 (1) **DESIGN-BUILD.**—The term “design-build”  
17 means a method of project delivery in which one en-  
18 tity works under a single contract with the Depart-  
19 ment to provide design and construction services.

20 (2) **NON-STANDARD DESIGN.**—The term “non-  
21 standard design” means a design for a new embassy  
22 compound project or new consulate compound  
23 project that does not utilize a standardized design  
24 for the structural, spatial, or security requirements

1 of such embassy compound or consulate compound,  
2 as the case may be.

### 3 **TITLE LIII—PERSONNEL ISSUES**

- Sec. 5301. Defense Base Act insurance waivers.
- Sec. 5302. Study on Foreign Service allowances.
- Sec. 5303. Science and technology fellowships.
- Sec. 5304. Travel for separated families.
- Sec. 5305. Home leave travel for separated families.
- Sec. 5306. Sense of Congress regarding certain fellowship programs.
- Sec. 5307. Technical correction.
- Sec. 5308. Foreign Service awards.
- Sec. 5309. Workforce actions.
- Sec. 5310. Sense of Congress regarding veterans employment at the Department of State.
- Sec. 5311. Employee assignment restrictions and preclusions.
- Sec. 5312. Recall and reemployment of career members.
- Sec. 5313. Strategic staffing plan for the Department of State.
- Sec. 5314. Consulting services.
- Sec. 5315. Incentives for critical posts.
- Sec. 5316. Extension of authority for certain accountability review boards.
- Sec. 5317. Foreign Service suspension without pay.
- Sec. 5318. Foreign Affairs Manual and Foreign Affairs Handbook changes.
- Sec. 5319. Waiver authority for individual occupational requirements of certain positions.
- Sec. 5320. Appointment of employees to the Global Engagement Center.
- Sec. 5321. Competitive status for certain employees hired by Inspectors General to support the lead IG mission.
- Sec. 5322. Report relating to Foreign Service Officer training and development.
- Sec. 5323. Cooperation with Office of the Inspector General.
- Sec. 5324. Information on educational opportunities for children with special education needs consistent with the Individuals with Disabilities Education Act.
- Sec. 5325. Implementation of gap memorandum in selection board process.

#### 4 **SEC. 5301. DEFENSE BASE ACT INSURANCE WAIVERS.**

5 (a) APPLICATION FOR WAIVERS.—Not later than 30  
6 days after the date of the enactment of this Act, the Sec-  
7 retary shall apply to the Department of Labor for a waiver  
8 from insurance requirements under the Defense Base Act  
9 (42 U.S.C. 1651 et seq.) for all countries with respect to  
10 which the requirement was waived prior to January 2017,  
11 and for which there is not currently a waiver.

1 (b) CERTIFICATION REQUIREMENT.—Not later than  
2 45 days after the date of the enactment of this Act, the  
3 Secretary shall certify to the appropriate congressional  
4 committees that the requirement in subsection (a) has  
5 been met.

6 **SEC. 5302. STUDY ON FOREIGN SERVICE ALLOWANCES.**

7 (a) REPORT REQUIRED.—

8 (1) IN GENERAL.—Not later than one year  
9 after date of the enactment of this Act, the Sec-  
10 retary shall submit to the appropriate congressional  
11 committees a report detailing an empirical analysis  
12 on the effect of overseas allowances on the foreign  
13 assignment of Foreign Service officers (FSOs), to be  
14 conducted by a federally-funded research and devel-  
15 opment center with appropriate expertise in labor ec-  
16 onomics and military compensation.

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

19 (A) identify all allowances paid to FSOs  
20 assigned permanently or on temporary duty to  
21 foreign areas;

22 (B) examine the efficiency of the Foreign  
23 Service bidding system in determining foreign  
24 assignments;

1 (C) examine the factors that incentivize  
2 FSOs to bid on particular assignments, includ-  
3 ing danger levels and hardship conditions;

4 (D) examine the Department's strategy  
5 and process for incentivizing FSOs to bid on  
6 assignments that are historically in lower de-  
7 mand, including with monetary compensation,  
8 and whether monetary compensation is nec-  
9 essary for assignments in higher demand;

10 (E) make any relevant comparisons to  
11 military compensation and allowances, noting  
12 which allowances are shared or based on the  
13 same regulations;

14 (F) recommend options for restructuring  
15 allowances to improve the efficiency of the as-  
16 signments system and better align FSO incen-  
17 tives with the needs of the Foreign Service, in-  
18 cluding any cost savings associated with such  
19 restructuring;

20 (G) recommend any statutory changes nec-  
21 essary to implement subparagraph (F), such as  
22 consolidating existing legal authorities for the  
23 provision of hardship and danger pay; and

24 (H) detail any effects of recommendations  
25 made pursuant to subparagraphs (F) and (G)

1 on other United States Government depart-  
2 ments and agencies with civilian employees per-  
3 manently assigned or on temporary duty in for-  
4 eign areas, following consultation with such de-  
5 partments and agencies.

6 (b) BRIEFING REQUIREMENT.—Before initiating the  
7 analysis required under subsection (a)(1), and not later  
8 than 60 days after the date of the enactment of this Act,  
9 the Secretary shall provide to the appropriate congres-  
10 sional committees a briefing on the implementation of this  
11 section that includes the following:

12 (1) The name of the federally funded research  
13 and development center that will conduct such anal-  
14 ysis.

15 (2) The scope of such analysis and terms of ref-  
16 erence for such analysis as specified between the De-  
17 partment and such federally funded research and de-  
18 velopment center.

19 (c) AVAILABILITY OF INFORMATION.—

20 (1) IN GENERAL.—The Secretary shall make  
21 available to the federally-funded research and devel-  
22 opment center carrying out the analysis required  
23 under subsection (a)(1) all necessary and relevant  
24 information to allow such center to conduct such  
25 analysis in a quantitative and analytical manner, in-



1 including historical data on the number of bids for  
2 each foreign assignment and any survey data col-  
3 lected by the Department from eligible bidders on  
4 their bid decision-making.

5 (2) COOPERATION.—The Secretary shall work  
6 with the heads of other relevant United States Gov-  
7 ernment departments and agencies to ensure such  
8 departments and agencies provide all necessary and  
9 relevant information to the federally-funded research  
10 and development center carrying out the analysis re-  
11 quired under subsection (a)(1).

12 (d) INTERIM REPORT TO CONGRESS.—The Secretary  
13 shall require that the chief executive officer of the feder-  
14 ally-funded research and development center that carries  
15 out the analysis required under subsection (a)(1) submit  
16 to the Committee on Foreign Relations of the Senate and  
17 the Committee on Foreign Affairs of the House of Rep-  
18 resentatives an interim report on such analysis not later  
19 than 180 days after the date of the enactment of this Act.

20 **SEC. 5303. SCIENCE AND TECHNOLOGY FELLOWSHIPS.**

21 Section 504 of the Foreign Relations Authorization  
22 Act, Fiscal Year 1979 (22 U.S.C. 2656d) is amended by  
23 adding at the end the following new subsection:

1 “(e) GRANTS AND COOPERATIVE AGREEMENTS RE-  
2 LATED TO SCIENCE AND TECHNOLOGY FELLOWSHIP  
3 PROGRAMS.—

4 “(1) IN GENERAL.—The Secretary is authorized  
5 to make grants or enter into cooperative agreements  
6 related to Department of State science and tech-  
7 nology fellowship programs, including for assistance  
8 in recruiting fellows and the payment of stipends,  
9 travel, and other appropriate expenses to fellows.

10 “(2) EXCLUSION FROM CONSIDERATION AS  
11 COMPENSATION.—Stipends under paragraph (1)  
12 shall not be considered compensation for purposes of  
13 section 209 of title 18, United States Code.

14 “(3) MAXIMUM ANNUAL AMOUNT.—The total  
15 amount of grants made pursuant to this subsection  
16 may not exceed \$500,000 in any fiscal year.”.

17 **SEC. 5304. TRAVEL FOR SEPARATED FAMILIES.**

18 Section 901(15) of the Foreign Service Act of 1980  
19 (22 U.S.C. 4081(15)) is amended—

20 (1) in the matter preceding subparagraph (A),  
21 by striking “1 round-trip per year for each child  
22 below age 21 of a member of the Service assigned  
23 abroad” and inserting “in the case of one or more  
24 children below age 21 of a member of the Service as-  
25 signed abroad, 1 round-trip per year”;

1 (2) in subparagraph (A)—

2 (A) by inserting “for each child” before  
3 “to visit the member abroad”; and

4 (B) by striking “; or” and inserting a  
5 comma;

6 (3) in subparagraph (B)—

7 (A) by inserting “for each child” before  
8 “to visit the other parent”; and

9 (B) by inserting “or” after “resides,”;

10 (4) by inserting after subparagraph (B) the fol-  
11 lowing new subparagraph:

12 “(C) for one of the child’s parents to visit  
13 the child or children abroad if the child or chil-  
14 dren do not regularly reside with that parent  
15 and that parent is not receiving an education  
16 allowance or educational travel allowance for  
17 the child or children under section 5924(4) of  
18 title 5, United States Code,”; and

19 (5) in the matter following subparagraph (C),  
20 as added by paragraph (4) of this section, by strik-  
21 ing “a payment” and inserting “the cost of round-  
22 trip travel”.

1 **SEC. 5305. HOME LEAVE TRAVEL FOR SEPARATED FAMI-**  
2 **LIES.**

3 Section 903(b) of the Foreign Service Act of 1980  
4 (22 U.S.C. 4083(b)) is amended by adding at the end the  
5 following new sentence: “In cases in which a member of  
6 the Service has official orders to an unaccompanied post  
7 and in which the family members of the member reside  
8 apart from the member at authorized locations outside the  
9 United States, the member may take the leave ordered  
10 under this section where that member’s family members  
11 reside, notwithstanding section 10305 of title 5, United  
12 States Code.”.

13 **SEC. 5306. SENSE OF CONGRESS REGARDING CERTAIN FEL-**  
14 **LOWSHIP PROGRAMS.**

15 It is the sense of Congress that Department fellow-  
16 ships that promote the employment of candidates belong-  
17 ing to under-represented groups, including the Charles B.  
18 Rangel International Affairs Graduate Fellowship Pro-  
19 gram, the Thomas R. Pickering Foreign Affairs Fellow-  
20 ship Program, and the Donald M. Payne International De-  
21 velopment Fellowship Program, represent smart invest-  
22 ments vital for building a strong, capable, and representa-  
23 tive national security workforce.

1 **SEC. 5307. TECHNICAL CORRECTION.**

2 Subparagraph (A) of section 601(c)(6) of the Foreign  
3 Service Act of 1980 (22 U.S.C. 4001(c)(6)) is amended,  
4 in the matter preceding clause (i), by—

5 (1) striking “promotion” and inserting “pro-  
6 motion, on or after January 1, 2017,”; and

7 (2) striking “individual joining the Service on  
8 or after January 1, 2017,” and inserting “Foreign  
9 Service officer, appointed under section 302(a)(1),  
10 who has general responsibility for carrying out the  
11 functions of the Service”.

12 **SEC. 5308. FOREIGN SERVICE AWARDS.**

13 (a) IN GENERAL.—Section 614 of the Foreign Serv-  
14 ice Act of 1980 (22 U.S.C. 4013) is amended—

15 (1) by amending the section heading to read as  
16 follows: “DEPARTMENT AWARDS”; and

17 (2) in the first sentence, by inserting “or Civil  
18 Service” after “the Service”.

19 (b) CONFORMING AMENDMENT.—The item relating  
20 to section 614 in the table of contents of the Foreign Serv-  
21 ice Act of 1980 is amended to read as follows:

“Sec. 614. Department awards.”.

22 **SEC. 5309. WORKFORCE ACTIONS.**

23 (a) SENSE OF CONGRESS ON WORKFORCE RECRUIT-  
24 MENT.—It is the sense of Congress that the Secretary  
25 should continue to hold entry-level classes for Foreign

1 Service officers and specialists and continue to recruit civil  
2 servants through programs such as the Presidential Man-  
3 agement Fellows Program and Pathways Internship Pro-  
4 grams in a manner and at a frequency consistent with  
5 prior years and consistent with the need to maintain a  
6 pool of experienced personnel effectively distributed across  
7 skill codes and ranks. It is further the sense of Congress  
8 that absent continuous recruitment and training of For-  
9 eign Service officers and civil servants, the Department  
10 will lack experienced, qualified personnel in the short, me-  
11 dium, and long terms.

12 (b) LIMITATION.—The Secretary should not imple-  
13 ment any reduction-in-force action under section 3502 or  
14 3595 of title 5, United States Code, or for any incentive  
15 payments for early separation or retirement under any  
16 other provision of law unless—

17 (1) the appropriate congressional committees  
18 are notified not less than 15 days in advance of such  
19 obligation or expenditure; and

20 (2) the Secretary has provided to the appro-  
21 priate congressional committees a detailed report  
22 that describes the Department's strategic staffing  
23 goals, including—

1 (A) a justification that describes how any  
2 proposed workforce reduction enhances the ef-  
3 fectiveness of the Department;

4 (B) a certification that such workforce re-  
5 duction is in the national interest of the United  
6 States;

7 (C) a comprehensive strategic staffing plan  
8 for the Department, including 5-year workforce  
9 forecasting and a description of the anticipated  
10 impact of any proposed workforce reduction;  
11 and

12 (D) a dataset displaying comprehensive  
13 workforce data for all current and planned em-  
14 ployees of the Department, disaggregated by—

15 (i) Foreign Service officer and For-  
16 eign Service specialist rank;

17 (ii) civil service job skill code, grade  
18 level, and bureau of assignment;

19 (iii) contracted employees, including  
20 the equivalent job skill code and bureau of  
21 assignment; and

22 (iv) employees hired under schedule C  
23 of subpart C of part 213 of title 5, Code  
24 of Federal Regulations, including their

1 equivalent grade and job skill code and bu-  
2 reau of assignment.

3 **SEC. 5310. SENSE OF CONGRESS REGARDING VETERANS**  
4 **EMPLOYMENT AT THE DEPARTMENT OF**  
5 **STATE.**

6 It is the sense of Congress that—

7 (1) the Department should continue to promote  
8 the employment of veterans, in accordance with sec-  
9 tion 301 of the Foreign Service Act of 1980 (22  
10 U.S.C. 3941), as amended by section 10406 of this  
11 Act, including those veterans belonging to tradition-  
12 ally underrepresented groups at the Department;

13 (2) veterans employed by the Department have  
14 made significant contributions to United States for-  
15 eign policy in a variety of regional and global affairs  
16 bureaus and diplomatic posts overseas; and

17 (3) the Department should continue to encour-  
18 age veteran employment and facilitate their partici-  
19 pation in the workforce.

20 **SEC. 5311. EMPLOYEE ASSIGNMENT RESTRICTIONS AND**  
21 **PRECLUSIONS.**

22 (a) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that the Department should expand the appeal proc-  
24 ess it makes available to employees related to assignment  
25 preclusions and restrictions.



1 (b) APPEAL OF ASSIGNMENT RESTRICTION OR PRE-  
2 CLUSION.—Subsection (a) of section 414 of the Depart-  
3 ment of State Authorities Act, Fiscal Year 2017 (22  
4 U.S.C. 2734e(a)) is amended by adding at the end the  
5 following new sentences: “Such right and process shall en-  
6 sure that any employee subjected to an assignment restric-  
7 tion or preclusion shall have the same appeal rights as  
8 provided by the Department regarding denial or revocation  
9 of a security clearance. Any such appeal shall be resolved  
10 not later than 60 days after such appeal is filed.”.

11 (c) NOTICE AND CERTIFICATION.—Not later than 90  
12 days after the date of the enactment of this Act, the Sec-  
13 retary shall revise, and certify to the appropriate congres-  
14 sional committees regarding such revision, the Foreign Af-  
15 fairs Manual guidance regarding denial or revocation of  
16 a security clearance to expressly state that all review and  
17 appeal rights relating thereto shall also apply to any rec-  
18 ommendation or decision to impose an assignment restric-  
19 tion or preclusion to an employee.

20 (d) ANNUAL REPORT.—Not later than 90 days after  
21 the date of the enactment of this Act, and annually there-  
22 after, the Secretary of State shall submit to the Com-  
23 mittee on Foreign Affairs and the Committee on Appro-  
24 priations of the House of Representatives and the Com-  
25 mittee on Foreign Relations and the Committee on Appro-

1 priations of the Senate a report that contains the fol-  
2 lowing:

3           (1) A rationale for the use of assignment re-  
4           strictions by the Department of State, including spe-  
5           cific case studies related to cleared United States  
6           Foreign Service and civil service employees of the  
7           Department that demonstrate country-specific re-  
8           strictions serve a counterintelligence role beyond  
9           that which is already covered by the security clear-  
10          ance process.

11          (2) The number of such Department employees  
12          subject to assignment restrictions over the previous  
13          year, with data disaggregated by—

14                (A) identification as a Foreign Service offi-  
15                cer, civil service employee, eligible family mem-  
16                ber, or other employment status;

17                (B) the ethnicity, national origin, and race  
18                of the precluded employee;

19                (C) gender; and

20                (D) the country of restriction.

21          (3) A description of the considerations and cri-  
22          teria used by the Bureau of Diplomatic Security to  
23          determine whether an assignment restriction is war-  
24          ranted.

1           (4) The number of restrictions that were ap-  
2           pealed and the success rate of such appeals.

3           (5) The impact of assignment restrictions in  
4           terms of unused language skills as measured by For-  
5           eign Service Institute language scores of such pre-  
6           cluded employees.

7           (6) Measures taken to ensure the diversity of  
8           adjudicators and contracted investigators, with ac-  
9           companying data on results.

10 **SEC. 5312. RECALL AND REEMPLOYMENT OF CAREER MEM-**  
11 **BERS.**

12           (a) SENSE OF CONGRESS.—It is the sense of Con-  
13           gress that—

14           (1) career Department employees provide in-  
15           valuable service to the United States as nonpartisan  
16           professionals who contribute subject matter expertise  
17           and professional skills to the successful development  
18           and execution of United States foreign policy; and

19           (2) reemployment of skilled former members of  
20           the Foreign and civil service who have voluntarily  
21           separated from the Foreign or civil service due to  
22           family reasons or to obtain professional skills outside  
23           government is of benefit to the Department.

1 (b) NOTICE OF EMPLOYMENT OPPORTUNITIES.—  
2 Title 5, United States Code, is amended by inserting after  
3 chapter 102 the following new chapter:

4 **“CHAPTER 103—DEPARTMENT OF STATE**

“Sec.

“10301. Notice of employment opportunities for Department of State and  
USAID positions.

“10302. Consulting services for the Department of State.

5 **“§ 10301. Notice of employment opportunities for De-**  
6 **partment of State and USAID positions**

7 “To ensure that individuals who have separated from  
8 the Department of State or the United States Agency for  
9 International Development and who are eligible for re-  
10 appointment are aware of such opportunities, the Depart-  
11 ment of State and the United States Agency for Inter-  
12 national Development shall publicize notice of all employ-  
13 ment opportunities, including positions for which the rel-  
14 evant agency is accepting applications from individuals  
15 within the agency’s workforce under merit promotion pro-  
16 cedures, on publicly accessible sites, including  
17 www.usajobs.gov. If using merit promotion procedures, the  
18 notice shall expressly state that former employees eligible  
19 for reinstatement may apply.”.

20 (c) CLERICAL AMENDMENT.—The table of chapters  
21 at the beginning of title 5, United States Code, is amended

1 by inserting after the item relating to chapter 102 the fol-  
2 lowing:

“103. Department of State .....10301.”.

3 **SEC. 5313. STRATEGIC STAFFING PLAN FOR THE DEPART-**  
4 **MENT OF STATE.**

5 (a) IN GENERAL.—Not later than 18 months after  
6 the date of the enactment of this Act, the Secretary shall  
7 submit to the appropriate congressional committees and  
8 the Committees on Appropriations of the Senate and the  
9 House of Representatives a comprehensive 5-year strategic  
10 staffing plan for the Department that is aligned with and  
11 furthers the objectives of the National Security Strategy  
12 of the United States of America issued in December 2017,  
13 or any subsequent strategy issued not later than 18  
14 months after the date of the enactment of this Act, which  
15 shall include the following:

16 (1) A dataset displaying comprehensive work-  
17 force data, including all shortages in bureaus de-  
18 scribed in GAO report GAO–19–220, for all current  
19 and planned employees of the Department,  
20 disaggregated by—

21 (A) Foreign Service officer and Foreign  
22 Service specialist rank;

23 (B) civil service job skill code, grade level,  
24 and bureau of assignment;

1 (C) contracted employees, including the  
2 equivalent job skill code and bureau of assign-  
3 ment;

4 (D) employees hired under schedule C of  
5 subpart C of part 213 of title 5, Code of Fed-  
6 eral Regulations, including the equivalent grade  
7 and job skill code and bureau of assignment of  
8 such employee; and

9 (E) overseas region.

10 (2) Recommendations on the number of For-  
11 eign Service officers disaggregated by service cone  
12 that should be posted at each United States diplo-  
13 matic post and in the District of Columbia, with a  
14 detailed basis for such recommendations.

15 (3) Recommendations on the number of civil  
16 service officers that should be employed by the De-  
17 partment, with a detailed basis for such rec-  
18 ommendations.

19 (b) MAINTENANCE.—The dataset required under  
20 subsection (a)(1) shall be maintained and updated on a  
21 regular basis.

22 (c) CONSULTATION.—The Secretary shall lead the  
23 development of the plan required under subsection (a) but  
24 may consult or partner with private sector entities with  
25 expertise in labor economics, management, or human re-

1 sources, as well as organizations familiar with the de-  
2 mands and needs of the Department’s workforce.

3 (d) REPORT.—Not later than 120 days after the date  
4 of the enactment of this Act, the Secretary of State shall  
5 submit to the appropriate congressional committees a re-  
6 port regarding root causes of Foreign Service and civil  
7 service shortages, the effect of such shortages on national  
8 security objectives, and the Department’s plan to imple-  
9 ment recommendations described in GAO–19–220.

10 **SEC. 5314. CONSULTING SERVICES.**

11 (a) IN GENERAL.—Chapter 103 of title 5, United  
12 States Code, as added by section 10312, is amended by  
13 adding at the end the following:

14 **“§ 10302. Consulting services for the Department of**  
15 **State**

16 “Any consulting service obtained by the Department  
17 of State through procurement contract pursuant to section  
18 3109 of title 5, United States Code, shall be limited to  
19 those contracts with respect to which expenditures are a  
20 matter of public record and available for public inspection,  
21 except if otherwise provided under existing law, or under  
22 existing Executive order issued pursuant to existing law.”.

23 (b) CLERICAL AMENDMENT.—The table of sections  
24 for chapter 103 of title 5, United States Code, as added  
25 by section 10312(b) of this Act, is amended by adding

1 after the item relating to section 10301 of title 5, United  
2 States Code, the following new item:

“10302. Consulting services for the Department of State.”.

3 **SEC. 5315. INCENTIVES FOR CRITICAL POSTS.**

4 Section 1115(d) of the Supplemental Appropriations  
5 Act, 2009 (Public Law 111–32) is amended by striking  
6 the last sentence.

7 **SEC. 5316. EXTENSION OF AUTHORITY FOR CERTAIN AC-**  
8 **COUNTABILITY REVIEW BOARDS.**

9 Section 301(a)(3) of the Omnibus Diplomatic Secu-  
10 rity and Antiterrorism Act of 1986 (22 U.S.C.  
11 4831(a)(3)) is amended—

12 (1) in the heading, by striking “AFGHANISTAN  
13 AND” and inserting “AFGHANISTAN, YEMEN, SYRIA,  
14 AND”; and

15 (2) in subparagraph (A)—

16 (A) in clause (i), by striking “Afghanistan  
17 or” and inserting “Afghanistan, Yemen, Syria,  
18 or”; and

19 (B) in clause (ii), by striking “beginning  
20 on October 1, 2005, and ending on September  
21 30, 2009” and inserting “beginning on October  
22 1, 2020, and ending on September 30, 2022”.

23 **SEC. 5317. FOREIGN SERVICE SUSPENSION WITHOUT PAY.**

24 Subsection (c) of section 610 of the Foreign Service  
25 Act of 1980 (22 U.S.C. 4010) is amended—



1           (1) in paragraph (1), in the matter preceding  
2           subparagraph (A), by striking “suspend” and insert-  
3           ing “indefinitely suspend without duties”;

4           (2) by redesignating paragraph (5) as para-  
5           graph (7);

6           (3) by inserting after paragraph (4) the fol-  
7           lowing new paragraphs:

8           “(5) For each member of the Service suspended  
9           under paragraph (1)(A) whose security clearance re-  
10          mains suspended for more than one calendar year,  
11          not later than 30 days after the end of such cal-  
12          endar year, the Secretary of State shall report to the  
13          Committee on Foreign Affairs of the House of Rep-  
14          resentatives and the Committee on Foreign Rela-  
15          tions of the Senate in writing regarding the specific  
16          reasons relating to the duration of each such suspen-  
17          sion.

18          “(6) Any member of the Service suspended  
19          under paragraph (1)(B) may be suspended without  
20          pay only after a final written decision is provided to  
21          such member pursuant to paragraph (2).”; and

22          (4) in paragraph (7), as so redesignated—

23                 (A) by striking “this subsection” and all  
24                 that follows through “The term” in subpara-

1 graph (A) and inserting “this subsection, the  
2 term”;

3 (B) by redesignating clauses (i) and (ii) as  
4 subparagraphs (A) and (B), respectively, and  
5 moving such subparagraphs 2 ems to the left;  
6 and

7 (C) by striking subparagraph (B) (relating  
8 to the definition of “suspend” and “suspension”).  
9

10 **SEC. 5318. FOREIGN AFFAIRS MANUAL AND FOREIGN AF-**  
11 **FAIRS HANDBOOK CHANGES.**

12 (a) **APPLICABILITY.**—The Foreign Affairs Manual  
13 and the Foreign Affairs Handbook apply with equal force  
14 and effect and without exception to all Department of  
15 State personnel, including the Secretary of State, Depart-  
16 ment employees, and political appointees, regardless of an  
17 individual’s status as a Foreign Service officer, Civil Serv-  
18 ice employee, or political appointee hired under any legal  
19 authority.

20 (b) **CERTIFICATION.**—Not later than 30 days after  
21 the date of the enactment of this Act, the Secretary of  
22 State shall submit to the appropriate congressional com-  
23 mittees a certification in unclassified form that the appli-  
24 cability described in subsection (a) has been commu-

1 nicated to all Department personnel, including the per-  
2 sonnel referred to in such subsection.

3 (c) REPORT.—

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 for 5 years, the Secretary  
7 shall submit to the appropriate congressional com-  
8 mittees a report detailing all significant changes  
9 made to the Foreign Affairs Manual or the Foreign  
10 Affairs Handbook.

11 (2) COVERED PERIODS.—The first report re-  
12 quired under paragraph (1) shall cover the 5-year  
13 period preceding the submission of such report.  
14 Each subsequent report shall cover the 180-day pe-  
15 riod preceding submission.

16 (3) CONTENTS.—Each report required under  
17 paragraph (1) shall contain the following:

18 (A) The location within the Foreign Af-  
19 fairs Manual or the Foreign Affairs Handbook  
20 where a change has been made.

21 (B) The statutory basis for each such  
22 change, as applicable.

23 (C) A side-by-side comparison of the For-  
24 eign Affairs Manual or Foreign Affairs Hand-  
25 book before and after such change.

1 (D) A summary of such changes displayed  
2 in spreadsheet form.

3 **SEC. 5319. WAIVER AUTHORITY FOR INDIVIDUAL OCCUPA-**  
4 **TIONAL REQUIREMENTS OF CERTAIN POSI-**  
5 **TIONS.**

6 The Secretary of State may waive any or all of the  
7 individual occupational requirements with respect to an  
8 employee or prospective employee of the Department of  
9 State for a civilian position categorized under the GS-  
10 0130 occupational series if the Secretary determines that  
11 the individual possesses significant scientific, techno-  
12 logical, engineering, or mathematical expertise that is inte-  
13 gral to performing the duties of the applicable position,  
14 based on demonstrated job performance and qualifying ex-  
15 perience. With respect to each waiver granted under this  
16 subsection, the Secretary shall set forth in a written docu-  
17 ment that is transmitted to the Director of the Office of  
18 Personnel Management the rationale for the decision of  
19 the Secretary to waive such requirements.

20 **SEC. 5320. APPOINTMENT OF EMPLOYEES TO THE GLOBAL**  
21 **ENGAGEMENT CENTER.**

22 The Secretary may appoint, for a 3-year period that  
23 may be extended for up to an additional 2 years, solely  
24 to carry out the functions of the Global Engagement Cen-  
25 ter, employees of the Department without regard to the

1 provisions of title 5, United States Code, governing ap-  
2 pointment in the competitive service, and may fix the basic  
3 compensation of such employees without regard to chapter  
4 51 and subchapter III of chapter 53 of such title.

5 **SEC. 5321. COMPETITIVE STATUS FOR CERTAIN EMPLOY-**  
6 **EES HIRED BY INSPECTORS GENERAL TO**  
7 **SUPPORT THE LEAD IG MISSION.**

8 Subparagraph (A) of section 8L(d)(5)(A) of the In-  
9 spector General Act of 1978 (5 U.S.C. App.) is amended  
10 by striking “a lead Inspector General for” and inserting  
11 “any of the Inspectors General specified in subsection (c)  
12 for oversight of”.

13 **SEC. 5322. REPORT RELATING TO FOREIGN SERVICE OFFI-**  
14 **CER TRAINING AND DEVELOPMENT.**

15 (a) IN GENERAL.—Not later than 270 days after the  
16 date of the enactment of this Act, the Secretary of State  
17 shall submit to the appropriate committees of Congress  
18 a report on fellowships or details for Department of State  
19 Foreign Service generalists at—

- 20 (1) the Department of Defense;  
21 (2) United States intelligence agencies; and  
22 (3) congressional offices or committees.

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

1           (1) The number of Senior Foreign Service Offi-  
2           cer generalists who, as of the date of the enactment  
3           of this Act, have done a tour of at least one year  
4           in any of the agencies or congressional committees  
5           described in subsection (a).

6           (2) The total number of senior Foreign Service  
7           Officer generalists as of the date of the enactment  
8           of this Act.

9           (3) The average number of Senior Foreign  
10          Service Officer generalists inducted annually during  
11          the 10 years preceding the date of the enactment of  
12          this Act.

13          (4) The total number of Department advisors  
14          stationed in any of the agencies or congressional of-  
15          fices described in subsection (a), including the agen-  
16          cies or offices in which such advisors serve.

17          (5) The total number of advisors from other  
18          United States Government agencies stationed in the  
19          Department of State (excluding defense attaches,  
20          senior defense officials, and other Department of  
21          Defense personnel stationed in United States mis-  
22          sions abroad), the home agency of the advisor, and  
23          the offices in which such advisors serve.

1 (c) EDUCATIONAL EXCLUSION.—For the purposes of  
2 the report required under subsection (a), educational pro-  
3 grams shall not be included.

4 **SEC. 5323. COOPERATION WITH OFFICE OF THE INSPECTOR**  
5 **GENERAL.**

6 (a) ADMINISTRATIVE DISCIPLINE.—Not later than  
7 30 days after the date of the enactment of this Act, the  
8 Secretary of State shall make explicit in writing to all De-  
9 partment of State personnel, including the Secretary of  
10 State, Department employees, contractors, and political  
11 appointees, and shall consider updating the Foreign Af-  
12 fairs Manual and the Foreign Affairs Handbook to explic-  
13 itly specify, that if any of such personnel does not comply  
14 within 60 days with a request for an interview or access  
15 to documents from the Office of the Inspector General of  
16 the Department, such personnel may be subject to appro-  
17 priate administrative discipline including, when cir-  
18 cumstances warrant, suspension without pay or removal.

19 (b) REPORT.—

20 (1) IN GENERAL.—Not later than 180 days  
21 after the date of the enactment of this Act and on  
22 a quarterly basis thereafter, the Office of the Inspec-  
23 tor General of the Department of State and the  
24 United States Agency for Global Media shall submit  
25 to the appropriate congressional committees and the

1 Secretary of State a report in unclassified form de-  
2 tailing the following:

3 (A) The number of individuals who have  
4 failed to comply within 60 days with a request  
5 for an interview or access to documents from  
6 the Office of the Inspector General pertaining  
7 to a noncriminal matter.

8 (B) The date on which such requests were  
9 initially made.

10 (C) Any extension of time that was volun-  
11 tarily granted to such individual by the Office  
12 of the Inspector General.

13 (D) The general subject matters regarding  
14 which the Office of the Inspector General has  
15 requested of such individuals.

16 (2) FORM.—Additional information pertaining  
17 solely to the subject matter of a request described in  
18 paragraph (1) may be provided in a supplemental  
19 classified annex, if necessary, but all other informa-  
20 tion required by the reports required under such  
21 paragraph shall be provided in unclassified form.



1 **SEC. 5324. INFORMATION ON EDUCATIONAL OPPORTUNI-**  
2 **TIES FOR CHILDREN WITH SPECIAL EDU-**  
3 **CATION NEEDS CONSISTENT WITH THE INDI-**  
4 **VIDUALS WITH DISABILITIES EDUCATION**  
5 **ACT.**

6 Not later than March 31, 2022, and annually there-  
7 after, the Director of the Office of Overseas Schools of  
8 the Department of State shall maintain and update a list  
9 of overseas schools receiving assistance from the Office  
10 and detailing the extent to which each such school provides  
11 special education and related services to children with dis-  
12 abilities in accordance with part B of the Individuals with  
13 Disabilities Education Act (20 U.S.C. 1411 et seq.). Each  
14 list required under this section shall be posted on the pub-  
15 lic website of the Office for access by members of the For-  
16 eign Service, the Senior Foreign Service, and their eligible  
17 family members.

18 **SEC. 5325. IMPLEMENTATION OF GAP MEMORANDUM IN SE-**  
19 **LECTION BOARD PROCESS.**

20 (a) IN GENERAL.—Section 603 of the Foreign Serv-  
21 ice Act of 1980 (22 U.S.C. 4003) is amended by adding  
22 at the end the following new subsection:

23 “(c)(1) A member of the Service or member of the  
24 Senior Foreign Service whose performance will be evalu-  
25 ated by a selection board may submit to such selection  
26 board a gap memo in advance of such evaluation.

1       “(2) Members of a selection board may not consider  
2 as negative the submission of a gap memo by a member  
3 described in paragraph (1) when evaluating the perform-  
4 ance of such member.

5       “(3) In this subsection, the term ‘gap memo’ means  
6 a written record, submitted to a selection board in a stand-  
7 ard format established by the Director General of the For-  
8 eign Service, which indicates and explains a gap in the  
9 record of a member of the Service or member of the Senior  
10 Foreign Service whose performance will be evaluated by  
11 such selection board, which gap is due to personal cir-  
12 cumstances, including for health, family, or other reason  
13 as determined by the Director General in consultation with  
14 the Committee on Foreign Affairs of the House of Rep-  
15 resentatives and the Committee on Foreign Relations of  
16 the Senate.”.

17       (b) CONSULTATION AND GUIDANCE.—

18           (1) CONSULTATION.—Not later than 30 days  
19 after the date of the enactment of this Act, the Di-  
20 rector General of the Foreign Service shall consult  
21 with the Committee on Foreign Affairs of the House  
22 of Representatives and the Committee on Foreign  
23 Relations of the Senate regarding the development  
24 of the gap memo under subsection (c) of section 603

1 of the Foreign Service Act of 1980 (22 U.S.C.  
2 4003), as added by subsection (a) of this section.

3 (2) DEFINITION.—In this subsection, the term  
4 “gap memo” has the meaning given such term in  
5 subsection (c) of section 603 of the Foreign Service  
6 Act of 1980 (22 U.S.C. 4003), as added by sub-  
7 section (a) of this section.

8 **TITLE LIV—A DIVERSE WORK-**  
9 **FORCE: RECRUITMENT, RE-**  
10 **TENTION, AND PROMOTION**

Sec. 5401. Definitions.

Sec. 5402. Exit interviews for workforce.

Sec. 5403. Recruitment and retention.

Sec. 5404. Leadership engagement and accountability.

Sec. 5405. Professional development opportunities and tools.

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

Sec. 5407. Payne fellowship authorization.

Sec. 5408. Voluntary participation.

11 **SEC. 5401. DEFINITIONS.**

12 In this title:

13 (1) APPLICANT FLOW DATA.—The term “appli-  
14 cant flow data” means data that tracks the rate of  
15 applications for job positions among demographic  
16 categories.

17 (2) DEMOGRAPHIC DATA.—The term “demo-  
18 graphic data” means facts or statistics relating to  
19 the demographic categories specified in the Office of  
20 Management and Budget statistical policy directive  
21 entitled “Standards for Maintaining, Collecting, and

1 Presenting Federal Data on Race and Ethnicity”  
2 (81 Fed. Reg. 67398).

3 (3) DIVERSITY.—The term “diversity” means  
4 those classes of persons protected under the Civil  
5 Rights Act of 1964 (42 U.S.C. 2000a et seq.) and  
6 the Americans with Disabilities Act of 1990 (42  
7 U.S.C. 12101 et seq.).

8 (4) WORKFORCE.—The term “workforce”  
9 means—

10 (A) individuals serving in a position in the  
11 civil service (as defined in section 2101 of title  
12 5, United States Code);

13 (B) individuals who are members of the  
14 Foreign Service (as defined in section 103 of  
15 the Foreign Service Act of 1980 (22 U.S.C.  
16 3902));

17 (C) all individuals serving under a personal  
18 services contract;

19 (D) all individuals serving under a Foreign  
20 Service Limited appointment under section 309  
21 of the Foreign Service Act of 1980; or

22 (E) individuals other than Locally Em-  
23 ployed Staff working in the Department of  
24 State under any other authority.

1 **SEC. 5402. EXIT INTERVIEWS FOR WORKFORCE.**

2 (a) **RETAINED MEMBERS.**—The Director General of  
3 the Foreign Service and the Director of the Bureau of  
4 Human Resources or its equivalent shall conduct periodic  
5 interviews with a representative and diverse cross-section  
6 of the workforce of the Department—

7 (1) to understand the reasons of individuals in  
8 such workforce for remaining in a position in the  
9 Department; and

10 (2) to receive feedback on workplace policies,  
11 professional development opportunities, and other  
12 issues affecting the decision of individuals in the  
13 workforce to remain in the Department.

14 (b) **DEPARTING MEMBERS.**—The Director General of  
15 the Foreign Service and the Director of the Bureau of  
16 Human Resources or its equivalent shall provide an oppor-  
17 tunity for an exit interview to each individual in the work-  
18 force of the Department who separates from service with  
19 the Department to better understand the reasons of such  
20 individual for leaving such service.

21 (c) **USE OF ANALYSIS FROM INTERVIEWS.**—The Di-  
22 rector General of the Foreign Service and the Director of  
23 the Bureau of Human Resources or its equivalent shall  
24 analyze demographic data and other information obtained  
25 through interviews under subsections (a) and (b) to deter-

1 mine to what extent, if any, the diversity of those partici-  
2 pating in such interviews impacts the results.

3 (d) TRACKING DATA.—The Department shall—

4 (1) track demographic data relating to partici-  
5 pants in professional development programs and the  
6 rate of placement into senior positions for partici-  
7 pants in such programs;

8 (2) annually evaluate such data—

9 (A) to identify ways to improve outreach  
10 and recruitment for such programs, consistent  
11 with merit system principles; and

12 (B) to understand the extent to which par-  
13 ticipation in any professional development pro-  
14 gram offered or sponsored by the Department  
15 differs among the demographic categories of the  
16 workforce; and

17 (3) actively encourage participation from a  
18 range of demographic categories, especially from cat-  
19 egories with consistently low participation, in such  
20 professional development programs.

21 **SEC. 5403. RECRUITMENT AND RETENTION.**

22 (a) IN GENERAL.—The Secretary shall—

23 (1) continue to seek a diverse and talented pool  
24 of applicants; and

1           (2) instruct the Director General of the Foreign  
2           Service and the Director of the Bureau of Human  
3           Resources of the Department to have a recruitment  
4           plan of action for the recruitment of people belong-  
5           ing to traditionally under-represented groups, which  
6           should include outreach at appropriate colleges, uni-  
7           versities, affinity groups, and professional associa-  
8           tions.

9           (b) SCOPE.—The diversity recruitment initiatives de-  
10          scribed in subsection (a) shall include—

11           (1) recruiting at women’s colleges, historically  
12           Black colleges and universities, minority-serving in-  
13           stitutions, and other institutions serving a signifi-  
14           cant percentage of minority students;

15           (2) placing job advertisements in newspapers,  
16           magazines, and job sites oriented toward diverse  
17           groups;

18           (3) sponsoring and recruiting at job fairs in  
19           urban and rural communities and land-grant colleges  
20           or universities;

21           (4) providing opportunities through highly re-  
22           spected, international leadership programs, that  
23           focus on diversity recruitment and retention;

24           (5) expanding the use of paid internships; and

1           (6) cultivating partnerships with organizations  
2           dedicated to the advancement of the profession of  
3           international affairs and national security to advance  
4           shared diversity goals.

5           (c) EXPAND TRAINING ON ANTI-HARASSMENT AND  
6 ANTI-DISCRIMINATION.—

7           (1) IN GENERAL.—The Secretary shall, through  
8           the Foreign Service Institute and other educational  
9           and training opportunities—

10                   (A) ensure the provision to all individuals  
11                   in the workforce of training on anti-harassment  
12                   and anti-discrimination information and poli-  
13                   cies, including in existing Foreign Service Insti-  
14                   tute courses or modules prioritized in the De-  
15                   partment’s Diversity and Inclusion Strategic  
16                   Plan for 2016–2020 to promote diversity in Bu-  
17                   reau awards or mitigate unconscious bias;

18                   (B) expand the provision of training on  
19                   workplace rights and responsibilities to focus on  
20                   anti-harassment and anti-discrimination infor-  
21                   mation and policies, including policies relating  
22                   to sexual assault prevention and response; and

23                   (C) make such expanded training manda-  
24                   tory for—



1 (i) individuals in senior and super-  
2 visory positions;

3 (ii) individuals having responsibilities  
4 related to recruitment, retention, or pro-  
5 motion of employees; and

6 (iii) any other individual determined  
7 by the Department who needs such train-  
8 ing based on analysis by the Department  
9 or OPM analysis.

10 (2) BEST PRACTICES.—The Department shall  
11 give special attention to ensuring the continuous in-  
12 corporation of research-based best practices in train-  
13 ing provided under this subsection.

14 **SEC. 5404. LEADERSHIP ENGAGEMENT AND ACCOUNT-**  
15 **ABILITY.**

16 (a) REWARD AND RECOGNIZE EFFORTS TO PRO-  
17 MOTE DIVERSITY AND INCLUSION.—

18 (1) IN GENERAL.—The Secretary shall imple-  
19 ment performance and advancement requirements  
20 that reward and recognize the efforts of individuals  
21 in senior positions and supervisors in the Depart-  
22 ment in fostering an inclusive environment and culti-  
23 vating talent consistent with merit system principles,  
24 such as through participation in mentoring pro-

1       grams or sponsorship initiatives, recruitment events,  
2       and other similar opportunities.

3               (2) OUTREACH EVENTS.—The Secretary shall  
4       create opportunities for individuals in senior posi-  
5       tions and supervisors in the Department to partici-  
6       pate in outreach events and to discuss issues relat-  
7       ing to diversity and inclusion with the workforce on  
8       a regular basis, including with employee resource  
9       groups.

10       (b) EXTERNAL ADVISORY COMMITTEES AND  
11       BOARDS.—For each external advisory committee or board  
12       to which individuals in senior positions in the Department  
13       appoint members, the Secretary is strongly encouraged by  
14       Congress to ensure such external advisory committee or  
15       board is developed, reviewed, and carried out by qualified  
16       teams that represent the diversity of the organization.

17       **SEC. 5405. PROFESSIONAL DEVELOPMENT OPPORTUNITIES**  
18                               **AND TOOLS.**

19       (a) EXPAND PROVISION OF PROFESSIONAL DEVEL-  
20       OPMENT AND CAREER ADVANCEMENT OPPORTUNITIES.—

21               (1) IN GENERAL.—The Secretary is authorized  
22       to expand professional development opportunities  
23       that support the mission needs of the Department,  
24       such as—

25                               (A) academic programs;

- 1 (B) private-public exchanges; and  
2 (C) detail assignments to relevant positions  
3 in—  
4 (i) private or international organiza-  
5 tions;  
6 (ii) State, local, and Tribal govern-  
7 ments;  
8 (iii) other branches of the Federal  
9 Government; or  
10 (iv) professional schools of inter-  
11 national affairs.

12 (2) TRAINING FOR SENIOR POSITIONS.—

13 (A) IN GENERAL.—The Secretary shall  
14 offer, or sponsor members of the workforce to  
15 participate in, a Senior Executive Service can-  
16 didate development program or other program  
17 that trains members on the skills required for  
18 appointment to senior positions in the Depart-  
19 ment.

20 (B) REQUIREMENTS.—In determining  
21 which members of the workforce are granted  
22 professional development or career advancement  
23 opportunities under subparagraph (A), the Sec-  
24 retary shall—

1 (i) ensure any program offered or  
2 sponsored by the Department under such  
3 subparagraph comports with the require-  
4 ments of subpart C of part 412 of title 5,  
5 Code of Federal Regulations, or any suc-  
6 cessor thereto, including merit staffing and  
7 assessment requirements;

8 (ii) consider the number of expected  
9 vacancies in senior positions as a factor in  
10 determining the number of candidates to  
11 select for such programs;

12 (iii) understand how participation in  
13 any program offered or sponsored by the  
14 Department under such subparagraph dif-  
15 fers by gender, race, national origin, dis-  
16 ability status, or other demographic cat-  
17 egories; and

18 (iv) actively encourage participation  
19 from a range of demographic categories,  
20 especially from categories with consistently  
21 low participation.

22 **SEC. 5406. EXAMINATION AND ORAL ASSESSMENT FOR THE**  
23 **FOREIGN SERVICE.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the Department should offer both the Foreign

1 Service written examination and oral assessment in more  
2 locations throughout the United States. Doing so would  
3 ease the financial burden on potential candidates who do  
4 not currently reside in and must travel at their own ex-  
5 pense to one of the few locations where these assessments  
6 are offered.

7 (b) FOREIGN SERVICE EXAMINATIONS.—Section  
8 301(b) of the Foreign Service Act of 1980 (22 U.S.C.  
9 3941) is amended—

10 (1) by striking “The Secretary” and inserting:

11 “(1) The Secretary”; and

12 (2) by adding at the end the following new  
13 paragraph:

14 “(2) The Secretary shall ensure that the Board of  
15 Examiners for the Foreign Service annually offers the oral  
16 assessment examinations described in paragraph (1) in  
17 cities, chosen on a rotating basis, located in at least three  
18 different time zones across the United States.”.

19 **SEC. 5407. PAYNE FELLOWSHIP AUTHORIZATION.**

20 (a) IN GENERAL.—Undergraduate and graduate  
21 components of the Donald M. Payne International Devel-  
22 opment Fellowship Program may conduct outreach to at-  
23 tract outstanding students with an interest in pursuing  
24 a Foreign Service career who represent diverse ethnic and  
25 socioeconomic backgrounds.

1 (b) REVIEW OF PAST PROGRAMS.—The Secretary  
2 shall review past programs designed to increase minority  
3 representation in international affairs positions.

4 **SEC. 5408. VOLUNTARY PARTICIPATION.**

5 (a) IN GENERAL.—Nothing in this title should be  
6 construed so as to compel any employee to participate in  
7 the collection of the data or divulge any personal informa-  
8 tion. Department employees shall be informed that their  
9 participation in the data collection contemplated by this  
10 title is voluntary.

11 (b) PRIVACY PROTECTION.—Any data collected  
12 under this title shall be subject to the relevant privacy pro-  
13 tection statutes and regulations applicable to Federal em-  
14 ployees.

15 **TITLE LV—INFORMATION**  
16 **SECURITY**

Sec. 5501. Definitions.

Sec. 5502. List of certain telecommunications providers.

Sec. 5503. Preserving records of electronic communications.

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

17 **SEC. 5501. DEFINITIONS.**

18 In this title:

19 (1) INTELLIGENCE COMMUNITY.—The term  
20 “intelligence community” has the meaning given  
21 such term in section 3(4) of the National Security  
22 Act of 1947 (50 U.S.C. 3003(4)).

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1           (2) RELEVANT CONGRESSIONAL COMMIT-  
2           TEES.—The term “relevant congressional commit-  
3           tees” means—

4                   (A) the appropriate congressional commit-  
5           tees;

6                   (B) the Select Committee on Intelligence  
7           of the Senate; and

8                   (C) the Permanent Select Committee on  
9           Intelligence of the House of Representatives.

10 **SEC. 5502. LIST OF CERTAIN TELECOMMUNICATIONS PRO-**  
11 **VIDERS.**

12           (a) LIST OF COVERED CONTRACTORS.—Not later  
13 than 30 days after the date of the enactment of this Act,  
14 the Secretary, in consultation with the Director of Na-  
15 tional Intelligence and other appropriate Federal agencies  
16 as determined jointly by the Secretary and the Director  
17 of National Intelligence, shall develop or maintain, as the  
18 case may be, and update as frequently as the Secretary  
19 determines appropriate, a list of covered contractors with  
20 respect to which the Department should seek to avoid en-  
21 tering into contracts. Not later than 30 days after the ini-  
22 tial development of the list under this subsection, any up-  
23 date thereto, and annually thereafter for 5 years after  
24 such initial 30 day period, the Secretary shall submit to

1 the appropriate congressional committees a copy of such  
2 list.

3 (b) COVERED CONTRACTOR DEFINED.—In this sec-  
4 tion, the term “covered contractor” means a provider of  
5 telecommunications, telecommunications equipment, or in-  
6 formation technology equipment, including hardware, soft-  
7 ware, or services, that has knowingly assisted or facilitated  
8 a cyber attack or conducted surveillance, including passive  
9 or active monitoring, carried out against—

10 (1) the United States by, or on behalf of, any  
11 government, or persons associated with such govern-  
12 ment, listed as a cyber threat actor in the intel-  
13 ligence community’s 2017 assessment of worldwide  
14 threats to United States national security or any  
15 subsequent worldwide threat assessment of the intel-  
16 ligence community; or

17 (2) individuals, including activists, journalists,  
18 opposition politicians, or other individuals for the  
19 purposes of suppressing dissent or intimidating crit-  
20 ics, on behalf of a country included in the annual  
21 country reports on human rights practices of the  
22 Department for systematic acts of political repres-  
23 sion, including arbitrary arrest or detention, torture,  
24 extrajudicial or politically motivated killing, or other  
25 gross violations of human rights.



1 **SEC. 5503. PRESERVING RECORDS OF ELECTRONIC COM-**  
2 **MUNICATIONS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that all officers and employees of the Department  
5 and the United States Agency for International Develop-  
6 ment are obligated under chapter 31 of title 44, United  
7 States Code (popularly referred to as the Federal Records  
8 Act of 1950), to create and preserve records containing  
9 adequate and proper documentation of the organization,  
10 functions, policies, decisions, procedures, and essential  
11 transactions or operations of the Department and United  
12 States embassies, consulates, and missions abroad, includ-  
13 ing records of official communications with foreign govern-  
14 ment officials or other foreign entities.

15 (b) CERTIFICATION.—Not later than 180 days after  
16 the date of the enactment of this Act, the Secretary shall  
17 submit to the appropriate congressional committees a cer-  
18 tification in unclassified form that the Secretary has com-  
19 municated to all Department personnel, including the Sec-  
20 retary of State and all political appointees, that such per-  
21 sonnel are obligated under chapter 31 of title 44, United  
22 States Code, to treat electronic messaging systems, soft-  
23 ware, and applications as equivalent to electronic mail for  
24 the purpose of identifying Federal records.

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1 **SEC. 5504. FOREIGN RELATIONS OF THE UNITED STATES**  
2 **(FRUS) SERIES AND DECLASSIFICATION.**

3 The State Department Basic Authorities Act of 1956  
4 is amended—

5 (1) in section 402(a)(2) (22 U.S.C.  
6 4352(a)(2)), by striking “26” and inserting “20”;  
7 and

8 (2) in section 404(a)(1) (22 U.S.C. 4354(a)(1),  
9 by striking “30” and inserting “25”.

10 **TITLE LVI—PUBLIC DIPLOMACY**

Sec. 5601. Short title.

Sec. 5602. Avoiding duplication of programs and efforts.

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

Sec. 5604. Permanent reauthorization of the United States Advisory Commis-  
sion on Public Diplomacy.

Sec. 5605. Streamlining of support functions.

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

Sec. 5607. Definitions.

11 **SEC. 5601. SHORT TITLE.**

12 This title may be cited as the “Public Diplomacy  
13 Modernization Act of 2021”.

14 **SEC. 5602. AVOIDING DUPLICATION OF PROGRAMS AND EF-**  
15 **FORTS.**

16 The Secretary shall—

17 (1) identify opportunities for greater efficiency  
18 of operations, including through improved coordina-  
19 tion of efforts across public diplomacy bureaus and  
20 offices of the Department; and



1 Resources for Public Diplomacy and Public Affairs  
2 of the Department.

3 (2) LIMITATION ON APPOINTMENT.—The ap-  
4 pointment of the Director pursuant to paragraph (1)  
5 shall not result in an increase in the overall full-time  
6 equivalent positions within the Department.

7 (3) RESPONSIBILITIES.—The Director shall—

8 (A) coordinate and oversee the research  
9 and evaluation of public diplomacy programs  
10 and activities of the Department in order to—

11 (i) improve public diplomacy strate-  
12 gies and tactics; and

13 (ii) ensure that such programs and  
14 activities are increasing the knowledge, un-  
15 derstanding, and trust of the United  
16 States by relevant target audiences;

17 (B) routinely organize and oversee audi-  
18 ence research, digital analytics, and impact  
19 evaluations across all public diplomacy bureaus  
20 and offices of the Department;

21 (C) support United States diplomatic  
22 posts' public affairs sections;

23 (D) share appropriate public diplomacy re-  
24 search and evaluation information within the

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1 Department and with other appropriate Federal  
2 departments and agencies;

3 (E) regularly design and coordinate stand-  
4 ardized research questions, methodologies, and  
5 procedures to ensure that public diplomacy pro-  
6 grams and activities across all public diplomacy  
7 bureaus and offices are designed to meet appro-  
8 priate foreign policy objectives; and

9 (F) report biannually to the United States  
10 Advisory Commission on Public Diplomacy,  
11 through the Subcommittee on Research and  
12 Evaluation established pursuant to subsection  
13 (f), regarding the research and evaluation of all  
14 public diplomacy bureaus and offices.

15 (4) GUIDANCE AND TRAINING.—Not later than  
16 1 year after the appointment of the Director pursu-  
17 ant to paragraph (1), the Director shall develop  
18 guidance and training, including curriculum for use  
19 by the Foreign Service Institute, for all public diplo-  
20 macy officers of the Department regarding the read-  
21 ing and interpretation of public diplomacy program  
22 and activity evaluation findings to ensure that such  
23 findings and related lessons learned are implemented  
24 in the planning and evaluation of all public diplo-  
25 macy programs and activities of the Department.

1 (c) PRIORITIZING RESEARCH AND EVALUATION.—

2 (1) IN GENERAL.—The head of the Office of  
3 Policy, Planning, and Resources for Public Diplo-  
4 macy and Public Affairs of the Department shall en-  
5 sure that research and evaluation of public diplo-  
6 macy and activities of the Department, as coordi-  
7 nated and overseen by the Director pursuant to sub-  
8 section (b), supports strategic planning and resource  
9 allocation across all public diplomacy bureaus and  
10 offices of the Department.

11 (2) ALLOCATION OF RESOURCES.—Amounts al-  
12 located for the purpose of research and evaluation of  
13 public diplomacy programs and activities of the De-  
14 partment pursuant to subsection (b) shall be made  
15 available to be disbursed at the direction of the Di-  
16 rector of Research and Evaluation among the re-  
17 search and evaluation staff across all public diplo-  
18 macy bureaus and offices of the Department.

19 (3) SENSE OF CONGRESS.—It is the sense of  
20 Congress that the Department should gradually in-  
21 crease its allocation of funds made available under  
22 the headings “Educational and Cultural Exchange  
23 Programs” and “Diplomatic Programs” for research  
24 and evaluation of public diplomacy programs and ac-  
25 tivities of the Department pursuant to subsection (b)

1 to a percentage of program funds that is commensu-  
2 rate with Federal Government best practices.

3 (d) LIMITED EXEMPTION RELATING TO THE PAPER-  
4 WORK REDUCTION ACT.—Chapter 35 of title 44, United  
5 States Code (commonly known as the “Paperwork Reduc-  
6 tion Act”) shall not apply to the collection of information  
7 directed at any individuals conducted by, or on behalf of,  
8 the Department of State for the purpose of audience re-  
9 search, monitoring, and evaluations, and in connection  
10 with the Department’s activities conducted pursuant to  
11 any of the following:

12 (1) The Mutual Educational and Cultural Ex-  
13 change Act of 1961 (22 U.S.C. 2451 et seq.).

14 (2) Section 1287 of the National Defense Au-  
15 thorization Act for Fiscal Year 2017 (Public Law  
16 114–328; 22 U.S.C. 2656 note).

17 (3) The Foreign Assistance Act of 1961 (22  
18 U.S.C. 2151 et seq.).

19 (e) LIMITED EXEMPTION RELATING TO THE PRI-  
20 VACY ACT.—

21 (1) IN GENERAL.—The Department shall main-  
22 tain, collect, use, and disseminate records (as such  
23 term is defined in section 552a(a)(4) of title 5,  
24 United States Code) for audience research, digital  
25 analytics, and impact evaluation of communications

1 related to public diplomacy efforts intended for for-  
2 eign audiences.

3 (2) CONDITIONS.—Audience research, digital  
4 analytics, and impact evaluations under paragraph  
5 (1) shall be—

6 (A) reasonably tailored to meet the pur-  
7 poses of this subsection; and

8 (B) carried out with due regard for privacy  
9 and civil liberties guidance and oversight.

10 (f) UNITED STATES ADVISORY COMMISSION ON PUB-  
11 LIC DIPLOMACY.—

12 (1) SUBCOMMITTEE FOR RESEARCH AND EVAL-  
13 UATION.—The United States Advisory Commission  
14 on Public Diplomacy shall establish a Subcommittee  
15 on Research and Evaluation to monitor and advise  
16 regarding audience research, digital analytics, and  
17 impact evaluations carried out by the Department  
18 and the United States Agency for Global Media.

19 (2) ANNUAL REPORT.—The Subcommittee on  
20 Research and Evaluation established pursuant to  
21 paragraph (1) shall submit to the appropriate con-  
22 gressional committees an annual report, in conjunc-  
23 tion with the United States Advisory Commission on  
24 Public Diplomacy’s Comprehensive Annual Report  
25 on the performance of the Department and the



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1 United States Agency for Global Media, describing  
2 all actions taken by the Subcommittee pursuant to  
3 paragraph (1) and any findings made as a result of  
4 such actions.

5 **SEC. 5604. PERMANENT REAUTHORIZATION OF THE**  
6 **UNITED STATES ADVISORY COMMISSION ON**  
7 **PUBLIC DIPLOMACY.**

8 Section 1334 of the Foreign Affairs Reform and Re-  
9 structuring Act of 1998 (22 U.S.C. 6553) is amended—

10 (1) in the section heading, by striking “**SUN-**  
11 **SET**” and inserting “**CONTINUATION**”; and

12 (2) by striking “until October 1, 2021”.

13 **SEC. 5605. STREAMLINING OF SUPPORT FUNCTIONS.**

14 (a) **WORKING GROUP ESTABLISHED.**—Not later than  
15 60 days after the date of the enactment of this Act, the  
16 Secretary shall establish a working group to explore the  
17 possibilities and cost-benefit analysis of transitioning to a  
18 shared services model as such pertains to human re-  
19 sources, travel, purchasing, budgetary planning, and all  
20 other executive support functions for all bureaus of the  
21 Department that report to the Under Secretary for Public  
22 Diplomacy of the Department.

23 (b) **REPORT.**—Not later than 180 days after the date  
24 of the enactment of this Act, the Secretary shall submit  
25 to the appropriate congressional committees a plan to im-

1 plement any such findings of the working group estab-  
2 lished under subsection (a).

3 **SEC. 5606. GUIDANCE FOR CLOSURE OF PUBLIC DIPLO-**  
4 **MACY FACILITIES.**

5 (a) IN GENERAL.—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of State  
7 shall adopt, and include in the Foreign Affairs Manual,  
8 guidelines to collect and utilize information from each dip-  
9 lomatic post at which the construction of a new embassy  
10 compound or new consulate compound would result in the  
11 closure or co-location of an American Space, American  
12 Center, American Corner, or any other public diplomacy  
13 facility under the Secure Embassy Construction and  
14 Counterterrorism Act of 1999 (22 U.S.C. 4865 et seq.).

15 (b) REQUIREMENTS.—The guidelines required by  
16 subsection (a) shall include the following:

17 (1) Standardized notification to each chief of  
18 mission at a diplomatic post describing the require-  
19 ments of the Secure Embassy Construction and  
20 Counterterrorism Act of 1999 and the impact on the  
21 mission footprint of such requirements.

22 (2) An assessment and recommendations from  
23 each chief of mission of potential impacts to public  
24 diplomacy programming at such diplomatic post if  
25 any public diplomacy facility referred to in sub-

1 section (a) is closed or staff is co-located in accord-  
2 ance with such Act.

3 (3) A process by which assessments and rec-  
4 ommendations under paragraph (2) are considered  
5 by the Secretary and the appropriate Under Secre-  
6 taries and Assistant Secretaries of the Department.

7 (4) Notification to the appropriate congres-  
8 sional committees, prior to the initiation of a new  
9 embassy compound or new consulate compound de-  
10 sign, of the intent to close any such public diplomacy  
11 facility or co-locate public diplomacy staff in accord-  
12 ance with such Act.

13 (c) REPORT.—Not later than 1 year after the date  
14 of the enactment of this Act, the Secretary shall submit  
15 to the appropriate congressional committees a report con-  
16 taining the guidelines required under subsection (a) and  
17 any recommendations for any modifications to such guide-  
18 lines.

19 **SEC. 5607. DEFINITIONS.**

20 In this title:

21 (1) AUDIENCE RESEARCH.—The term “audi-  
22 ence research” means research conducted at the out-  
23 set of a public diplomacy program or the outset of  
24 campaign planning and design regarding specific au-  
25 dience segments to understand the attitudes, inter-

1       ests, knowledge, and behaviors of such audience seg-  
2       ments.

3           (2) **DIGITAL ANALYTICS.**—The term “digital  
4       analytics” means the analysis of qualitative and  
5       quantitative data, accumulated in digital format, to  
6       indicate the outputs and outcomes of a public diplo-  
7       macy program or campaign.

8           (3) **IMPACT EVALUATION.**—The term “impact  
9       evaluation” means an assessment of the changes in  
10      the audience targeted by a public diplomacy program  
11      or campaign that can be attributed to such program  
12      or campaign.

13          (4) **PUBLIC DIPLOMACY BUREAUS AND OF-**  
14      **FICES.**—The term “public diplomacy bureaus and  
15      offices” means, with respect to the Department, the  
16      following:

17           (A) The Bureau of Educational and Cul-  
18      tural Affairs.

19           (B) The Bureau of Global Public Affairs.

20           (C) The Office of Policy, Planning, and  
21      Resources for Public Diplomacy and Public Af-  
22      fairs.

23           (D) The Global Engagement Center.

24           (E) The public diplomacy functions within  
25      the regional and functional bureaus.

# 1     **TITLE LVII—OTHER MATTERS**

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

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

Sec. 5703. Chief of mission concurrence.

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

## 2     **SEC. 5701. LIMITATION ON ASSISTANCE TO COUNTRIES IN** 3                     **DEFAULT.**

4             Section 620(q) of the Foreign Assistance Act of 1961  
5 (22 U.S.C. 2370(q)) is amended—

6                     (1) by striking “No assistance” and inserting  
7 the following:

8                             “(1) No assistance”;

9                     (2) by inserting “the government of” before  
10 “any country”;

11                     (3) by inserting “the government of” before  
12 “such country” each place it appears;

13                     (4) by striking “determines” and all that fol-  
14 lows and inserting “determines, after consultation  
15 with the Committee on Foreign Affairs and the  
16 Committee on Appropriations of the House of Rep-  
17 resentatives and the Committee on Foreign Rela-  
18 tions and the Committee on Appropriations of the  
19 Senate, that assistance for such country is in the na-  
20 tional interest of the United States.”; and

21                     (5) by adding at the end the following new  
22 paragraph:

1           “(2) No assistance shall be furnished under this  
2           Act, the Peace Corps Act, the Millennium Challenge  
3           Act of 2003, the African Development Foundation  
4           Act, the BUILD Act of 2018, section 504 of the  
5           FREEDOM Support Act, or section 23 of the Arms  
6           Export Control Act to the government of any coun-  
7           try which is in default during a period in excess of  
8           1 calendar year in payment to the United States of  
9           principal or interest or any loan made to the govern-  
10          ment of such country by the United States unless  
11          the President determines, following consultation with  
12          the congressional committees specified in paragraph  
13          (1), that assistance for such country is in the na-  
14          tional interest of the United States.”.

15 **SEC. 5702. SEAN AND DAVID GOLDMAN CHILD ABDUCTION**  
16                   **PREVENTION AND RETURN ACT OF 2014**  
17                   **AMENDMENT.**

18          Subsection (b) of section 101 of the Sean and David  
19          Goldman International Child Abduction Prevention and  
20          Return Act of 2014 (22 U.S.C. 9111; Public Law 113–  
21          150) is amended—

22                   (1) in paragraph (2)—

23                           (A) in subparagraph (A)—

24                                   (i) by inserting “, respectively,” after  
25                                   “access cases”; and

1983

1 (ii) by inserting “and the number of  
2 children involved” before the semicolon at  
3 the end; and

4 (B) in subparagraph (D), by inserting “re-  
5 spectively, the number of children involved,”  
6 after “access cases,”;

7 (2) in paragraph (7), by inserting “, and num-  
8 ber of children involved in such cases” before the  
9 semicolon at the end;

10 (3) in paragraph (8), by striking “and” after  
11 the semicolon at the end;

12 (4) in paragraph (9), by striking the period at  
13 the end and inserting “; and”;

14 (5) by adding at the end the following new  
15 paragraph:

16 “(10) the total number of pending cases the  
17 Department of State has assigned to case officers  
18 and number of children involved for each country  
19 and as a total for all countries.”.

20 **SEC. 5703. CHIEF OF MISSION CONCURRENCE.**

21 In the course of a chief of mission providing concur-  
22 rence to the exercise of the authority pursuant to section  
23 127e of title 10, United States Code, or section 1202 of  
24 the National Defense Authorization Act for Fiscal Year  
25 2018—

1           (1) each relevant chief of mission shall inform  
2           and consult in a timely manner with relevant indi-  
3           viduals at relevant missions or bureaus of the De-  
4           partment of State; and

5           (2) the Secretary of State shall take such steps  
6           as may be necessary to ensure that such relevant in-  
7           dividuals have the security clearances necessary and  
8           access to relevant compartmented and special pro-  
9           grams to so consult in a timely manner with respect  
10          to such concurrence.

11 **SEC. 5704. REPORT ON EFFORTS OF THE CORONAVIRUS RE-**  
12 **PATRIATION TASK FORCE.**

13          Not later than 90 days after the date of the enact-  
14          ment of this Act, the Secretary of State shall submit to  
15          the appropriate congressional committees, the Committee  
16          on Armed Services of the House of Representatives, and  
17          the Committee on Armed Services of the Senate a report  
18          evaluating the efforts of the Coronavirus Repatriation  
19          Task Force of the Department of State to repatriate  
20          United States citizens and legal permanent residents in  
21          response to the 2020 coronavirus outbreak. The report  
22          shall identify—

23                 (1) the most significant impediments to repa-  
24          triating such persons;



- 1           (2) the lessons learned from such repatriations;  
2       and  
3           (3) any changes planned to future repatriation  
4       efforts of the Department of State to incorporate  
5       such lessons learned.

6       **DIVISION F—OTHER NON-DE-**  
7       **PARTMENT OF DEFENSE MAT-**  
8       **TERS**  
9           **TITLE LXI—FINANCIAL**  
10       **SERVICES MATTERS**

Sec. 6101. FinCEN Exchange.

Sec. 6102. Adverse information in cases of trafficking.

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

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

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

Sec. 6106. Illicit finance improvements.

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

11       **SEC. 6101. FINCEN EXCHANGE.**

12       Section 310(d) of title 31, United States Code, is  
13       amended—

14           (1) in paragraph (2), by inserting “other rel-  
15       evant private sector entities,” after “financial insti-  
16       tutions,”;

17           (2) in paragraph (3)(A)(i)(II), by inserting  
18       “and other relevant private sector entities” after “fi-  
19       nancial institutions”; and

1 (3) in paragraph (5)—

2 (A) in subparagraph (A), by inserting “or  
3 other relevant private sector entity” after “fi-  
4 nancial institution”; and

5 (B) in subparagraph (B)—

6 (i) by striking “Information” and in-  
7 serting the following:

8 “(i) USE BY FINANCIAL INSTITU-  
9 TIONS.—Information”; and

10 (ii) by adding at the end the fol-  
11 lowing:

12 “(ii) USE BY OTHER RELEVANT PRI-  
13 VATE SECTOR ENTITIES.—Information re-  
14 ceived by a relevant private sector entity  
15 that is not a financial institution pursuant  
16 to this section shall not be used for any  
17 purpose other than assisting a financial in-  
18 stitution in identifying and reporting on  
19 activities that may involve the financing of  
20 terrorism, money laundering, proliferation  
21 financing, or other financial crimes, or in  
22 assisting FinCEN or another agency of the  
23 Federal Government in mitigating the risk  
24 of the financing of terrorism, money laun-

1           dering, proliferation financing, or other  
2           criminal activities.”.

3 **SEC. 6102. ADVERSE INFORMATION IN CASES OF TRAF-**  
4 **FICKING.**

5       (a) IN GENERAL.—The Fair Credit Reporting Act  
6 (15 U.S.C. 1681 et seq.) is amended by inserting after  
7 section 605B the following:

8 **“§ 605C. Adverse information in cases of trafficking**

9       “(a) DEFINITIONS.—In this section:

10           “(1) TRAFFICKING DOCUMENTATION.—The  
11 term ‘trafficking documentation’ means—

12                   “(A) documentation of—

13                           “(i) a determination that a consumer  
14 is a victim of trafficking made by a Fed-  
15 eral, State, or Tribal governmental entity;  
16 or

17                           “(ii) by a court of competent jurisdic-  
18 tion; and

19                   “(B) documentation that identifies items  
20 of adverse information that should not be fur-  
21 nished by a consumer reporting agency because  
22 the items resulted from a severe form of traf-  
23 ficking in persons or sex trafficking of which  
24 the consumer is a victim.

1           “(2) TRAFFICKING VICTIMS PROTECTION ACT  
2           OF 2000 DEFINITIONS.—The terms ‘severe forms of  
3           trafficking in persons’ and ‘sex trafficking’ have the  
4           meanings given, respectively, in section 103 of the  
5           Trafficking Victims Protection Act of 2000 (22  
6           U.S.C. 7102).

7           “(3) VICTIM OF TRAFFICKING.—The term ‘vic-  
8           tim of trafficking’ means a person who is a victim  
9           of a severe form of trafficking in persons or sex traf-  
10          ficking.

11          “(b) ADVERSE INFORMATION.—A consumer report-  
12          ing agency may not furnish a consumer report containing  
13          any adverse item of information about a consumer that  
14          resulted from a severe form of trafficking in persons or  
15          sex trafficking if the consumer has provided trafficking  
16          documentation to the consumer reporting agency.

17          “(c) RULEMAKING.—

18                 “(1) IN GENERAL.—Not later than 180 days  
19                 after the date of the enactment of this section, the  
20                 Director shall issue rules to implement subsection  
21                 (a).

22                 “(2) CONTENTS.—The rules issued pursuant to  
23                 paragraph (1) shall establish a method by which  
24                 consumers shall submit trafficking documentation to  
25                 consumer reporting agencies.”.

1 (b) TABLE OF CONTENTS AMENDMENT.—The table  
2 of contents of the Fair Credit Reporting Act is amended  
3 by inserting after the item relating to section 605B the  
4 following:

“605C. Adverse information in cases of trafficking.”.

5 (c) APPLICATION.—The amendments made by this  
6 section shall apply on the date that is 30 days after the  
7 date on which the Director of the Bureau of Consumer  
8 Financial Protection issues a rule pursuant to section  
9 605C(c) of the Fair Credit Reporting Act, as added by  
10 subsection (a) of this section. Any rule issued by the Di-  
11 rector to implement such section 605C shall be limited to  
12 preventing a consumer reporting agency from furnishing  
13 a consumer report containing any adverse item of informa-  
14 tion about a consumer (as such terms are defined, respec-  
15 tively, in section 603 the Fair Credit Reporting Act (15  
16 U.S.C. 1681a)) that resulted from trafficking.

17 **SEC. 6103. SUPPORT TO ENHANCE THE CAPACITY OF**  
18 **INTERNATIONAL MONETARY FUND MEMBERS**  
19 **TO EVALUATE THE LEGAL AND FINANCIAL**  
20 **TERMS OF SOVEREIGN DEBT CONTRACTS.**

21 (a) IN GENERAL.—Title XVI of the International Fi-  
22 nancial Institutions Act (22 U.S.C. 262p et seq.) is  
23 amended by adding at the end the following:

1 **“SEC. 1630. SUPPORT TO ENHANCE THE CAPACITY OF FUND**  
2 **MEMBERS TO EVALUATE THE LEGAL AND FI-**  
3 **NANCIAL TERMS OF SOVEREIGN DEBT CON-**  
4 **TRACTS.**

5 “The Secretary of the Treasury shall instruct the  
6 United States Executive Director at the International  
7 Monetary Fund to use the voice and vote of the United  
8 States to advocate that the Fund promote international  
9 standards and best practices with respect to sovereign  
10 debt contracts and provide technical assistance to Fund  
11 members, and in particular to lower middle-income coun-  
12 tries and countries eligible to receive assistance from the  
13 International Development Association, seeking to en-  
14 hance their capacity to evaluate the legal and financial  
15 terms of sovereign debt contracts with multilateral, bilat-  
16 eral, and private sector creditors.”.

17 (b) REPORT TO THE CONGRESS.—Within 1 year after  
18 the date of the enactment of this Act, and annually there-  
19 after for the next 4 years, the Secretary of the Treasury  
20 shall report to the Committee on Financial Services of the  
21 House of Representatives and the Committee on Foreign  
22 Relations of the Senate on—

23 (1) the activities of the International Monetary  
24 Fund in the then most recently completed fiscal year  
25 to provide technical assistance described in section  
26 1630 of the International Financial Institutions Act

1 (as added by this section), including the ability of  
2 the Fund to meet the demand for the assistance;  
3 and

4 (2) the efficacy of efforts by the United States  
5 to achieve the policy goal described in such section  
6 and any further actions that should be taken, if nec-  
7 essary, to implement that goal.

8 (c) SUNSET.—The amendment made by subsection  
9 (a) shall have no force or effect after the 5-year period  
10 that begins with the date of the enactment of this Act.

11 **SEC. 6104. UNITED STATES POLICY ON BURMA AT THE**  
12 **INTERNATIONAL MONETARY FUND, THE**  
13 **WORLD BANK GROUP, AND THE ASIAN DE-**  
14 **VELOPMENT BANK.**

15 (a) SENSE OF THE CONGRESS.—It is the sense of the  
16 Congress that the United States should not support the  
17 recognition of, or dealing with, the State Administration  
18 Council, or any successor entity controlled by the military,  
19 as the government of Burma for the purpose of the provi-  
20 sion of any loan or financial assistance by the Inter-  
21 national Monetary Fund, the World Bank Group, or the  
22 Asian Development Bank, except for humanitarian assist-  
23 ance channeled through an implementing agency not con-  
24 trolled by the Burmese military.

1 (b) POLICY.—Title XVI of the International Finan-  
2 cial Institutions Act (22 U.S.C. 262p et seq.), as amended  
3 by section 6103, is further amended by adding at the end  
4 the following:

5 **“SEC. 1631. UNITED STATES POLICY ON BURMA AT THE**  
6 **INTERNATIONAL MONETARY FUND, THE**  
7 **WORLD BANK GROUP, AND THE ASIAN DE-**  
8 **VELOPMENT BANK.**

9 “(a) POLICY OF THE UNITED STATES.—The Sec-  
10 retary of Treasury shall instruct the United States Execu-  
11 tive Directors at the International Monetary Fund, the  
12 World Bank Group, and the Asian Development Bank to  
13 inform the respective institution that it is the policy of  
14 the United States to oppose, and to use the voice and vote  
15 of the United States to vote against, any loan or financial  
16 assistance to Burma through the State Administration  
17 Council, or any successor entity controlled by the military,  
18 except for humanitarian assistance channeled through an  
19 implementing agency not controlled by the Burmese mili-  
20 tary.

21 “(b) SUBMISSION OF WRITTEN STATEMENTS.—No  
22 later than 60 calendar days after a meeting of the Board  
23 of Directors of the World Bank Group or the Asian Devel-  
24 opment Bank, the Secretary of the Treasury shall submit  
25 to the Committee on Financial Services of the House of



1 Representatives and the Committee on Foreign Relations  
2 of the Senate any written statement presented at the  
3 meeting by the United States Executive Director con-  
4 cerning the United States policy described in subsection  
5 (a) or the United States position on any strategy, policy,  
6 loan, extension of financial assistance, or technical assist-  
7 ance related to Burma considered by the Board.

8       “(c) WAIVER.—The President of the United States  
9 may waive the application of subsection (a) on a case-by-  
10 case basis upon certifying to the Committee on Financial  
11 Services of the House of Representatives and the Com-  
12 mittee on Foreign Relations of the Senate that the waiv-  
13 er—

14               “(1) substantially promotes the objective of de-  
15 livering humanitarian assistance to the civilian popu-  
16 lation of Burma, including a detailed explanation as  
17 to the need for such a waiver, the nature of the hu-  
18 manitarian assistance, the mechanisms through  
19 which such assistance will be delivered, and the over-  
20 sight safeguards that will accompany such assist-  
21 ance; or

22               “(2) is otherwise in the national interest of the  
23 United States, with a detailed explanation of the  
24 reasons therefor.

1       “(d) WORLD BANK GROUP DEFINED.—In this sec-  
2 tion, the term ‘World Bank Group’ means the Inter-  
3 national Bank for Reconstruction and Development, the  
4 International Development Association, the International  
5 Finance Corporation, and the Multilateral Investment  
6 Guarantee Agency.”.

7       (c) SUNSET.—Section 1631 of the International Fi-  
8 nancial Institutions Act, as added by subsection (b), is re-  
9 pealed on the earlier of—

10           (1) the date the President of the United States  
11       submits to the Committee on Financial Services of  
12       the House of Representatives and the Committee on  
13       Foreign Relations of the Senate a certification  
14       that—

15           (A) the Burmese military has released all  
16       political prisoners;

17           (B) an elected government has been  
18       instated following free and fair elections; and

19           (C) all government institutions involved in  
20       the provision of multilateral assistance are fully  
21       under civilian control; or

22           (2) the date that is 10 years after the date of  
23       the enactment of this Act.

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1 **SEC. 6105. UNITED STATES POLICY REGARDING INTER-**  
2 **NATIONAL FINANCIAL INSTITUTION ASSIST-**  
3 **ANCE WITH RESPECT TO ADVANCED WIRE-**  
4 **LESS TECHNOLOGIES.**

5 (a) IN GENERAL.—The Secretary of the Treasury (in  
6 this section referred to as the “Secretary”) shall instruct  
7 the United States Executive Director at each international  
8 financial institution (as defined in section 1701(c)(2) of  
9 the International Financial Institutions Act (22 U.S.C.  
10 262r(c)(2))) that it is the policy of the United States to—

11 (1) support assistance by the institution with  
12 respect to advanced wireless technologies (such as  
13 5th generation wireless technology for digital cellular  
14 networks and related technologies) only if the tech-  
15 nologies provide appropriate security for users;

16 (2) proactively encourage assistance with re-  
17 spect to infrastructure or policy reforms that facili-  
18 tate the use of secure advanced wireless tech-  
19 nologies; and

20 (3) cooperate, to the maximum extent prac-  
21 ticable, with member states of the institution, par-  
22 ticularly with United States allies and partners, in  
23 order to strengthen international support for such  
24 technologies.

25 (b) WAIVER AUTHORITY.—The Secretary may waive  
26 subsection (a) on a case-by-case basis, on reporting to the

1 Committee on Financial Services of the House of Rep-  
2 resentatives and the Committee on Foreign Relations of  
3 the Senate that the waiver—

4           (1) will allow the United States to effectively  
5 promote the objectives of the policy described in sub-  
6 section (a); or

7           (2) is in the national interest of the United  
8 States, with an explanation of the reasons therefor.

9           (c) PROGRESS REPORT.—The Chairman of the Na-  
10 tional Advisory Council on International Monetary and Fi-  
11 nancial Policies shall include in the annual report required  
12 by section 1701 of the International Financial Institutions  
13 Act (22 U.S.C. 262r) a description of progress made to-  
14 ward advancing the policy described in subsection (a) of  
15 this section.

16           (d) SUNSET.—The preceding provisions of this sec-  
17 tion shall have no force or effect after the earlier of—

18           (1) the date that is 7 years after the date of the  
19 enactment of this Act; or

20           (2) the date that the Secretary reports to the  
21 committees specified in subsection (b) that termi-  
22 nating the effectiveness of the provisions is impor-  
23 tant to the national interest of the United States,  
24 with a detailed explanation of the reasons therefor.

1 **SEC. 6106. ILLICIT FINANCE IMPROVEMENTS.**

2 (a) SCOPE OF THE MEETINGS OF THE SUPERVISORY  
3 TEAM ON COUNTERING ILLICIT FINANCE.—Section  
4 6214(b) of the William M. (Mac) Thornberry National De-  
5 fense Authorization Act for Fiscal Year 2021 (31 U.S.C.  
6 5311 note) is amended by striking “to combat the risk  
7 relating to proliferation financing” and inserting “for the  
8 purposes of countering illicit finance, including prolifera-  
9 tion finance and sanctions evasion”.

10 (b) COMBATING RUSSIAN MONEY LAUNDERING.—  
11 Section 9714 of the Combating Russian Money Laun-  
12 dering Act (Public Law 116–283) is amended—

13 (1) by redesignating subsections (b) and (c) as  
14 subsections (f) and (g), respectively; and

15 (2) by inserting after subsection (a) the fol-  
16 lowing:

17 “(b) CLASSIFIED INFORMATION.—In any judicial re-  
18 view of a finding of the existence of a primary money laun-  
19 dering concern, or of the requirement for 1 or more special  
20 measures with respect to a primary money laundering con-  
21 cern made under this section, if the designation or imposi-  
22 tion, or both, were based on classified information (as de-  
23 fined in section 1(a) of the Classified Information Proce-  
24 dures Act (18 U.S.C. App.), such information may be sub-  
25 mitted by the Secretary to the reviewing court ex parte  
26 and in camera. This subsection does not confer or imply

1 any right to judicial review of any finding made or any  
2 requirement imposed under this section.

3 “(c) AVAILABILITY OF INFORMATION.—The exemp-  
4 tions from, and prohibitions on, search and disclosure pro-  
5 vided in section 5319 of title 31, United States Code, shall  
6 apply to any report or record of report filed pursuant to  
7 a requirement imposed under subsection (a) of this sec-  
8 tion. For purposes of section 552 of title 5, United States  
9 Code, this subsection shall be considered a statute de-  
10 scribed in subsection (b)(3)(B) of that section.

11 “(d) PENALTIES.—The penalties provided for in sec-  
12 tions 5321 and 5322 of title 31, United States Code, that  
13 apply to violations of special measures imposed under sec-  
14 tion 5318A of title 31, United States Code, shall apply  
15 to violations of any order, regulation, special measure, or  
16 other requirement imposed under subsection (a) of this  
17 section, in the same manner and to the same extent as  
18 described in sections 5321 and 5322.

19 “(e) INJUNCTIONS.—The Secretary of the Treasury  
20 may bring a civil action to enjoin a violation of any order,  
21 regulation, special measure, or other requirement imposed  
22 under subsection (a) of this section in the same manner  
23 and to the same extent as described in section 5320 of  
24 title 31, United States Code.”.

1 **SEC. 6107. BRIEFING ON DELEGATION OF EXAMINATION**  
2 **AUTHORITY UNDER THE BANK SECRECY ACT.**

3 (a) IN GENERAL.—Not later than one year after the  
4 date of the enactment of this Act, the Secretary of the  
5 Treasury shall, after consultation with State bank super-  
6 visors, Federal financial regulators, and other relevant  
7 stakeholders, conduct a briefing for the Committee on Fi-  
8 nancial Services of the House of Representatives and the  
9 Committee on Banking, Housing, and Urban Affairs of  
10 the Senate with respect to the delegation of examination  
11 authority under the Bank Secrecy Act by the Secretary  
12 of the Treasury.

13 (b) CONTENTS.—The briefing conducted by the Sec-  
14 retary of the Treasury pursuant to subsection (a) shall  
15 address—

16 (1) the current status of the delegation of ex-  
17 amination authority under the Bank Secrecy Act by  
18 the Secretary of the Treasury, including with respect  
19 to the mission of the Bank Secrecy Act;

20 (2) how frequently, on average, agencies dele-  
21 gated exam authority under the Bank Secrecy Act  
22 by the Secretary are able to examine entities for  
23 which they have delegated authorities;

24 (3) whether agencies delegated examination au-  
25 thority under the Bank Secrecy Act by the Secretary

1 of the Treasury have appropriate resources to per-  
2 form such delegated responsibilities; and

3 (4) whether the examiners within agencies dele-  
4 gated examination authority under the Bank Secrecy  
5 Act by the Secretary of the Treasury have sufficient  
6 training and support to perform delegated respon-  
7 sibilities.

8 (c) DEFINITIONS.—In this section:

9 (1) BANK SECRECY ACT.—The term “Bank Se-  
10 crecy Act” means—

11 (A) section 21 of the Federal Deposit In-  
12 surance Act (12 U.S.C. 1829b);

13 (B) section 123 of Public Law 91–508;  
14 and

15 (C) subchapter II of chapter 53 of title 31,  
16 United States Code.

17 (2) FEDERAL FINANCIAL REGULATORS.—The  
18 term “Federal financial regulators” means the  
19 Board of Governors of the Federal Reserve System,  
20 the Federal Deposit Insurance Corporation, the Na-  
21 tional Credit Union Administration Board, the  
22 Comptroller of the Currency, the Commodity Fu-  
23 tures Trading Commission, the Securities and Ex-  
24 change Commission, and the Commissioner of the  
25 Internal Revenue Service.



2001

1           (3) STATE BANK SUPERVISORS.—The term  
2           “State bank supervisors” has the meaning given the  
3           term in section 3 of the Federal Deposit Insurance  
4           Act (12 U.S.C. 1813).

5           **TITLE LXII—FOREIGN SERVICE**  
6           **FAMILIES ACT OF 2021**

Sec. 6201. Short title.

Sec. 6202. Telecommuting opportunities.

Sec. 6203. Employment and education programs for eligible family members of  
members of the Foreign Service.

Sec. 6204. Briefing on Foreign Service family reserve corps.

Sec. 6205. Treatment of family members seeking positions customarily filled by  
Foreign Service officers or foreign national employees.

Sec. 6206. In-State tuition rates for members of qualifying Federal service.

Sec. 6207. Termination of residential or motor vehicle leases and telephone  
service contracts for certain members of the Foreign Service.

7           **SECTION 6201. SHORT TITLE.**

8           This title may be cited as the “Foreign Service Fami-  
9           lies Act of 2021”.

10          **SEC. 6202. TELECOMMUTING OPPORTUNITIES.**

11          (a) DETO POLICY.—

12               (1) IN GENERAL.—Each Federal department  
13               and agency shall establish a policy enumerating the  
14               circumstances under which employees may be per-  
15               mitted to temporarily perform work requirements  
16               and duties from approved overseas locations where  
17               there is a related Foreign Service assignment pursu-  
18               ant to an approved Domestically Employed Tele-  
19               working Overseas (DETO) agreement, consistent  
20               with the requirements under section 6502 of title 5,

1 United States code (relating to the executive agen-  
2 cies telework requirements), as amended by para-  
3 graph (2), and DETO requirements, as set forth in  
4 the Foreign Affairs Manual and Foreign Affairs  
5 Handbook of the Department of State.

6 (2) AMENDMENT.—Section 6502(b) of title 5,  
7 United States Code, is amended—

8 (A) in paragraph (4)(B), by striking “and”  
9 after the semicolon;

10 (B) in paragraph 5, by striking the period  
11 at the end and inserting “; and” ; and

12 (C) by adding at the end the following new  
13 paragraph:

14 “(6) enumerate the circumstances under which  
15 employees may be permitted to temporarily perform  
16 work requirements and duties from approved over-  
17 seas locations, provided that, except in emergency  
18 situations as determined by the head of the agency,  
19 such circumstances shall not include a situation in  
20 which an employee’s official duties require on at  
21 least a monthly basis the direct handling of secure  
22 materials determined to be inappropriate for  
23 telework by the agency head.”.

24 (b) ACCESS TO ICASS SYSTEM.—Not later than 90  
25 days after the date of the enactment of this Act, the Sec-

2003

1 retary of State shall revise chapter 900 of volume 6 of  
2 the Foreign Affairs Manual, the International Cooperative  
3 Administrative Support Services Handbook, the Personnel  
4 Operations Handbook, and any other relevant regulations  
5 to allow each Federal agency that has enacted a policy  
6 under subsection (a) to have access to the International  
7 Cooperative Administrative Support Services (ICASS) sys-  
8 tem.

9 **SEC. 6203. EMPLOYMENT AND EDUCATION PROGRAMS FOR**  
10 **ELIGIBLE FAMILY MEMBERS OF MEMBERS**  
11 **OF THE FOREIGN SERVICE.**

12 Section 706(b) of the Foreign Service Act of 1980  
13 (22 U.S.C. 4026(b)) is amended—

14 (1) in paragraph (1)—

15 (A) by striking “The Secretary may facili-  
16 tate the employment of spouses of members of  
17 the Foreign Service by—” and inserting “The  
18 Secretary shall implement such measures as the  
19 Secretary considers necessary to facilitate the  
20 employment of spouses and members of the  
21 Service. The measures may include—”;

22 (B) by redesignating subparagraph (C) as  
23 subparagraph (D); and

24 (C) by amending subparagraph (C) to read  
25 as follows:

1           “(C) establishing a program for assisting  
2 eligible family members in accessing employ-  
3 ment and education opportunities, as appro-  
4 priate, including by exercising the authorities,  
5 in relevant part, under sections 1784 and  
6 1784a of title 10, United States Code, and sub-  
7 ject to such regulations as the Secretary may  
8 prescribe modeled after those prescribed pursu-  
9 ant to subsection (b) of such section 1784;”;

10           (2) by redesignating paragraph (2) as para-  
11 graph (6);

12           (3) by inserting after paragraph (1) the fol-  
13 lowing new paragraphs:

14           “(2) The Secretary may prescribe regulations—

15           “(A) to provide preference to eligible fam-  
16 ily members in hiring for any civilian position  
17 in the Department, notwithstanding the prohi-  
18 bition on marital discrimination found in 5  
19 U.S.C. 2302(b)(1)(E), if —

20           “(i) the eligible family member is  
21 among persons determined to be best  
22 qualified for the position; and

23           “(ii) the position is located in the  
24 overseas country of assignment of their  
25 sponsoring employee;

2005

1           “(B) to ensure that notice of any vacant  
2           position in the Department is provided in a  
3           manner reasonably designed to reach eligible  
4           family members of sponsoring employees whose  
5           permanent duty stations are in the same coun-  
6           try as that in which the position is located; and

7           “(C) to ensure that an eligible family  
8           member who applies for a vacant position in the  
9           Department shall, to the extent practicable, be  
10          considered for any such position located in the  
11          same country as the permanent duty station of  
12          their sponsoring employee.

13          “(3) Nothing in this section may be construed  
14          to provide an eligible family member with entitle-  
15          ment or preference in hiring over an individual who  
16          is preference eligible.

17          “(4) Under regulations prescribed by the Sec-  
18          retary, a chief of mission may, consistent with all  
19          applicable laws and regulations pertaining to the  
20          ICASS system, make available to an eligible family  
21          member and a non-Department entity space in an  
22          embassy or consulate for the purpose of the non-De-  
23          partment entity providing employment-related train-  
24          ing for eligible family members.



2007

1           (1) A description of the status of implementa-  
2           tion of the Foreign Service Family Reserve Corps  
3           (FSFRC).

4           (2) An assessment of the extent to which imple-  
5           mentation was impacted by the Department's hiring  
6           freeze and a detailed explanation of the effect of any  
7           such impacts.

8           (3) A description of the status of implementa-  
9           tion of a hiring preference for the FSFRC.

10          (4) A detailed accounting of any individuals eli-  
11          gible for membership in the FSFRC who were un-  
12          able to begin working at a new location as a result  
13          of being unable to transfer their security clearance,  
14          including an assessment of whether they would have  
15          been able to port their clearance as a member of the  
16          FSFRC if the program had been fully implemented.

17          (5) An estimate of the number of individuals  
18          who are eligible to join the FSFRC worldwide and  
19          the categories, as detailed in the Under Secretary  
20          for Management's guidance dated May 3, 2016,  
21          under which those individuals would enroll.

22          (6) An estimate of the number of individuals  
23          who are enrolled in the FSFRC worldwide and the  
24          categories, as detailed in the Under Secretary for

1 Management's guidance dated May 3, 2016, under  
2 which those individuals enrolled.

3 (7) An estimate of the number of individuals  
4 who were enrolled in each phase of the implementa-  
5 tion of the FSFRC as detailed in guidance issued by  
6 the Under Secretary for Management.

7 (8) An estimate of the number of individuals  
8 enrolled in the FSFRC who have successfully trans-  
9 ferred a security clearance to a new post since im-  
10 plementation of the program began.

11 (9) An estimate of the number of individuals  
12 enrolled in the FSFRC who have been unable to suc-  
13 cessfully transfer a security clearance to a new post  
14 since implementation of the program began.

15 (10) An estimate of the number of individuals  
16 who have declined in writing to apply to the  
17 FSFRC.

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
19 FINED.—In this section, the term “appropriate congres-  
20 sional committees” means—

21 (1) the Committee on Foreign Relations and  
22 the Committee on Appropriations of the Senate; and

23 (2) the Committee on Foreign Affairs and the  
24 Committee on Appropriations of the House of Rep-  
25 resentatives.



2009

1 **SEC. 6205. TREATMENT OF FAMILY MEMBERS SEEKING PO-**  
2 **SITIONS CUSTOMARILY FILLED BY FOREIGN**  
3 **SERVICE OFFICERS OR FOREIGN NATIONAL**  
4 **EMPLOYEES.**

5 Section 311 of the Foreign Service Act of 1980 (22  
6 U.S.C. 3951) is amended by adding at the end the fol-  
7 lowing:

8 “(e) The Secretary shall hold a family member of a  
9 government employee described in subsection (a) seeking  
10 employment in a position described in that subsection to  
11 the same employment standards as those applicable to  
12 Foreign Service officers, Foreign Service personnel, or for-  
13 eign national employees seeking the same or a substan-  
14 tially similar position.”.

15 **SEC. 6206. IN-STATE TUITION RATES FOR MEMBERS OF**  
16 **QUALIFYING FEDERAL SERVICE.**

17 (a) IN GENERAL.—Section 135 of the Higher Edu-  
18 cation Act of 1965 (20 U.S.C. 1015d) is amended—

19 (1) in the section heading, by striking “**THE**  
20 **ARMED FORCES ON ACTIVE DUTY, SPOUSES,**  
21 **AND DEPENDENT CHILDREN**” and inserting  
22 “**QUALIFYING FEDERAL SERVICE**”;

23 (2) in subsection (a), by striking “member of  
24 the armed forces who is on active duty for a period  
25 of more than 30 days and” and inserting “member  
26 of a qualifying Federal service”;

1           (3) in subsection (b), by striking “member of  
2           the armed forces” and inserting “member of a quali-  
3           fying Federal service”; and

4           (4) by striking subsection (d) and inserting the  
5           following:

6           “(d) DEFINITIONS.—In this section, the term ‘mem-  
7           ber of a qualifying Federal service’ means—

8           “(1) a member of the armed forces (as defined  
9           in section 101 of title 10, United States Code) who  
10          is on active duty for a period of more than 30 days  
11          (as defined in section 101 of title 10, United States  
12          Code); or

13          “(2) a member of the Foreign Service (as de-  
14          fined in section 103 of the Foreign Service Act of  
15          1980 (22 U.S.C. 3903)) who is on active duty for  
16          a period of more than 30 days.”.

17          (b) EFFECTIVE DATE.—The amendments made by  
18          subsection (a) shall take effect at each public institution  
19          of higher education in a State that receives assistance  
20          under the Higher Education Act of 1965 (20 U.S.C. 1001  
21          et seq.) for the first period of enrollment at such institu-  
22          tion that begins after July 1, 2024.

2011

1 **SEC. 6207. TERMINATION OF RESIDENTIAL OR MOTOR VE-**  
2 **HICLE LEASES AND TELEPHONE SERVICE**  
3 **CONTRACTS FOR CERTAIN MEMBERS OF THE**  
4 **FOREIGN SERVICE.**

5 (a) IN GENERAL.—Chapter 9 of title I of the Foreign  
6 Service Act of 1980 (22 U.S.C. 4081 et seq.) is amended  
7 by adding at the end the following new section:

8 **“SEC. 907. TERMINATION OF RESIDENTIAL OR MOTOR VE-**  
9 **HICLE LEASES AND TELEPHONE SERVICE**  
10 **CONTRACTS.**

11 “The terms governing the termination of residential  
12 or motor vehicle leases and telephone service contracts de-  
13 scribed in sections 305 and 305A, respectively, of the  
14 Servicemembers Civil Relief Act (50 U.S.C. 3955 and  
15 3956) with respect to servicemembers who receive military  
16 orders described in such Act shall apply in the same man-  
17 ner and to the same extent to members of the Service who  
18 are posted abroad at a Foreign Service post in accordance  
19 with this Act.”.

20 (b) CLERICAL AMENDMENT.—The table of contents  
21 in section 2 of the Foreign Service Act of 1980 is amended  
22 by inserting after the item relating to section 906 the fol-  
23 lowing new item:

“Sec. 907. Termination of residential or motor vehicle leases and telephone  
service contracts.”.

2012

1 **TITLE LXIII—BARRY GOLD-**  
2 **WATER SCHOLARSHIP AND**  
3 **EXCELLENCE IN EDUCATION**  
4 **MODERNIZATION ACT**

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

5 **SEC. 6301. SHORT TITLE.**

6 This title may be cited as the “Barry Goldwater  
7 Scholarship and Excellence in Education Modernization  
8 Act of 2021”.

9 **SEC. 6302. CLARIFYING AMENDMENTS TO DEFINITIONS.**

10 Section 1403 of the Barry Goldwater Scholarship and  
11 Excellence in Education Act (20 U.S.C. 4702) is amend-  
12 ed—

13 (1) by striking paragraph (5) and inserting the  
14 following new paragraph (5):

15 “(5) The term ‘State’ means each of the 50  
16 States, the District of Columbia, the Commonwealth  
17 of Puerto Rico, Guam, the United States Virgin Is-  
18 lands, American Samoa, the Commonwealth of the  
19 Northern Mariana Islands, the Republic of the Mar-  
20 shall Islands, the Federated States of Micronesia,  
21 the Republic of Palau, and any other territory or  
22 possession of the United States.”; and

2013

1 (2) by striking paragraph (6), by inserting the  
2 following new paragraph (6):

3 “(6) The term ‘eligible person’ means—

4 “(A) a permanent resident alien of the  
5 United States;

6 “(B) a citizen or national of the United  
7 States;

8 “(C) a citizen of the Republic of the Mar-  
9 shall Islands, the Federal States of Micronesia,  
10 or the Republic of Palau; or

11 “(D) any person who may be admitted to  
12 lawfully engage in occupations and establish  
13 residence as a nonimmigrant in the United  
14 States as permitted under the Compact of Free  
15 Association agreements with the Republic of the  
16 Marshall Islands, the Federal States of Micro-  
17 nesia, or the Republic of Palau.”.

18 **SEC. 6303. BARRY GOLDWATER SCHOLARSHIP AND EXCEL-**  
19 **LENCE IN EDUCATION AWARDS.**

20 (a) AWARD OF SCHOLARSHIPS, FELLOWSHIPS, AND  
21 RESEARCH INTERNSHIPS.—Section 1405(a) of the Barry  
22 Goldwater Scholarship and Excellence in Education Act  
23 (20 U.S.C. 4704(a)) is amended—

24 (1) in the subsection heading, by striking  
25 “AWARD OF SCHOLARSHIPS AND FELLOWSHIPS”

2014

1 and inserting “AWARD OF SCHOLARSHIPS, FELLOW-  
2 SHIPS, AND RESEARCH INTERNSHIPS”;

3 (2) in paragraph (1)—

4 (A) by striking “scholarships and fellow-  
5 ships” and inserting “scholarships, fellowships,  
6 and research internships”; and

7 (B) by striking “science and mathematics”  
8 and inserting “the natural sciences, engineer-  
9 ing, and mathematics”;

10 (3) in paragraph (2), by striking “mathematics  
11 and the natural sciences” and inserting “the natural  
12 sciences, engineering, and mathematics, which shall  
13 be prioritized for students attending community col-  
14 leges and minority-serving institutions specified in  
15 section 371(a) of the Higher Education Act of 1965  
16 (20 U.S.C. 1067q(a))”;

17 (4) in paragraph (3), by striking “mathematics  
18 and the natural sciences” and inserting “the natural  
19 sciences, engineering, and mathematics”;

20 (5) by redesignating paragraph (4) as para-  
21 graph (5);

22 (6) in paragraph (5), as so redesignated, by  
23 striking “scholarships and fellowships” and inserting  
24 “scholarships, fellowships, and research intern-  
25 ships”; and

2015

1 (7) by inserting after paragraph (3) the fol-  
2 lowing:

3 “(4) Research internships shall be awarded to  
4 outstanding undergraduate students who intend to  
5 pursue careers in the natural sciences, engineering,  
6 and mathematics, which shall be prioritized for stu-  
7 dents attending community colleges and minority-  
8 serving institutions specified in section 371(a) of the  
9 Higher Education Act of 1965 (20 U.S.C.  
10 1067q(a)).”.

11 (b) BARRY GOLDWATER SCHOLARS AND RESEARCH  
12 INTERNS.—Section 1405(b) of the Barry Goldwater  
13 Scholarship and Excellence in Education Act (20 U.S.C.  
14 4704(b)) is amended—

15 (1) in the subsection heading, by adding “AND  
16 RESEARCH INTERNS” after “SCHOLARS”; and

17 (2) by adding at the end the following new sen-  
18 tence: “Recipients of research internships under this  
19 title shall be known as ‘Barry Goldwater Interns’.”.

20 **SEC. 6304. STIPENDS.**

21 Section 1406 of the Barry Goldwater Scholarship and  
22 Excellence in Education Act (20 U.S.C. 4705) is amended  
23 by adding at the end the following: “Each person awarded  
24 a research internship under this title shall receive a sti-  
25 pend as may be prescribed by the Board, which shall not

2016

1 exceed the maximum stipend amount awarded for a schol-  
2 arship or fellowship.”.

3 **SEC. 6305. SCHOLARSHIP AND RESEARCH INTERNSHIP**  
4 **CONDITIONS.**

5 Section 1407 of the Barry Goldwater Scholarship and  
6 Excellence in Education Act (20 U.S.C. 4706) is amend-  
7 ed—

8 (1) in the section heading, by inserting “**AND**  
9 **RESEARCH INTERNSHIP**” after “**SCHOLARSHIP**”;

10 (2) in subsection (a)—

11 (A) by striking the subsection heading and  
12 inserting “**SCHOLARSHIP CONDITIONS**”; and

13 (B) by striking “and devoting full time to  
14 study or research and is not engaging in gainful  
15 employment other than employment approved  
16 by the Foundation”;

17 (3) in subsection (b), by striking the subsection  
18 heading and inserting “**REPORTS ON SCHOLAR-**  
19 **SHIPS**”; and

20 (4) by adding at the end the following:

21 “(c) **RESEARCH INTERNSHIP CONDITIONS.**—A per-  
22 son awarded a research internship under this title may  
23 receive payments authorized under this title only during  
24 such periods as the Foundation finds that the person is



1 maintaining satisfactory proficiency pursuant to regula-  
2 tions of the Board.

3 “(d) REPORTS ON RESEARCH INTERNSHIPS.—The  
4 Foundation may require reports containing such informa-  
5 tion in such form and to be filed at such times as the  
6 Foundation determines to be necessary from any person  
7 awarded a research internship under this title. Such re-  
8 ports may be accompanied by a certificate from an appro-  
9 priate official at the institution of higher education or in-  
10 ternship employer, approved by the Foundation, stating  
11 that such person is maintaining satisfactory progress in  
12 the internship.”.

13 **SEC. 6306. SUSTAINABLE INVESTMENTS OF FUNDS.**

14 Section 1408 of the Barry Goldwater Scholarship and  
15 Excellence in Education Act (20 U.S.C. 4707) is amend-  
16 ed—

17 (1) by redesignating subsections (c) and (d) as  
18 subsections (d) and (e), respectively; and

19 (2) by inserting after subsection (b) the fol-  
20 lowing:

21 “(c) INVESTMENT IN SECURITIES.—Notwithstanding  
22 subsection (b), the Secretary of the Treasury may invest  
23 any public or private funds received by the Foundation  
24 after the date of enactment of the Barry Goldwater Schol-  
25 arship and Excellence in Education Modernization Act of

1 2021 in securities other than or in addition to public debt  
2 securities of the United States, if—

3 “(1) the Secretary receives a determination  
4 from the Board that such investments are necessary  
5 to enable the Foundation to carry out the purposes  
6 of this title; and

7 “(2) the securities in which such funds are in-  
8 vested are traded in established United States mar-  
9 kets.

10 “(d) CONSTRUCTION.—Nothing in this section shall  
11 be construed to limit the authority of the Board to in-  
12 crease the number of scholarships provided under section  
13 4704, or to increase the amount of the stipend authorized  
14 by section 4705, as the Board considers appropriate and  
15 is otherwise consistent with the requirements of this  
16 title.”.

17 **SEC. 6307. ADMINISTRATIVE PROVISIONS.**

18 Section 1411(a) of the Barry Goldwater Scholarship  
19 and Excellence in Education Act (20 U.S.C. 4710(a)) is  
20 amended—

21 (1) by striking paragraph (1) and inserting the  
22 following:

23 “(1) appoint and fix the rates of basic pay of  
24 not more than three employees (in addition to the  
25 Executive Secretary appointed under section 4709)

2019

1 to carry out the provisions of this title, without re-  
2 gard to the provisions in chapter 33 of title 5,  
3 United States Code, governing appointment in the  
4 competitive service or the provisions of chapter 51  
5 and subchapter III of chapter 53 of such title, ex-  
6 cept that—

7 “(A) a rate of basic pay set under this  
8 paragraph may not exceed the maximum rate  
9 provided for employees in grade GS–15 of the  
10 General Schedule under section 5332 of title 5,  
11 United States Code; and

12 “(B) the employee shall be entitled to the  
13 applicable locality-based comparability payment  
14 under section 5304 of title 5, United States  
15 Code, subject to the applicable limitation estab-  
16 lished under subsection (g) of such section;”;

17 (2) in paragraph (2), by striking “grade GS–18  
18 under section 5332 of such title” and inserting  
19 “level IV of the Executive Schedule”;

20 (3) in paragraph (7), by striking “and” at the  
21 end;

22 (4) by redesignating paragraph (8) as para-  
23 graph (10); and

24 (5) by inserting after paragraph (7) the fol-  
25 lowing:

2020

1           “(8) expend not more than 5 percent of the  
2           Foundation’s annual operating budget on programs  
3           that, in addition to or in conjunction with the Foun-  
4           dation’s scholarship financial awards, support the  
5           development of Goldwater Scholars throughout their  
6           professional careers;

7           “(9) expend not more than 5 percent of the  
8           Foundation’s annual operating budget to pay the  
9           costs associated with fundraising activities, including  
10          public and private gatherings; and”.

11 **TITLE LXIV—DEPARTMENT OF**  
12 **HOMELAND SECURITY MEAS-**  
13 **URES**

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

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

Subtitle B—Transportation Security

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

2021

- Sec. 6417. Enrollment redress with respect to Department of Homeland Security trusted traveler programs.
- Sec. 6418. Threat information sharing.
- Sec. 6419. Local law enforcement security training.
- Sec. 6420. Allowable uses of funds for public transportation security assistance grants.
- Sec. 6421. Periods of performance for public transportation security assistance grants.
- Sec. 6422. GAO review of public transportation security assistance grant program.
- Sec. 6423. Sensitive security information; aviation security.

1 **Subtitle A—DHS Headquarters, Re-**  
2 **search and Development, and**  
3 **Related Matters**

4 **SEC. 6401. EMPLOYEE ENGAGEMENT STEERING COM-**  
5 **MITTEE AND ACTION PLAN.**

6 (a) IN GENERAL.—Title VII of the Homeland Secu-  
7 rity Act of 2002 (6 U.S.C. 341 et seq.) is amended by  
8 adding at the end the following new section:

9 **“SEC. 711. EMPLOYEE ENGAGEMENT.**

10 “(a) STEERING COMMITTEE.—Not later than 120  
11 days after the date of the enactment of this section, the  
12 Secretary shall establish an employee engagement steering  
13 committee, including representatives from operational  
14 components, headquarters, and field personnel, including  
15 supervisory and nonsupervisory personnel, and employee  
16 labor organizations that represent Department employees,  
17 and chaired by the Under Secretary for Management, to  
18 carry out the following activities:

19 “(1) Identify factors that have a negative im-  
20 pact on employee engagement, morale, and commu-

2022

1       nications within the Department, such as percep-  
2       tions about limitations on career progression, mobil-  
3       ity, or development opportunities, collected through  
4       employee feedback platforms, including through an-  
5       nual employee surveys, questionnaires, and other  
6       communications, as appropriate.

7               “(2) Identify, develop, and distribute initiatives  
8       and best practices to improve employee engagement,  
9       morale, and communications within the Department,  
10      including through annual employee surveys, ques-  
11      tionnaires, and other communications, as appro-  
12      priate.

13              “(3) Monitor efforts of each component to ad-  
14      dress employee engagement, morale, and commu-  
15      nications based on employee feedback provided  
16      through annual employee surveys, questionnaires,  
17      and other communications, as appropriate.

18              “(4) Advise the Secretary on efforts to improve  
19      employee engagement, morale, and communications  
20      within specific components and across the Depart-  
21      ment.

22              “(5) Conduct regular meetings and report, not  
23      less than once per quarter, to the Under Secretary  
24      for Management, the head of each component, and

2023

1 the Secretary on Departmentwide efforts to improve  
2 employee engagement, morale, and communications.

3 “(b) ACTION PLAN; REPORTING.—The Secretary,  
4 acting through the Chief Human Capital Officer, shall—

5 “(1) not later than 120 days after the date of  
6 the establishment of the employee engagement steer-  
7 ing committee under subsection (a), issue a Depart-  
8 mentwide employee engagement action plan, reflect-  
9 ing input from the steering committee and employee  
10 feedback provided through annual employee surveys,  
11 questionnaires, and other communications in accord-  
12 ance with paragraph (1) of such subsection, to exe-  
13 cute strategies to improve employee engagement,  
14 morale, and communications within the Department;  
15 and

16 “(2) require the head of each component to—

17 “(A) develop and implement a component-  
18 specific employee engagement plan to advance  
19 the action plan required under paragraph (1)  
20 that includes performance measures and objec-  
21 tives, is informed by employee feedback pro-  
22 vided through annual employee surveys, ques-  
23 tionnaires, and other communications, as appro-  
24 priate, and sets forth how employees and, where  
25 applicable, their labor representatives are to be

2024

1 integrated in developing programs and initia-  
2 tives;

3 “(B) monitor progress on implementation  
4 of such action plan; and

5 “(C) provide to the Chief Human Capital  
6 Officer and the steering committee quarterly re-  
7 ports on actions planned and progress made  
8 under this paragraph.

9 “(c) TERMINATION.—This section shall terminate on  
10 the date that is five years after the date of the enactment  
11 of this section.”.

12 (b) CLERICAL AMENDMENT.—The table of contents  
13 in section 1(b) of the Homeland Security Act of 2002 is  
14 amended by inserting after the item relating to section  
15 710 the following new item:

“Sec. 711. Employee engagement.”.

16 (c) SUBMISSIONS TO CONGRESS.—

17 (1) DEPARTMENT-WIDE EMPLOYEE ENGAGE-  
18 MENT ACTION PLAN.—The Secretary of Homeland  
19 Security, acting through the Chief Human Capital  
20 Officer of the Department of Homeland Security,  
21 shall submit to the Committee on Homeland Secu-  
22 rity of the House of Representatives and the Com-  
23 mittee on Homeland Security and Governmental Af-  
24 fairs of the Senate the Department-wide employee  
25 engagement action plan required under subsection



1 (b)(1) of section 711 of the Homeland Security Act  
2 of 2002 (as added by subsection (a) of this section)  
3 not later than 30 days after the issuance of such  
4 plan under such subsection (b)(1).

5 (2) COMPONENT-SPECIFIC EMPLOYEE ENGAGE-  
6 MENT PLANS.—Each head of a component of the  
7 Department of Homeland Security shall submit to  
8 the Committee on Homeland Security of the House  
9 of Representatives and the Committee on Homeland  
10 Security and Governmental Affairs of the Senate the  
11 component-specific employee engagement plan of  
12 each such component required under subsection  
13 (b)(2) of section 711 of the Homeland Security Act  
14 of 2002 not later than 30 days after the issuance of  
15 each such plan under such subsection (b)(2).

16 **SEC. 6402. ANNUAL EMPLOYEE AWARD PROGRAM.**

17 (a) IN GENERAL.—Title VII of the Homeland Secu-  
18 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by  
19 section 6401 of this Act, is further amended by adding  
20 at the end the following new section:

21 **“SEC. 712. ANNUAL EMPLOYEE AWARD PROGRAM.**

22 “(a) IN GENERAL.—The Secretary may establish an  
23 annual employee award program to recognize Department  
24 employees or groups of employees for significant contribu-  
25 tions to the achievement of the Department’s goals and

1 missions. If such a program is established, the Secretary  
2 shall—

3 “(1) establish within such program categories  
4 of awards, each with specific criteria, that emphasize  
5 honoring employees who are at the nonsupervisory  
6 level;

7 “(2) publicize within the Department how any  
8 employee or group of employees may be nominated  
9 for an award;

10 “(3) establish an internal review board com-  
11 prised of representatives from Department compo-  
12 nents, headquarters, and field personnel to submit to  
13 the Secretary award recommendations regarding  
14 specific employees or groups of employees;

15 “(4) select recipients from the pool of nominees  
16 submitted by the internal review board under para-  
17 graph (3) and convene a ceremony at which employ-  
18 ees or groups of employees receive such awards from  
19 the Secretary; and

20 “(5) publicize such program within the Depart-  
21 ment.

22 “(b) INTERNAL REVIEW BOARD.—The internal re-  
23 view board described in subsection (a)(3) shall, when car-  
24 rying out its function under such subsection, consult with  
25 representatives from operational components and head-

1 quarters, including supervisory and nonsupervisory per-  
2 sonnel, and employee labor organizations that represent  
3 Department employees.

4 “(c) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
5 tion may be construed to authorize additional funds to  
6 carry out the requirements of this section or to require  
7 the Secretary to provide monetary bonuses to recipients  
8 of an award under this section.”

9 (b) **CLERICAL AMENDMENT.**—The table of contents  
10 in section 1(b) of the Homeland Security Act of 2002, as  
11 amended by section 6401 of this Act, is further amended  
12 by inserting after the item relating to section 711 the fol-  
13 lowing new item:

“Sec. 712. Annual employee award program.”

14 **SEC. 6403. CHIEF HUMAN CAPITAL OFFICER RESPONSIBIL-**  
15 **ITIES.**

16 Section 704 of the Homeland Security Act of 2002  
17 (6 U.S.C. 344) is amended—

18 (1) in subsection (b)—

19 (A) in paragraph (1)—

20 (i) by inserting “, including with re-  
21 spect to leader development and employee  
22 engagement,” after “policies”;

23 (ii) by striking “and in line” and in-  
24 serting “, in line”; and

1 (iii) by inserting “and informed by  
2 best practices within the Federal Govern-  
3 ment and the private sector,” after “prior-  
4 ities,”;

5 (B) in paragraph (2), by striking “develop  
6 performance measures to provide a basis for  
7 monitoring and evaluating” and inserting “use  
8 performance measures to evaluate, on an ongo-  
9 ing basis,”;

10 (C) in paragraph (3), by inserting “that,  
11 to the extent practicable, are informed by em-  
12 ployee feedback” after “policies”;

13 (D) in paragraph (4), by inserting “includ-  
14 ing leader development and employee engage-  
15 ment programs,” before “in coordination”;

16 (E) in paragraph (5), by inserting before  
17 the semicolon at the end the following: “that is  
18 informed by an assessment, carried out by the  
19 Chief Human Capital Officer, of the learning  
20 and developmental needs of employees in super-  
21 visory and nonsupervisory roles across the De-  
22 partment and appropriate workforce planning  
23 initiatives”;

1 (F) by redesignating paragraphs (9) and  
2 (10) as paragraphs (13) and (14), respectively;  
3 and

4 (G) by inserting after paragraph (8) the  
5 following new paragraphs:

6 “(9) maintain a catalogue of available employee  
7 development opportunities, including the Homeland  
8 Security Rotation Program pursuant to section 844,  
9 departmental leadership development programs,  
10 interagency development programs, and other rota-  
11 tional programs;

12 “(10) ensure that employee discipline and ad-  
13 verse action programs comply with the requirements  
14 of all pertinent laws, rules, regulations, and Federal  
15 guidance, and ensure due process for employees;

16 “(11) analyze each Department or Government-  
17 wide Federal workforce satisfaction or morale survey  
18 not later than 90 days after the date of the publica-  
19 tion of each such survey and submit to the Secretary  
20 such analysis, including, as appropriate, rec-  
21 ommendations to improve workforce satisfaction or  
22 morale within the Department;

23 “(12) review and approve all component em-  
24 ployee engagement action plans to ensure such plans  
25 include initiatives responsive to the root cause of em-

1        ployee engagement challenges, as well as outcome-  
2        based performance measures and targets to track  
3        the progress of such initiatives;”;

4            (2) by redesignating subsections (d) and (e) as  
5        subsections (e) and (f), respectively;

6            (3) by inserting after subsection (c) the fol-  
7        lowing new subsection:

8        “(d) CHIEF LEARNING AND ENGAGEMENT OFFI-  
9        CER.—The Chief Human Capital Officer may designate  
10       an employee of the Department to serve as a Chief Learn-  
11       ing and Engagement Officer to assist the Chief Human  
12       Capital Officer in carrying out this section.”; and

13            (4) in subsection (e), as so redesignated—

14            (A) by redesignating paragraphs (2), (3),  
15            and (4) as paragraphs (5), (6), and (7), respec-  
16            tively; and

17            (B) by inserting after paragraph (1) the  
18        following new paragraphs:

19            “(2) information on employee development op-  
20        portunities catalogued pursuant to paragraph (9) of  
21        subsection (b) and any available data on participa-  
22        tion rates, attrition rates, and impacts on retention  
23        and employee satisfaction;

1           “(3) information on the progress of Depart-  
2           mentwide strategic workforce planning efforts as de-  
3           termined under paragraph (2) of subsection (b);

4           “(4) information on the activities of the steer-  
5           ing committee established pursuant to section  
6           711(a), including the number of meetings, types of  
7           materials developed and distributed, and rec-  
8           ommendations made to the Secretary;”.

9   **SEC. 6404. INDEPENDENT INVESTIGATION AND IMPLEMEN-**  
10                           **TATION PLAN.**

11           (a) **IN GENERAL.**—Not later than 120 days after the  
12           date of the enactment of this Act, the Comptroller General  
13           of the United States shall investigate whether the applica-  
14           tion in the Department of Homeland Security of discipline  
15           and adverse actions for managers and non-managers are  
16           administered in an equitable and consistent manner that  
17           results in the same or substantially similar disciplinary  
18           outcomes across the Department that are appropriately  
19           calibrated to address the identified misconduct, taking  
20           into account relevant aggravating and mitigating factors.

21           (b) **CONSULTATION.**—In carrying out the investiga-  
22           tion described in subsection (a), the Comptroller General  
23           of the United States shall consult with the Under Sec-  
24           retary for Management of the Department of Homeland  
25           Security and the employee engagement steering committee

1 established pursuant to subsection (b)(1) of section 711  
2 of the Homeland Security Act of 2002 (as added by sec-  
3 tion 6401(a) of this Act).

4 (c) ACTION BY UNDER SECRETARY FOR MANAGE-  
5 MENT.—Upon completion of the investigation described in  
6 subsection (a), the Under Secretary for Management of  
7 the Department of Homeland Security shall review the  
8 findings and recommendations of such investigation and  
9 implement a plan, in consultation with the employee en-  
10 gagement steering committee established pursuant to sub-  
11 section (b)(1) of section 711 of the Homeland Security  
12 Act of 2002, to correct any relevant deficiencies identified  
13 by the Comptroller General of the United States in such  
14 investigation. The Under Secretary for Management shall  
15 direct the employee engagement steering committee to re-  
16 view such plan to inform committee activities and action  
17 plans authorized under such section 711.

18 **SEC. 6405. AUTHORIZATION OF THE ACQUISITION PROFES-**  
19 **SIONAL CAREER PROGRAM.**

20 (a) IN GENERAL.—Title VII of the Homeland Secu-  
21 rity Act of 2002 (6 U.S.C. 341 et seq.), as amended by  
22 sections 6401 and 6402 of this Act, is further amended  
23 by adding at the end the following new section:



1 **“SEC. 713. ACQUISITION PROFESSIONAL CAREER PRO-**  
2 **GRAM.**

3 “(a) ESTABLISHMENT.—There is established in the  
4 Department an acquisition professional career program to  
5 develop a cadre of acquisition professionals within the De-  
6 partment.

7 “(b) ADMINISTRATION.—The Under Secretary for  
8 Management shall administer the acquisition professional  
9 career program established pursuant to subsection (a).

10 “(c) PROGRAM REQUIREMENTS.—The Under Sec-  
11 retary for Management shall carry out the following with  
12 respect to the acquisition professional career program.

13 “(1) Designate the occupational series, grades,  
14 and number of acquisition positions throughout the  
15 Department to be included in the program and man-  
16 age centrally such positions.

17 “(2) Establish and publish on the Department’s  
18 website eligibility criteria for candidates to partici-  
19 pate in the program.

20 “(3) Carry out recruitment efforts to attract  
21 candidates—

22 “(A) from institutions of higher education,  
23 including such institutions with established ac-  
24 quisition specialties and courses of study, his-  
25 torically Black colleges and universities, and  
26 Hispanic-serving institutions;

1           “(B) with diverse work experience outside  
2           of the Federal Government; or

3           “(C) with military service.

4           “(4) Hire eligible candidates for designated po-  
5           sitions under the program.

6           “(5) Develop a structured program comprised  
7           of acquisition training, on-the-job experience, De-  
8           partment-wide rotations, mentorship, shadowing,  
9           and other career development opportunities for pro-  
10          gram participants.

11          “(6) Provide, beyond required training estab-  
12          lished for program participants, additional special-  
13          ized acquisition training, including small business  
14          contracting and innovative acquisition techniques  
15          training.

16          “(d) REPORTS.—Not later than one year after the  
17          date of the enactment of this section, and annually there-  
18          after through 2027, the Secretary shall submit to the  
19          Committee on Homeland Security of the House of Rep-  
20          resentatives and the Committee on Homeland Security  
21          and Governmental Affairs of the Senate a report on the  
22          acquisition professional career program. Each such report  
23          shall include the following information:

24                 “(1) The number of candidates approved for  
25                 the program.

1           “(2) The number of candidates who commenced  
2 participation in the program, including generalized  
3 information on such candidates’ backgrounds with  
4 respect to education and prior work experience, but  
5 not including personally identifiable information.

6           “(3) A breakdown of the number of partici-  
7 pants hired under the program by type of acquisition  
8 position.

9           “(4) A list of Department components and of-  
10 fices that participated in the program and informa-  
11 tion regarding length of time of each program par-  
12 ticipant in each rotation at such components or of-  
13 fices.

14           “(5) Program attrition rates and post-program  
15 graduation retention data, including information on  
16 how such data compare to the prior year’s data, as  
17 available.

18           “(6) The Department’s recruiting efforts for  
19 the program.

20           “(7) The Department’s efforts to promote re-  
21 tention of program participants.

22           “(e) DEFINITIONS.—In this section:

23           “(1) HISPANIC-SERVING INSTITUTION.—The  
24 term ‘Hispanic-serving institution’ has the meaning

1 given such term in section 502 of the Higher Edu-  
2 cation Act of 1965 (20 U.S.C. 1101a).

3 “(2) HISTORICALLY BLACK COLLEGES AND  
4 UNIVERSITIES.—The term ‘historically Black col-  
5 leges and universities’ has the meaning given the  
6 term ‘part B institution’ in section 322(2) of Higher  
7 Education Act of 1965 (20 U.S.C. 1061(2)).

8 “(3) INSTITUTION OF HIGHER EDUCATION.—  
9 The term ‘institution of higher education’ has the  
10 meaning given such term in section 101 of the High-  
11 er Education Act of 1965 (20 U.S.C. 1001).”.

12 (b) CLERICAL AMENDMENT.—The table of contents  
13 in section 1(b) of the Homeland Security Act of 2002, as  
14 amended by sections 6401 and 6402 of this Act, is further  
15 amended by inserting after the item relating to section  
16 712 the following new item:

“Sec. 713. Acquisition professional career program.”.

17 **SEC. 6406. NATIONAL URBAN SECURITY TECHNOLOGY LAB-**  
18 **ORATORY.**

19 (a) IN GENERAL.—Title III of the Homeland Secu-  
20 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by  
21 adding at the end the following new section:

22 **“SEC. 322. NATIONAL URBAN SECURITY TECHNOLOGY LAB-**  
23 **ORATORY.**

24 “(a) IN GENERAL.—The Secretary, acting through  
25 the Under Secretary for Science and Technology, shall

1 designate the laboratory described in subsection (b) as an  
2 additional laboratory pursuant to the authority under sec-  
3 tion 308(c)(2) of this Act. Such laboratory shall be used  
4 to test and evaluate emerging technologies and conduct  
5 research and development to assist emergency response  
6 providers in preparing for, and protecting against, threats  
7 of terrorism.

8 “(b) LABORATORY DESCRIBED.—The laboratory de-  
9 scribed in this subsection is the laboratory—

10 “(1) known, as of the date of the enactment of  
11 this section, as the National Urban Security Tech-  
12 nology Laboratory; and

13 “(2) transferred to the Department pursuant to  
14 section 303(1)(E) of this Act.

15 “(c) LABORATORY ACTIVITIES.—The National Urban  
16 Security Technology Laboratory shall—

17 “(1) conduct tests, evaluations, and assess-  
18 ments of current and emerging technologies, includ-  
19 ing, as appropriate, the cybersecurity of such tech-  
20 nologies that can connect to the internet, for emer-  
21 gency response providers;

22 “(2) act as a technical advisor to emergency re-  
23 sponse providers; and

24 “(3) carry out other such activities as the Sec-  
25 retary determines appropriate.

1           “(d) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
2 tion may be construed as affecting in any manner the au-  
3 thorities or responsibilities of the Countering Weapons of  
4 Mass Destruction Office of the Department.”.

5           (b) **CLERICAL AMENDMENT.**—The table of contents  
6 in section 1(b) of the Homeland Security Act of 2002 is  
7 further amended by inserting after the item relating to  
8 section 321 the following new item:

          “Sec. 322. National Urban Security Technology Laboratory.”.

9   **SEC. 6407. DEPARTMENT OF HOMELAND SECURITY BLUE**  
10                                   **CAMPAIGN ENHANCEMENT.**

11           Section 434 of the Homeland Security Act of 2002  
12 (6 U.S.C. 242) is amended—

13                   (1) in subsection (e)(6), by striking “utilizing  
14 resources,” and inserting “developing and utilizing,  
15 in consultation with the Blue Campaign Advisory  
16 Board established pursuant to subsection (g), re-  
17 sources”; and

18                   (2) by adding at the end the following new sub-  
19 sections:

20           “(f) **WEB-BASED TRAINING PROGRAMS.**—To enhance  
21 training opportunities, the Director of the Blue Campaign  
22 shall develop web-based interactive training videos that  
23 utilize a learning management system to provide online  
24 training opportunities. During the 10-year period begin-  
25 ning on the date that is 90 days after the date of the

1 enactment of this subsection such training opportunities  
2 shall be made available to the following individuals:

3 “(1) Federal, State, local, Tribal, and territorial  
4 law enforcement officers.

5 “(2) Non-Federal correction system personnel.

6 “(3) Such other individuals as the Director de-  
7 termines appropriate.

8 “(g) BLUE CAMPAIGN ADVISORY BOARD.—

9 “(1) IN GENERAL.—There is established in the  
10 Department a Blue Campaign Advisory Board,  
11 which shall be comprised of representatives assigned  
12 by the Secretary from—

13 “(A) the Office for Civil Rights and Civil  
14 Liberties of the Department;

15 “(B) the Privacy Office of the Department;  
16 and

17 “(C) not fewer than four other separate  
18 components or offices of the Department.

19 “(2) CHARTER.—The Secretary is authorized to  
20 issue a charter for the Blue Campaign Advisory  
21 Board, and such charter shall specify the following:

22 “(A) The Board’s mission, goals, and  
23 scope of its activities.

24 “(B) The duties of the Board’s representa-  
25 tives.

1           “(C) The frequency of the Board’s meet-  
2           ings.

3           “(3) CONSULTATION.—The Director shall con-  
4           sult the Blue Campaign Advisory Board and, as ap-  
5           propriate, experts from other components and offices  
6           of the Center for Countering Human Trafficking of  
7           the Department regarding the following:

8                   “(A) Recruitment tactics used by human  
9                   traffickers to inform the development of train-  
10                  ing and materials by the Blue Campaign.

11                  “(B) The development of effective aware-  
12                  ness tools for distribution to Federal and non-  
13                  Federal officials to identify and prevent in-  
14                  stances of human trafficking.

15                  “(C) Identification of additional persons or  
16                  entities that may be uniquely positioned to rec-  
17                  ognize signs of human trafficking and the devel-  
18                  opment of materials for such persons.

19           “(h) CONSULTATION.—With regard to the develop-  
20           ment of programs under the Blue Campaign and the im-  
21           plementation of such programs, the Director is authorized  
22           to consult with State, local, Tribal, and territorial agen-  
23           cies, non-governmental organizations, private sector orga-  
24           nizations, and experts.”.



1 **SEC. 6408. MEDICAL COUNTERMEASURES PROGRAM.**

2 (a) IN GENERAL.—Subtitle C of title XIX of the  
3 Homeland Security Act of 2002 (6 U.S.C. 597) is amend-  
4 ed by adding at the end the following new section:

5 **“SEC. 1932. MEDICAL COUNTERMEASURES.**

6 “(a) IN GENERAL.—Subject to the availability of ap-  
7 propriations, the Secretary shall, as appropriate, establish  
8 a medical countermeasures program within the compo-  
9 nents of the Department to—

10 “(1) facilitate personnel readiness and protec-  
11 tion for the employees and working animals of the  
12 Department in the event of a chemical, biological,  
13 radiological, nuclear, or explosives attack, naturally  
14 occurring disease outbreak, other event impacting  
15 health, or pandemic; and

16 “(2) support the mission continuity of the De-  
17 partment.

18 “(b) OVERSIGHT.—The Secretary, acting through the  
19 Chief Medical Officer of the Department, shall—

20 “(1) provide programmatic oversight of the  
21 medical countermeasures program established under  
22 subsection (a); and

23 “(2) develop standards for—

24 “(A) medical countermeasure storage, se-  
25 curity, dispensing, and documentation;

1           “(B) maintaining a stockpile of medical  
2 countermeasures, including antibiotics,  
3 antivirals, antidotes, therapeutics, and radio-  
4 logical countermeasures, as appropriate;

5           “(C) ensuring adequate partnerships with  
6 manufacturers and executive agencies that en-  
7 able advance prepositioning by vendors of in-  
8 ventories of appropriate medical counter-  
9 measures in strategic locations nationwide,  
10 based on risk and employee density, in accord-  
11 ance with applicable Federal statutes and regu-  
12 lations;

13           “(D) providing oversight and guidance re-  
14 garding the dispensing of stockpiled medical  
15 countermeasures;

16           “(E) ensuring rapid deployment and dis-  
17 pensing of medical countermeasures in a chem-  
18 ical, biological, radiological, nuclear, or explo-  
19 sives attack, naturally occurring disease out-  
20 break, other event impacting health, or pan-  
21 demic;

22           “(F) providing training to employees of the  
23 Department on medical countermeasures; and

24           “(G) supporting dispensing exercises.

1           “(c)   MEDICAL   COUNTERMEASURES   WORKING  
2 GROUP.—The Secretary, acting through the Chief Medical  
3 Officer of the Department, shall establish a medical coun-  
4 termeasures working group comprised of representatives  
5 from appropriate components and offices of the Depart-  
6 ment to ensure that medical countermeasures standards  
7 are maintained and guidance is consistent.

8           “(d)   MEDICAL   COUNTERMEASURES   MANAGE-  
9 MENT.—Not later than 120 days after the date on which  
10 appropriations are made available to carry out subsection  
11 (a), the Chief Medical Officer shall develop and submit  
12 to the Secretary an integrated logistics support plan for  
13 medical countermeasures, including—

14                   “(1) a methodology for determining the ideal  
15 types and quantities of medical countermeasures to  
16 stockpile and how frequently such methodology shall  
17 be reevaluated;

18                   “(2) a replenishment plan; and

19                   “(3) inventory tracking, reporting, and rec-  
20 onciliation procedures for existing stockpiles and  
21 new medical countermeasure purchases.

22           “(e) TRANSFER.—Not later than 120 days after the  
23 date of enactment of this section, the Secretary shall  
24 transfer all medical countermeasures-related pro-

1 grammatic and personnel resources from the Under Sec-  
2 retary for Management to the Chief Medical Officer.

3 “(f) STOCKPILE ELEMENTS.—In determining the  
4 types and quantities of medical countermeasures to stock-  
5 pile under subsection (d), the Secretary, acting through  
6 the Chief Medical Officer of the Department—

7 “(1) shall use a risk-based methodology for  
8 evaluating types and quantities of medical counter-  
9 measures required; and

10 “(2) may use, if available—

11 “(A) chemical, biological, radiological, and  
12 nuclear risk assessments of the Department;  
13 and

14 “(B) guidance on medical countermeasures  
15 of the Office of the Assistant Secretary for Pre-  
16 paredness and Response and the Centers for  
17 Disease Control and Prevention.

18 “(g) BRIEFING.—Not later than 180 days after the  
19 date of enactment of this section, the Secretary shall pro-  
20 vide a briefing to the Committee on Homeland Security  
21 and Governmental Affairs of the Senate and the Com-  
22 mittee on Homeland Security of the House of Representa-  
23 tives regarding—

24 “(1) the plan developed under subsection (d);  
25 and

1           “(2) implementation of the requirements of this  
2           section.

3           “(h) DEFINITION.—In this section, the term ‘medical  
4 countermeasures’ means antibiotics, antivirals, antidotes,  
5 therapeutics, radiological countermeasures, and other  
6 countermeasures that may be deployed to protect the em-  
7 ployees and working animals of the Department in the  
8 event of a chemical, biological, radiological, nuclear, or ex-  
9 plosives attack, naturally occurring disease outbreak,  
10 other event impacting health, or pandemic.”.

11           (b) CLERICAL AMENDMENT.—The table of contents  
12 in section 1(b) of the Homeland Security Act of 2002 is  
13 further amended by inserting after the item relating to  
14 section 1931 the following new item:

“Sec. 1932. Medical countermeasures.”.

15 **SEC. 6409. CRITICAL DOMAIN RESEARCH AND DEVELOP-**  
16 **MENT.**

17           (a) IN GENERAL.—Subtitle H of title VIII of the  
18 Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)  
19 is amended by adding at the end the following new section:

20 **“SEC. 890B. HOMELAND SECURITY CRITICAL DOMAIN RE-**  
21 **SEARCH AND DEVELOPMENT.**

22           “(a) IN GENERAL.—

23           “(1) RESEARCH AND DEVELOPMENT.—The  
24 Secretary is authorized to conduct research and de-  
25 velopment to—

1           “(A) identify United States critical do-  
2 mains for economic security and homeland se-  
3 curity; and

4           “(B) evaluate the extent to which disrup-  
5 tion, corruption, exploitation, or dysfunction of  
6 any of such domain poses a substantial threat  
7 to homeland security.

8           “(2) REQUIREMENTS.—

9           “(A) RISK ANALYSIS OF CRITICAL DO-  
10 MAINS.—The research under paragraph (1)  
11 shall include a risk analysis of each identified  
12 United States critical domain for economic se-  
13 curity to determine the degree to which there  
14 exists a present or future threat to homeland  
15 security in the event of disruption, corruption,  
16 exploitation, or dysfunction to such domain.  
17 Such research shall consider, to the extent pos-  
18 sible, the following:

19                   “(i) The vulnerability and resilience of  
20 relevant supply chains.

21                   “(ii) Foreign production, processing,  
22 and manufacturing methods.

23                   “(iii) Influence of malign economic ac-  
24 tors.

25                   “(iv) Asset ownership.

1                   “(v) Relationships within the supply  
2 chains of such domains.

3                   “(vi) The degree to which the condi-  
4 tions referred to in clauses (i) through (v)  
5 would place such a domain at risk of dis-  
6 ruption, corruption, exploitation, or dys-  
7 function.

8                   “(B) ADDITIONAL RESEARCH INTO HIGH-  
9 RISK CRITICAL DOMAINS.—Based on the identi-  
10 fication and risk analysis of United States crit-  
11 ical domains for economic security pursuant to  
12 paragraph (1) and subparagraph (A) of this  
13 paragraph, respectively, the Secretary may con-  
14 duct additional research into those critical do-  
15 mains, or specific elements thereof, with respect  
16 to which there exists the highest degree of a  
17 present or future threat to homeland security in  
18 the event of disruption, corruption, exploitation,  
19 or dysfunction to such a domain. For each such  
20 high-risk domain, or element thereof, such re-  
21 search shall—

22                   “(i) describe the underlying infra-  
23 structure and processes;

1           “(ii) analyze present and projected  
2 performance of industries that comprise or  
3 support such domain;

4           “(iii) examine the extent to which the  
5 supply chain of a product or service nec-  
6 essary to such domain is concentrated, ei-  
7 ther through a small number of sources, or  
8 if multiple sources are concentrated in one  
9 geographic area;

10          “(iv) examine the extent to which the  
11 demand for supplies of goods and services  
12 of such industries can be fulfilled by  
13 present and projected performance of other  
14 industries, identify strategies, plans, and  
15 potential barriers to expand the supplier  
16 industrial base, and identify the barriers to  
17 the participation of such other industries;

18          “(v) consider each such domain’s per-  
19 formance capacities in stable economic en-  
20 vironments, adversarial supply conditions,  
21 and under crisis economic constraints;

22          “(vi) identify and define needs and re-  
23 quirements to establish supply resiliency  
24 within each such domain; and



1                   “(vii) consider the effects of sector  
2                   consolidation, including foreign consolida-  
3                   tion, either through mergers or acquisi-  
4                   tions, or due to recent geographic realign-  
5                   ment, on such industries’ performances.

6                   “(3) CONSULTATION.—In conducting the re-  
7                   search under paragraph (1) and subparagraph (B)  
8                   of paragraph (2), the Secretary may consult with  
9                   appropriate Federal agencies, State agencies, and  
10                  private sector stakeholders.

11                  “(4) PUBLICATION.—Beginning one year after  
12                  the date of the enactment of this section, the Sec-  
13                  retary shall publish a report containing information  
14                  relating to the research under paragraph (1) and  
15                  subparagraph (B) of paragraph (2), including find-  
16                  ings, evidence, analysis, and recommendations. Such  
17                  report shall be updated annually through 2026.

18                  “(b) SUBMISSION TO CONGRESS.—Not later than 90  
19                  days after the publication of each report required under  
20                  paragraph (4) of subsection (a), the Secretary shall trans-  
21                  mit to the Committee on Homeland Security of the House  
22                  of Representatives and the Committee on Homeland Secu-  
23                  rity and Governmental Affairs of the Senate each such re-  
24                  port, together with a description of actions the Secretary,

1 in consultation with appropriate Federal agencies, will un-  
2 dertake or has undertaken in response to each such report.

3 “(c) DEFINITIONS.—In this section:

4 “(1) UNITED STATES CRITICAL DOMAINS FOR  
5 ECONOMIC SECURITY.—The term ‘United States  
6 critical domains for economic security’ means the  
7 critical infrastructure and other associated indus-  
8 tries, technologies, and intellectual property, or any  
9 combination thereof, that are essential to the eco-  
10 nomic security of the United States.

11 “(2) ECONOMIC SECURITY.—The term ‘eco-  
12 nomic security’ means the condition of having secure  
13 and resilient domestic production capacity, combined  
14 with reliable access to the global resources necessary  
15 to maintain an acceptable standard of living and to  
16 protect core national values.

17 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
18 is authorized to be appropriated \$1,000,000 for each of  
19 fiscal years 2022 through 2026 to carry out this section.”.

20 (b) CLERICAL AMENDMENT.—The table of contents  
21 in section 1(b) of the Homeland Security Act of 2002 is  
22 further amended by inserting after the item relating to  
23 section 890A the following new item:

“Sec. 890B. Homeland security critical domain research and development.”.

1 **SEC. 6410. CBP DONATIONS ACCEPTANCE PROGRAM REAU-**  
2 **THORIZATION.**

3 Section 482 of the Homeland Security Act of 2002  
4 (6 U.S.C. 301a) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) in subparagraph (B), by inserting  
8 “or -leased” before “land”; and

9 (ii) in subparagraph (C)—

10 (I) in the matter preceding clause  
11 (i), by inserting “or -leased” before  
12 “land”;

13 (II) in clause (i), by striking  
14 “\$50,000,000” and inserting  
15 “\$75,000,000”; and

16 (III) by amending clause (ii) to  
17 read as follows:

18 “(ii) the fair market value of dona-  
19 tions with respect to the land port of entry  
20 total \$75,000,000 or less over the pre-  
21 ceding five years.”; and

22 (B) in paragraph (3), in the matter pre-  
23 ceding subparagraph (A), by inserting “or  
24 -leased” before “land”;

25 (2) in subsection (b)—

1 (A) in the matter preceding paragraph (1),  
2 by striking “Administrator of the General Serv-  
3 ices Administration” and inserting “Adminis-  
4 trator of General Services”;

5 (B) in paragraph (1)(C)—

6 (i) in clause (i), by striking  
7 “\$50,000,000” and inserting  
8 “\$75,000,000”; and

9 (ii) by amending clause (ii) to read as  
10 follows:

11 “(ii) the fair market value of dona-  
12 tions with respect to the land port of entry  
13 total \$75,000,000 or less over the pre-  
14 ceding five years.”; and

15 (C) in paragraph (4)—

16 (i) in subparagraph (A), by striking  
17 “terminate” and all that follows through  
18 the period at the end and inserting “termi-  
19 nate on December 31, 2026.”; and

20 (ii) in subparagraph (B), by striking  
21 “carrying out the terms of an agreement  
22 under this subsection if such agreement is  
23 entered into before such termination date”  
24 and inserting “a proposal accepted for con-  
25 sideration by U.S. Customs and Border

1 Protection or the General Services Admin-  
2 istration pursuant to this section or a prior  
3 pilot program prior to such termination  
4 date”;

5 (3) in subsection (c)(6)(B), by striking “the do-  
6 nation will not be used for the construction of a de-  
7 tention facility or a border fence or wall.” and in-  
8 serting the following:

9 “(i) the donation will not be used for  
10 the construction of a detention facility or a  
11 border fence or wall; and

12 “(ii) the donor will be notified in the  
13 Donations Acceptance Agreement that the  
14 donor shall be financially responsible for  
15 all costs and operating expenses related to  
16 the operation, maintenance, and repair of  
17 the donated real property until such time  
18 as U.S. Customs and Border Protection  
19 provides the donor written notice other-  
20 wise.”;

21 (4) in subsection (d), in the matter preceding  
22 paragraph (1), by striking “annual” and inserting  
23 “biennial”; and

1 (5) in subsection (e), by striking “Adminis-  
2 trator of the General Services Administration” and  
3 inserting “Administrator of General Services”.

4 **Subtitle B—Transportation**  
5 **Security**

6 **SEC. 6411. SURVEY OF THE TRANSPORTATION SECURITY**  
7 **ADMINISTRATION WORKFORCE REGARDING**  
8 **COVID-19 RESPONSE.**

9 (a) SURVEY.—Not later than one year after the date  
10 of the enactment of this Act, the Administrator of the  
11 Transportation Security Administration (referred to in  
12 this section as the “Administrator”), in consultation with  
13 the labor organization certified as the exclusive represent-  
14 ative of full- and part-time nonsupervisory Administration  
15 personnel carrying out screening functions under section  
16 44901 of title 49, United States Code, shall conduct a sur-  
17 vey of the Transportation Security Administration (re-  
18 ferred to in this section as the “Administration”) work-  
19 force regarding the Administration’s response to the  
20 COVID-19 pandemic. Such survey shall be conducted in  
21 a manner that allows for the greatest practicable level of  
22 workforce participation.

23 (b) CONTENTS.—In conducting the survey required  
24 under subsection (a), the Administrator shall solicit feed-  
25 back on the following:

1           (1) The Administration’s communication and  
2           collaboration with the Administration’s workforce re-  
3           garding the Administration’s response to the  
4           COVID–19 pandemic and efforts to mitigate and  
5           monitor transmission of COVID–19 among its work-  
6           force, including through—

7                   (A) providing employees with personal pro-  
8                   tective equipment and mandating its use;

9                   (B) modifying screening procedures and  
10                  Administration operations to reduce trans-  
11                  mission among officers and passengers and en-  
12                  suring compliance with such changes;

13                  (C) adjusting policies regarding scheduling,  
14                  leave, and telework;

15                  (D) outreach as a part of contact tracing  
16                  when an employee has tested positive for  
17                  COVID–19; and

18                  (E) encouraging COVID–19 vaccinations  
19                  and efforts to assist employees that seek to be  
20                  vaccinated such as communicating the avail-  
21                  ability of duty time for travel to vaccination  
22                  sites and recovery from vaccine side effects.

23           (2) Any other topic determined appropriate by  
24           the Administrator.

1 (c) REPORT.—Not later than 30 days after com-  
2 pleting the survey required under subsection (a), the Ad-  
3 ministration shall provide a report summarizing the re-  
4 sults of the survey to the Committee on Homeland Secu-  
5 rity of the House of Representatives and the Committee  
6 on Commerce, Science, and Transportation of the Senate.

7 **SEC. 6412. TRANSPORTATION SECURITY PREPAREDNESS**  
8 **PLAN.**

9 (a) PLAN REQUIRED.—Section 114 of title 49,  
10 United States Code, is amended by adding at the end the  
11 following new subsection:

12 “(x) TRANSPORTATION SECURITY PREPAREDNESS  
13 PLAN.—

14 “(1) IN GENERAL.—Not later than two years  
15 after the date of the enactment of this subsection,  
16 the Secretary of Homeland Security, acting through  
17 the Administrator, in coordination with the Chief  
18 Medical Officer of the Department of Homeland Se-  
19 curity, and in consultation with the partners identi-  
20 fied under paragraphs (3)(A)(i) through (3)(A)(iv),  
21 shall develop a transportation security preparedness  
22 plan to address the event of a communicable disease  
23 outbreak. The Secretary, acting through the Admin-  
24 istrator, shall ensure such plan aligns with relevant



1 Federal plans and strategies for communicable dis-  
2 ease outbreaks.

3 “(2) CONSIDERATIONS.—In developing the plan  
4 required under paragraph (1), the Secretary, acting  
5 through the Administrator, shall consider each of  
6 the following:

7 “(A) The findings of the survey required  
8 under section 6411 of the National Defense Au-  
9 thorization Act for Fiscal Year 2022.

10 “(B) The findings of the analysis required  
11 under section 6414 of the National Defense Au-  
12 thorization Act for Fiscal Year 2022.

13 “(C) The plan required under section 6415  
14 of the National Defense Authorization Act for  
15 Fiscal Year 2022.

16 “(D) All relevant reports and recommenda-  
17 tions regarding the Administration’s response  
18 to the COVID–19 pandemic, including any re-  
19 ports and recommendations issued by the  
20 Comptroller General and the Inspector General  
21 of the Department of Homeland Security.

22 “(E) Lessons learned from Federal inter-  
23 agency efforts during the COVID–19 pandemic.

1           “(3) CONTENTS OF PLAN.—The plan developed  
2           under paragraph (1) shall include each of the fol-  
3           lowing:

4                   “(A) Plans for communicating and collabo-  
5                   rating in the event of a communicable disease  
6                   outbreak with the following partners:

7                           “(i) Appropriate Federal departments  
8                           and agencies, including the Department of  
9                           Health and Human Services, the Centers  
10                          for Disease Control and Prevention, the  
11                          Department of Transportation, the De-  
12                          partment of Labor, and appropriate inter-  
13                          agency task forces.

14                           “(ii) The workforce of the Administra-  
15                           tion, including through the labor organiza-  
16                           tion certified as the exclusive representa-  
17                           tive of full- and part-time non-supervisory  
18                           Administration personnel carrying out  
19                           screening functions under section 44901 of  
20                           this title.

21                           “(iii) International partners, including  
22                           the International Civil Aviation Organiza-  
23                           tion and foreign governments, airports,  
24                           and air carriers.

1           “(iv) Public and private stakeholders,  
2           as such term is defined under subsection  
3           (t)(1)(C).

4           “(v) The traveling public.

5           “(B) Plans for protecting the safety of the  
6           Transportation Security Administration work-  
7           force, including—

8           “(i) reducing the risk of commu-  
9           nicable disease transmission at screening  
10          checkpoints and within the Administra-  
11          tion’s workforce related to the Administra-  
12          tion’s transportation security operations  
13          and mission;

14          “(ii) ensuring the safety and hygiene  
15          of screening checkpoints and other  
16          workstations;

17          “(iii) supporting equitable and appro-  
18          priate access to relevant vaccines, prescrip-  
19          tions, and other medical care; and

20          “(iv) tracking rates of employee ill-  
21          ness, recovery, and death.

22          “(C) Criteria for determining the condi-  
23          tions that may warrant the integration of addi-  
24          tional actions in the aviation screening system  
25          in response to the communicable disease out-

1 break and a range of potential roles and re-  
2 sponsibilities that align with such conditions.

3 “(D) Contingency plans for temporarily  
4 adjusting checkpoint operations to provide for  
5 passenger and employee safety while maintain-  
6 ing security during the communicable disease  
7 outbreak.

8 “(E) Provisions setting forth criteria for  
9 establishing an interagency task force or other  
10 standing engagement platform with other ap-  
11 propriate Federal departments and agencies, in-  
12 cluding the Department of Health and Human  
13 Services and the Department of Transportation,  
14 to address such communicable disease outbreak.

15 “(F) A description of scenarios in which  
16 the Administrator should consider exercising  
17 authorities provided under subsection (g) and  
18 for what purposes.

19 “(G) Considerations for assessing the ap-  
20 propriateness of issuing security directives and  
21 emergency amendments to regulated parties in  
22 various modes of transportation, including sur-  
23 face transportation, and plans for ensuring  
24 compliance with such measures.

1           “(H) A description of any potential obsta-  
2           cles, including funding constraints and limita-  
3           tions to authorities, that could restrict the abil-  
4           ity of the Administration to respond appro-  
5           priately to a communicable disease outbreak.

6           “(4) DISSEMINATION.—Upon development of  
7           the plan required under paragraph (1), the Adminis-  
8           trator shall disseminate the plan to the partners  
9           identified under paragraph (3)(A) and to the Com-  
10          mittee on Homeland Security of the House of Rep-  
11          resentatives and the Committee on Homeland Secu-  
12          rity and Governmental Affairs and the Committee  
13          on Commerce, Science, and Transportation of the  
14          Senate.

15          “(5) REVIEW OF PLAN.—Not later than two  
16          years after the date on which the plan is dissemi-  
17          nated under paragraph (4), and biennially there-  
18          after, the Secretary, acting through the Adminis-  
19          trator and in coordination with the Chief Medical  
20          Officer of the Department of Homeland Security,  
21          shall review the plan and, after consultation with the  
22          partners identified under paragraphs (3)(A)(i)  
23          through (3)(A)(iv), update the plan as appropriate.”.

24          (b) COMPTROLLER GENERAL REPORT.—Not later  
25          than one year after the date on which the transportation

1 security preparedness plan required under subsection (x)  
2 of section 114 of title 49, United States Code, as added  
3 by subsection (a), is disseminated under paragraph (4) of  
4 such subsection (x), the Comptroller General of the United  
5 States shall submit to the Committee on Homeland Secu-  
6 rity of the House of Representatives and the Committee  
7 on Commerce, Science, and Transportation of the Senate  
8 a report containing the results of a study assessing the  
9 transportation security preparedness plan, including an  
10 analysis of—

11 (1) whether such plan aligns with relevant Fed-  
12 eral plans and strategies for communicable disease  
13 outbreaks; and

14 (2) the extent to which the Transportation Se-  
15 curity Administration is prepared to implement the  
16 plan.

17 **SEC. 6413. AUTHORIZATION OF TRANSPORTATION SECU-**  
18 **RITY ADMINISTRATION PERSONNEL DETAILS.**

19 (a) COORDINATION.—Pursuant to sections 106(m)  
20 and 114(m) of title 49, United States Code, the Adminis-  
21 trator of the Transportation Security Administration may  
22 provide Transportation Security Administration per-  
23 sonnel, who are not engaged in front line transportation  
24 security efforts, to other components of the Department  
25 and other Federal agencies to improve coordination with

1 such components and agencies to prepare for, protect  
2 against, and respond to public health threats to the trans-  
3 portation security system of the United States.

4 (b) BRIEFING.—Not later than 180 days after the  
5 date of the enactment of this Act, the Administrator shall  
6 brief the appropriate congressional committees regarding  
7 efforts to improve coordination with other components of  
8 the Department of Homeland Security and other Federal  
9 agencies to prepare for, protect against, and respond to  
10 public health threats to the transportation security system  
11 of the United States.

12 **SEC. 6414. TRANSPORTATION SECURITY ADMINISTRATION**

13 **PREPAREDNESS.**

14 (a) ANALYSIS.—

15 (1) IN GENERAL.—The Administrator of the  
16 Transportation Security Administration shall con-  
17 duct an analysis of preparedness of the transpor-  
18 tation security system of the United States for pub-  
19 lic health threats. Such analysis shall assess, at a  
20 minimum, the following:

21 (A) The risks of public health threats to  
22 the transportation security system of the  
23 United States, including to transportation hubs,  
24 transportation security stakeholders, Transpor-

1           tation Security Administration (TSA) per-  
2           sonnel, and passengers.

3           (B) Information sharing challenges among  
4           relevant components of the Department of  
5           Homeland Security, other Federal agencies,  
6           international entities, and transportation secu-  
7           rity stakeholders.

8           (C) Impacts to TSA policies and proce-  
9           dures for securing the transportation security  
10          system.

11          (2) COORDINATION.—The analysis conducted of  
12          the risks described in paragraph (1)(A) shall be con-  
13          ducted in coordination with the Chief Medical Offi-  
14          cer of the Department of Homeland Security, the  
15          Secretary of Health and Human Services, and trans-  
16          portation security stakeholders.

17          (b) BRIEFING.—Not later than 180 days after the  
18          date of the enactment of this Act, the Administrator shall  
19          brief the appropriate congressional committees on the fol-  
20          lowing:

21                 (1) The analysis required under subsection (a).

22                 (2) Technologies necessary to combat public  
23          health threats at security screening checkpoints,  
24          such as testing and screening technologies, including  
25          temperature screenings, to better protect from fu-



1       ture public health threats TSA personnel, pas-  
2       sengers, aviation workers, and other personnel au-  
3       thorized to access the sterile area of an airport  
4       through such checkpoints, and the estimated cost of  
5       technology investments needed to fully implement  
6       across the aviation system solutions to such threats.

7           (3) Policies and procedures implemented by  
8       TSA and transportation security stakeholders to  
9       protect from public health threats TSA personnel,  
10      passengers, aviation workers, and other personnel  
11      authorized to access the sterile area through the se-  
12      curity screening checkpoints, as well as future plans  
13      for additional measures relating to such protection.

14           (4) The role of TSA in establishing priorities,  
15      developing solutions, and coordinating and sharing  
16      information with relevant domestic and international  
17      entities during a public health threat to the trans-  
18      portation security system, and how TSA can im-  
19      prove its leadership role in such areas.

20      (c) DEFINITIONS.—In this section:

21           (1) The term “appropriate congressional com-  
22      mittees” means—

23                   (A) the Committee on Homeland Security  
24                   of the House of Representatives; and

1 (B) the Committee on Homeland Security  
2 and Governmental Affairs and the Committee  
3 on Commerce, Science, and Transportation of  
4 the Senate.

5 (2) The term “sterile area” has the meaning  
6 given such term in section 1540.5 of title 49, Code  
7 of Federal Regulations.

8 (3) The term “TSA” means the Transportation  
9 Security Administration.

10 **SEC. 6415. PLAN TO REDUCE THE SPREAD OF**  
11 **CORONAVIRUS AT PASSENGER SCREENING**  
12 **CHECKPOINTS.**

13 (a) IN GENERAL.—Not later than 90 days after the  
14 date of the enactment of this Act, the Administrator, in  
15 coordination with the Chief Medical Officer of the Depart-  
16 ment of Homeland Security, and in consultation with the  
17 Secretary of Health and Human Services and the Director  
18 of the Centers for Disease Control and Prevention, shall  
19 issue and commence implementing a plan to enhance, as  
20 appropriate, security operations at airports during the  
21 COVID–19 national emergency in order to reduce risk of  
22 the spread of the coronavirus at passenger screening  
23 checkpoints and among the TSA workforce.

24 (b) CONTENTS.—The plan required under subsection  
25 (a) shall include the following:

1           (1) An identification of best practices developed  
2           and screening technologies deployed in response to  
3           the coronavirus among foreign governments, air-  
4           ports, and air carriers conducting aviation security  
5           screening operations, as well as among Federal  
6           agencies conducting similar security screening oper-  
7           ations outside of airports, including in locations  
8           where the spread of the coronavirus has been suc-  
9           cessfully contained, that could be further integrated  
10          into the United States aviation security system.

11          (2) Specific operational changes to aviation se-  
12          curity screening operations informed by the identi-  
13          fication of best practices and screening technologies  
14          under paragraph (1) that could be implemented  
15          without degrading aviation security and a cor-  
16          responding timeline and costs for implementing such  
17          changes.

18          (c) CONSIDERATIONS.—In carrying out the identi-  
19          fication of best practices under subsection (b), the Admin-  
20          istrator shall take into consideration the following:

21               (1) Aviation security screening procedures and  
22               practices in place at security screening locations, in-  
23               cluding procedures and practices implemented in re-  
24               sponse to the coronavirus.

1           (2) Volume and average wait times at each such  
2 security screening location.

3           (3) Public health measures already in place at  
4 each such security screening location.

5           (4) The feasibility and effectiveness of imple-  
6 menting similar procedures and practices in loca-  
7 tions where such are not already in place.

8           (5) The feasibility and potential benefits to se-  
9 curity, public health, and travel facilitation of con-  
10 tinuing any procedures and practices implemented in  
11 response to the COVID–19 national emergency be-  
12 yond the end of such emergency.

13       (d) CONSULTATION.—In developing the plan required  
14 under subsection (a), the Administrator may consult with  
15 public and private stakeholders and the TSA workforce,  
16 including through the labor organization certified as the  
17 exclusive representative of full- and part-time non-  
18 supervisory TSA personnel carrying out screening func-  
19 tions under section 44901 of title 49, United States Code.

20       (e) SUBMISSION.—Upon issuance of the plan re-  
21 quired under subsection (a), the Administrator shall sub-  
22 mit the plan to the Committee on Homeland Security of  
23 the House of Representatives and the Committee on Com-  
24 merce, Science, and Transportation of the Senate.

1 (f) ISSUANCE AND IMPLEMENTATION.—The Admin-  
2 istrator shall not be required to issue or implement, as  
3 the case may be, the plan required under subsection (a)  
4 upon the termination of the COVID–19 national emer-  
5 gency except to the extent the Administrator determines  
6 such issuance or implementation, as the case may be, to  
7 be feasible and beneficial to security screening operations.

8 (g) GAO REVIEW.—Not later than one year after the  
9 issuance of the plan required under subsection (a) (if such  
10 plan is issued in accordance with subsection (f)), the  
11 Comptroller General of the United States shall submit to  
12 the Committee on Homeland Security of the House of  
13 Representatives and the Committee on Commerce,  
14 Science, and Transportation of the Senate a review, if ap-  
15 propriate, of such plan and any efforts to implement such  
16 plan.

17 (h) DEFINITIONS.—In this section:

18 (1) The term “Administrator” means the Ad-  
19 ministrator of the Transportation Security Adminis-  
20 tration.

21 (2) The term “coronavirus” has the meaning  
22 given such term in section 506 of the Coronavirus  
23 Preparedness and Response Supplemental Appro-  
24 priations Act, 2020 (Public Law 116–123).

1           (3) The term “COVID–19 national emergency”  
2 means the national emergency declared by the Presi-  
3 dent under the National Emergencies Act (50  
4 U.S.C. 1601 et seq.) on March 13, 2020, with re-  
5 spect to the coronavirus.

6           (4) The term “public and private stakeholders”  
7 has the meaning given such term in section  
8 114(t)(1)(C) of title 49, United States Code.

9           (5) The term “TSA” means the Transportation  
10 Security Administration.

11 **SEC. 6416. COMPTROLLER GENERAL REVIEW OF DEPART-**  
12 **MENT OF HOMELAND SECURITY TRUSTED**  
13 **TRAVELER PROGRAMS.**

14           Not later than one year after the date of the enact-  
15 ment of this Act, the Comptroller General of the United  
16 States shall conduct a review of Department of Homeland  
17 Security trusted traveler programs. Such review shall ex-  
18 amine the following:

19           (1) The extent to which the Department of  
20 Homeland Security tracks data and monitors trends  
21 related to trusted traveler programs, including root  
22 causes for identity-matching errors resulting in an  
23 individual’s enrollment in a trusted traveler program  
24 being reinstated.

1           (2) Whether the Department coordinates with  
2           the heads of other relevant Federal, State, local,  
3           Tribal, or territorial entities regarding redress proce-  
4           dures for disqualifying offenses not covered by the  
5           Department's own redress processes but which of-  
6           fenses impact an individual's enrollment in a trusted  
7           traveler program.

8           (3) How the Department may improve individ-  
9           uals' access to reconsideration procedures regarding  
10          a disqualifying offense for enrollment in a trusted  
11          traveler program that requires the involvement of  
12          any other Federal, State, local, Tribal, or territorial  
13          entity.

14          (4) The extent to which travelers are informed  
15          about reconsideration procedures regarding enroll-  
16          ment in a trusted traveler program.

17 **SEC. 6417. ENROLLMENT REDRESS WITH RESPECT TO DE-**  
18 **PARTMENT OF HOMELAND SECURITY TRUST-**  
19 **ED TRAVELER PROGRAMS.**

20          Notwithstanding any other provision of law, the Sec-  
21          retary of Homeland Security shall, with respect to an indi-  
22          vidual whose enrollment in a trusted traveler program was  
23          revoked in error extend by an amount of time equal to  
24          the period of revocation the period of active enrollment

1 in such a program upon reenrollment in such a program  
2 by such an individual.

3 **SEC. 6418. THREAT INFORMATION SHARING.**

4 (a) **PRIORITIZATION.**—The Secretary of Homeland  
5 Security shall prioritize the assignment of officers and in-  
6 telligence analysts under section 210A of the Homeland  
7 Security Act of 2002 (6 U.S.C. 124h) from the Transpor-  
8 tation Security Administration and, as appropriate, from  
9 the Office of Intelligence and Analysis of the Department  
10 of Homeland Security, to locations with participating  
11 State, local, and regional fusion centers in jurisdictions  
12 with a high-risk surface transportation asset in order to  
13 enhance the security of such assets, including by improv-  
14 ing timely sharing, in a manner consistent with the protec-  
15 tion of privacy rights, civil rights, and civil liberties, of  
16 information regarding threats of terrorism and other  
17 threats, including targeted violence.

18 (b) **INTELLIGENCE PRODUCTS.**—Officers and intel-  
19 ligence analysts assigned to locations with participating  
20 State, local, and regional fusion centers under this section  
21 shall participate in the generation and dissemination of  
22 transportation security intelligence products, with an em-  
23 phasis on such products that relate to threats of terrorism  
24 and other threats, including targeted violence, to surface  
25 transportation assets that—



1           (1) assist State, local, and Tribal law enforce-  
2           ment agencies in deploying their resources, including  
3           personnel, most efficiently to help detect, prevent,  
4           investigate, apprehend, and respond to such threats;

5           (2) promote more consistent and timely sharing  
6           with and among jurisdictions of threat information;  
7           and

8           (3) enhance the Department of Homeland Secu-  
9           rity's situational awareness of such threats.

10          (c) CLEARANCES.—The Secretary of Homeland Secu-  
11         rity shall make available to appropriate owners and opera-  
12         tors of surface transportation assets, and to any other per-  
13         son that the Secretary determines appropriate to foster  
14         greater sharing of classified information relating to  
15         threats of terrorism and other threats, including targeted  
16         violence, to surface transportation assets, the process of  
17         application for security clearances under Executive Order  
18         No. 13549 (75 Fed. Reg. 162; relating to a classified na-  
19         tional security information program) or any successor Ex-  
20         ecutive order.

21          (d) REPORT TO CONGRESS.—Not later than one year  
22         after the date of the enactment of this Act, the Secretary  
23         of Homeland Security shall submit to the Committee on  
24         Homeland Security of the House of Representatives and  
25         the Committee on Homeland Security and Governmental

1 Affairs of the Senate a report that includes a detailed de-  
2 scription of the measures used to ensure privacy rights,  
3 civil rights, and civil liberties protections in carrying out  
4 this section.

5 (e) GAO REPORT.—Not later than two years after  
6 the date of the enactment of this Act, the Comptroller  
7 General of the United States shall submit to the Com-  
8 mittee on Homeland Security of the House of Representa-  
9 tives and the Committee on Homeland Security and Gov-  
10 ernmental Affairs of the Senate a review of the implemen-  
11 tation of this section, including an assessment of the  
12 measures used to ensure privacy rights, civil rights, and  
13 civil liberties protections, and any recommendations to im-  
14 prove this implementation, together with any rec-  
15 ommendations to improve information sharing with State,  
16 local, Tribal, territorial, and private sector entities to pre-  
17 vent, identify, and respond to threats of terrorism and  
18 other threats, including targeted violence, to surface trans-  
19 portation assets.

20 (f) DEFINITIONS.—In this section:

21 (1) The term “surface transportation asset” in-  
22 cludes facilities, equipment, or systems used to pro-  
23 vide transportation services by—

24 (A) a public transportation agency (as  
25 such term is defined in section 1402(5) of the

1 Implementing Recommendations of the 9/11  
2 Commission Act of 2007 (Public Law 110–53;  
3 6 U.S.C. 1131(5));

4 (B) a railroad carrier (as such term is de-  
5 fined in section 20102(3) of title 49, United  
6 States Code);

7 (C) an owner or operator of—

8 (i) an entity offering scheduled, fixed-  
9 route transportation services by over-the-  
10 road bus (as such term is defined in sec-  
11 tion 1501(4) of the Implementing Rec-  
12 ommendations of the 9/11 Commission Act  
13 of 2007 (Public Law 110–53; 6 U.S.C.  
14 1151(4)); or

15 (ii) a bus terminal; or

16 (D) other transportation facilities, equip-  
17 ment, or systems, as determined by the Sec-  
18 retary.

19 (2) The term “targeted violence” means an in-  
20 cident of violence in which an attacker selected a  
21 particular target in order to inflict mass injury or  
22 death with no discernable political or ideological mo-  
23 tivation beyond mass injury or death.

24 (3) The term “terrorism” means the terms—

1 (A) domestic terrorism (as such term is de-  
2 fined in section 2331(5) of title 18, United  
3 States Code); and

4 (B) international terrorism (as such term  
5 is defined in section 2331(1) of title 18, United  
6 States Code).

7 **SEC. 6419. LOCAL LAW ENFORCEMENT SECURITY TRAIN-**  
8 **ING.**

9 (a) IN GENERAL.—The Secretary of Homeland Secu-  
10 rity, in consultation with public and private sector stake-  
11 holders, may in a manner consistent with the protection  
12 of privacy rights, civil rights, and civil liberties, develop,  
13 through the Federal Law Enforcement Training Centers,  
14 a training program to enhance the protection, prepared-  
15 ness, and response capabilities of law enforcement agen-  
16 cies with respect to threats of terrorism and other threats,  
17 including targeted violence, at a surface transportation  
18 asset.

19 (b) REQUIREMENTS.—If the Secretary of Homeland  
20 Security develops the training program described in sub-  
21 section (a), such training program shall—

22 (1) be informed by current information regard-  
23 ing tactics used by terrorists and others engaging in  
24 targeted violence;

1           (2) include tactical instruction tailored to the  
2           diverse nature of the surface transportation asset  
3           operational environment; and

4           (3) prioritize training officers from law enforce-  
5           ment agencies that are eligible for or receive grants  
6           under sections 2003 or 2004 of the Homeland Secu-  
7           rity Act of 2002 (6 U.S.C. 604 and 605) and offi-  
8           cers employed by railroad carriers that operate pas-  
9           senger service, including interstate passenger service.

10          (c) REPORT.—If the Secretary of Homeland Security  
11       develops the training program described in subsection (a),  
12       not later than one year after the date on which the Sec-  
13       retary first implements the program, and annually there-  
14       after during each year the Secretary carries out the pro-  
15       gram, the Secretary shall submit to the Committee on  
16       Homeland Security of the House of Representatives and  
17       the Committee on Homeland Security and Governmental  
18       Affairs of the Senate a report on the program. Each such  
19       report shall include, for the year covered by the report—

20               (1) a description of the curriculum for the  
21               training and any changes to such curriculum;

22               (2) an identification of any contracts entered  
23               into for the development or provision of training  
24               under the program;

1           (3) information on the law enforcement agen-  
2           cies the personnel of which received the training,  
3           and for each such agency, the number of partici-  
4           pants; and

5           (4) a description of the measures used to en-  
6           sure the program was carried out to provide for pro-  
7           tections of privacy rights, civil rights, and civil lib-  
8           erties.

9           (d) DEFINITIONS.—In this section:

10           (1) The term “public and private sector stake-  
11           holders” has the meaning given such term in section  
12           114(t)(1)(c) of title 49, United States Code.

13           (2) The term “surface transportation asset” in-  
14           cludes facilities, equipment, or systems used to pro-  
15           vide transportation services by—

16           (A) a public transportation agency (as  
17           such term is defined in section 1402(5) of the  
18           Implementing Recommendations of the 9/11  
19           Commission Act of 2007 (Public Law 110–53;  
20           6 U.S.C. 1131(5)));

21           (B) a railroad carrier (as such term is de-  
22           fined in section 20102(3) of title 49, United  
23           States Code);

24           (C) an owner or operator of—

1 (i) an entity offering scheduled, fixed-  
2 route transportation services by over-the-  
3 road bus (as such term is defined in sec-  
4 tion 1501(4) of the Implementing Rec-  
5 ommendations of the 9/11 Commission Act  
6 of 2007 (Public Law 110–53; 6 U.S.C.  
7 1151(4))); or

8 (ii) a bus terminal; or

9 (D) other transportation facilities, equip-  
10 ment, or systems, as determined by the Sec-  
11 retary.

12 (3) The term “targeted violence” means an in-  
13 cident of violence in which an attacker selected a  
14 particular target in order to inflict mass injury or  
15 death with no discernable political or ideological mo-  
16 tivation beyond mass injury or death.

17 (4) The term “terrorism” means the terms—

18 (A) domestic terrorism (as such term is de-  
19 fined in section 2331(5) of title 18, United  
20 States Code); and

21 (B) international terrorism (as such term  
22 is defined in section 2331(1) of title 18, United  
23 States Code).

1 **SEC. 6420. ALLOWABLE USES OF FUNDS FOR PUBLIC**  
2 **TRANSPORTATION SECURITY ASSISTANCE**  
3 **GRANTS.**

4 Subparagraph (A) of section 1406(b)(2) of the Imple-  
5 menting Recommendations of the 9/11 Commission Act of  
6 2007 (6 U.S.C. 1135(b)(2); Public Law 110–53) is  
7 amended by inserting “and associated backfill” after “se-  
8 curity training”.

9 **SEC. 6421. PERIODS OF PERFORMANCE FOR PUBLIC**  
10 **TRANSPORTATION SECURITY ASSISTANCE**  
11 **GRANTS.**

12 Section 1406 of the Implementing Recommendations  
13 of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Pub-  
14 lic Law 110–53) is amended—

15 (1) by redesignating subsection (m) as sub-  
16 section (n); and

17 (2) by inserting after subsection (l) the fol-  
18 lowing new subsection:

19 “(m) PERIODS OF PERFORMANCE.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graph (2), funds provided pursuant to a grant  
22 awarded under this section for a use specified in  
23 subsection (b) shall remain available for use by a  
24 grant recipient for a period of not fewer than 36  
25 months.



1           “(2) EXCEPTION.—Funds provided pursuant to  
2           a grant awarded under this section for a use speci-  
3           fied in subparagraph (M) or (N) of subsection (b)(1)  
4           shall remain available for use by a grant recipient  
5           for a period of not fewer than 48 months.”.

6   **SEC. 6422. GAO REVIEW OF PUBLIC TRANSPORTATION SE-**  
7                                   **URITY ASSISTANCE GRANT PROGRAM.**

8           (a) IN GENERAL.—The Comptroller General of the  
9           United States shall conduct a review of the public trans-  
10          portation security assistance grant program under section  
11          1406 of the Implementing Recommendations of the 9/11  
12          Commission Act of 2007 (6 U.S.C. 1135; Public Law  
13          110–53).

14          (b) SCOPE.—The review required under paragraph  
15          (1) shall include the following:

16                 (1) An assessment of the type of projects fund-  
17                 ed under the public transportation security grant  
18                 program referred to in such paragraph.

19                 (2) An assessment of the manner in which such  
20                 projects address threats to public transportation in-  
21                 frastructure.

22                 (3) An assessment of the impact, if any, of sec-  
23                 tions 5342 through 5345 (including the amendments  
24                 made by this Act) on types of projects funded under

1 the public transportation security assistance grant  
2 program.

3 (4) An assessment of the management and ad-  
4 ministration of public transportation security assist-  
5 ance grant program funds by grantees.

6 (5) Recommendations to improve the manner in  
7 which public transportation security assistance grant  
8 program funds address vulnerabilities in public  
9 transportation infrastructure.

10 (6) Recommendations to improve the manage-  
11 ment and administration of the public transportation  
12 security assistance grant program.

13 (c) REPORT.—Not later than one year after the date  
14 of the enactment of this Act and again not later than five  
15 years after such date of enactment, the Comptroller Gen-  
16 eral of the United States shall submit to the Committee  
17 on Homeland Security of the House of Representatives  
18 and the Committee on Homeland Security and Govern-  
19 mental Affairs of the Senate a report on the review re-  
20 quired under this section.

21 **SEC. 6423. SENSITIVE SECURITY INFORMATION; AVIATION**  
22 **SECURITY.**

23 (a) SENSITIVE SECURITY INFORMATION.—

24 (1) IN GENERAL.—Not later than 90 days after  
25 the date of the enactment of this Act, the Adminis-

1       trator of the Transportation Security Administration  
2       (TSA) shall—

3               (A) ensure clear and consistent designation  
4               of “Sensitive Security Information”, including  
5               reasonable security justifications for such des-  
6               ignation;

7               (B) develop and implement a schedule to  
8               regularly review and update, as necessary, TSA  
9               Sensitive Security Information identification  
10              guidelines;

11              (C) develop a tracking mechanism for all  
12              Sensitive Security Information redaction and  
13              designation challenges;

14              (D) document justifications for changes in  
15              position regarding Sensitive Security Informa-  
16              tion redactions and designations, and make  
17              such changes accessible to TSA personnel for  
18              use with relevant stakeholders, including air  
19              carriers, airport operators, surface transpor-  
20              tation operators, and State and local law en-  
21              forcement, as necessary; and

22              (E) ensure that TSA personnel are ade-  
23              quately trained on appropriate designation poli-  
24              cies.

1           (2) STAKEHOLDER OUTREACH.—Not later than  
2           180 days after the date of the enactment of this Act,  
3           the Administrator of the Transportation Security  
4           Administration (TSA) shall conduct outreach to rel-  
5           evant stakeholders described in paragraph (1)(D)  
6           that regularly are granted access to Sensitive Secu-  
7           rity Information to raise awareness of the TSA’s  
8           policies and guidelines governing the designation and  
9           use of Sensitive Security Information.

10          (b) AVIATION SECURITY.—

11           (1) IN GENERAL.—Not later than 60 days after  
12           the date of the enactment of this Act, the Adminis-  
13           trator of the Transportation Security Administration  
14           shall develop and implement guidelines with respect  
15           to domestic and last point of departure airports to—

16                   (A) ensure the inclusion, as appropriate, of  
17                   air carriers, domestic airport operators, and  
18                   other transportation security stakeholders in  
19                   the development and implementation of security  
20                   directives and emergency amendments;

21                   (B) document input provided by air car-  
22                   riers, domestic airport operators, and other  
23                   transportation security stakeholders during the  
24                   security directive and emergency amendment,  
25                   development, and implementation processes;

1 (C) define a process, including timeframes,  
2 and with the inclusion of feedback from air car-  
3 riers, domestic airport operators, and other  
4 transportation security stakeholders, for cancel-  
5 ling or incorporating security directives and  
6 emergency amendments into security programs;

7 (D) conduct engagement with foreign part-  
8 ners on the implementation of security direc-  
9 tives and emergency amendments, as appro-  
10 priate, including recognition if existing security  
11 measures at a last point of departure airport  
12 are found to provide commensurate security as  
13 intended by potential new security directives  
14 and emergency amendments; and

15 (E) ensure that new security directives and  
16 emergency amendments are focused on defined  
17 security outcomes.

18 (2) BRIEFING TO CONGRESS.—Not later than  
19 90 days after the date of the enactment of this Act,  
20 the Administrator of the Transportation Security  
21 Administration shall brief the Committee on Home-  
22 land Security of the House of Representatives and  
23 the Committee on Commerce, Science, and Trans-  
24 portation of the Senate on the guidelines described  
25 in paragraph (1).

1           (3) DECISIONS NOT SUBJECT TO JUDICIAL RE-  
2           VIEW.—Notwithstanding any other provision of law,  
3           any action of the Administrator of the Transpor-  
4           tation Security Administration under paragraph (1)  
5           is not subject to judicial review.

6           **TITLE LXV—OTHER MATTERS**  
7           **RELATING TO FOREIGN AFFAIRS**

Sec. 6501. Authorization for United States Participation in the Coalition for  
Epidemic Preparedness Innovations.

Sec. 6502. Required notification and reports related to Peacekeeping Oper-  
ations account.

Sec. 6503. Transnational Repression Accountability and Prevention.

Sec. 6504. Human rights awareness for American athletic delegations.

Sec. 6505. Cooperation between the United States and Ukraine regarding the  
titanium industry.

Sec. 6506. Updates to the National Strategy for Combating Terrorist and  
Other Illicit Financing.

Sec. 6507. Report on net worth of Syrian President Bashar al-Assad.

Sec. 6508. Annual report on United States policy toward South Sudan.

Sec. 6509. Strategy for engagement with Southeast Asia and ASEAN.

Sec. 6510. Supporting democracy in Burma.

Sec. 6511. United States Grand Strategy with respect to China.

8           **SEC. 6501. AUTHORIZATION FOR UNITED STATES PARTICI-**  
9           **PATION IN THE COALITION FOR EPIDEMIC**  
10           **PREPAREDNESS INNOVATIONS.**

11           (a) IN GENERAL.—The United States is authorized  
12           to participate in the Coalition for Epidemic Preparedness  
13           Innovations (referred to in this section as “CEPI”).

14           (b) INVESTORS COUNCIL AND BOARD OF DIREC-  
15           TORS.—

16           (1) INITIAL DESIGNATION.—The President  
17           shall designate an employee of the United States  
18           Agency for International Development to serve on

1 the Investors Council and, if nominated, on the  
2 Board of Directors of CEPI, as a representative of  
3 the United States during the period beginning on  
4 the date of such designation and ending on Sep-  
5 tember 30, 2022.

6 (2) ONGOING DESIGNATIONS.—The President  
7 may designate an employee of the relevant Federal  
8 department or agency with fiduciary responsibility  
9 for United States contributions to CEPI to serve on  
10 the Investors Council and, if nominated, on the  
11 Board of Directors of CEPI, as a representative of  
12 the United States.

13 (3) QUALIFICATIONS.—Any employee des-  
14 ignated pursuant to paragraph (1) or (2) shall have  
15 demonstrated knowledge and experience in the field  
16 of development and, if designated from a Federal de-  
17 partment or agency with primary fiduciary responsi-  
18 bility for United States contributions pursuant to  
19 paragraph (2), in the field of public health, epidemi-  
20 ology, or medicine.

21 (4) COORDINATION.—In carrying out the re-  
22 sponsibilities under this section, any employee des-  
23 ignated pursuant to paragraph (1) or (2) shall co-  
24 ordinate with the Secretary of Health and Human  
25 Services to promote alignment, as appropriate, be-

1       tween CEPI and the strategic objectives and activi-  
2       ties of the Secretary of Health and Human Services  
3       with respect to the research, development, and pro-  
4       curement of medical countermeasures, consistent  
5       with titles III and XXVIII of the Public Health  
6       Service Act (42 U.S.C. 241 et seq. and 300hh et  
7       seq.).

8       (c) CONSULTATION.—Not later than 60 days after  
9       the date of the enactment of this Act, the employee des-  
10      ignated pursuant to subsection (b)(1) shall consult with  
11      the Committee on Foreign Relations, the Committee on  
12      Appropriations, and the Committee on Health, Education,  
13      Labor, and Pensions of the Senate and the Committee on  
14      Foreign Affairs, the Committee on Appropriations, and  
15      the Committee on Energy and Commerce of the House  
16      of Representatives regarding—

17           (1) the manner and extent to which the United  
18      States plans to participate in CEPI, including  
19      through the governance of CEPI;

20           (2) any planned financial contributions from  
21      the United States to CEPI; and

22           (3) how participation in CEPI is expected to  
23      support—

24           (A) the applicable revision of the National  
25      Biodefense Strategy required under section



1           1086 of the National Defense Authorization Act  
2           for Fiscal Year 2017 (6 U.S.C. 104); and

3                   (B) any other relevant programs relating  
4           to global health security and biodefense.

5 **SEC. 6502. REQUIRED NOTIFICATION AND REPORTS RE-**  
6                   **LATED TO PEACEKEEPING OPERATIONS AC-**  
7                   **COUNT.**

8           (a) CONGRESSIONAL NOTIFICATION.—Not later than  
9 15 days prior to the obligation of amounts made available  
10 to provide assistance pursuant to section 551 of the For-  
11 eign Assistance Act of 1961 (22 U.S.C. 2348), the Sec-  
12 retary of State shall submit to the appropriate congres-  
13 sional committees a notification, in accordance with the  
14 applicable procedures under section 634A of such Act (22  
15 U.S.C. 2394–1), that includes, with respect to such assist-  
16 ance, the following:

17                   (1) An itemized identification of each foreign  
18           country or entity the capabilities of which the assist-  
19           ance is intended to support.

20                   (2) An identification of the amount, type, and  
21           purpose of assistance to be provided to each such  
22           country or entity.

23                   (3) An assessment of the capacity of each such  
24           country or entity to effectively implement, benefit

1 from, or use the assistance to be provided for the in-  
2 tended purpose identified under paragraph (2).

3 (4) A description of plans to encourage and  
4 monitor adherence to international human rights  
5 and humanitarian law by the foreign country or enti-  
6 ty receiving the assistance.

7 (5) An identification of any implementers, in-  
8 cluding third party contractors or other such enti-  
9 ties, and the anticipated timeline for implementing  
10 any activities to carry out the assistance.

11 (6) As applicable, a description of plans to sus-  
12 tain and account for any military or security equip-  
13 ment and subsistence funds provided as an element  
14 of the assistance beyond the date of completion of  
15 such activities, including the estimated cost and  
16 source of funds to support such sustainment.

17 (7) An assessment of how such activities pro-  
18 mote the following:

19 (A) The diplomatic and national security  
20 objectives of the United States.

21 (B) The objectives and regional strategy of  
22 the country or entity receiving the assistance.

23 (C) The priorities of the United States re-  
24 garding the promotion of good governance, rule

1 of law, the protection of civilians, and human  
2 rights.

3 (D) The peacekeeping capabilities of part-  
4 ner countries of the country or entity receiving  
5 the assistance, including an explanation if such  
6 activities do not support peacekeeping.

7 (8) An assessment of the possible impact of  
8 such activities on local political and social dynamics,  
9 including a description of any consultations with  
10 local civil society.

11 (b) REPORTS ON PROGRAMS UNDER PEACEKEEPING  
12 OPERATIONS ACCOUNT.—

13 (1) ANNUAL REPORT.—Not later than 90 days  
14 after the enactment of this Act, and annually there-  
15 after for 5 years, the Secretary of State shall submit  
16 to the appropriate congressional committees a report  
17 on any security assistance made available, during  
18 the three fiscal years preceding the date on which  
19 the report is submitted, to foreign countries that re-  
20 ceived assistance authorized under section 551 of the  
21 Foreign Assistance Act of 1961 (22 U.S.C. 2348)  
22 for any of the following purposes:

23 (A) Building the capacity of the foreign  
24 military, border security, or law enforcement  
25 entities, of the country.

1 (B) Strengthening the rule of law of the  
2 country.

3 (C) Countering violent extremist ideology  
4 or recruitment within the country.

5 (2) MATTERS.—Each report under paragraph  
6 (1) shall include, with respect to each foreign coun-  
7 try that has received assistance as specified in such  
8 paragraph, the following:

9 (A) An identification of the authority used  
10 to provide such assistance and a detailed de-  
11 scription of the purpose of assistance provided.

12 (B) An identification of the amount of  
13 such assistance and the program under which  
14 such assistance was provided.

15 (C) A description of the arrangements to  
16 sustain any equipment provided to the country  
17 as an element of such assistance beyond the  
18 date of completion of the assistance, including  
19 the estimated cost and source of funds to sup-  
20 port such sustainment.

21 (D) An assessment of the impact of such  
22 assistance on the peacekeeping capabilities and  
23 security situation of the country, including with  
24 respect to the levels of conflict and violence, the

1 local, political, and social dynamics, and the  
2 human rights record, of the country.

3 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
4 FINED.—In this section, the term “appropriate congress-  
5 sional committees” means—

6 (1) the Committee on Foreign Relations of the  
7 Senate and the Committee on Foreign Affairs of the  
8 House of Representatives; and

9 (2) the Committees on Appropriations of the  
10 Senate and of the House of Representatives.

11 **SEC. 6503. TRANSNATIONAL REPRESSION ACCOUNTABILITY**  
12 **AND PREVENTION.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-  
14 gress that some INTERPOL member countries have re-  
15 peatedly misused INTERPOL’s databases and processes,  
16 including Notice and Diffusion mechanisms, to conduct  
17 activities of an overtly political or other unlawful character  
18 and in violation of international human rights standards,  
19 including by making requests to harass or persecute polit-  
20 ical opponents, human rights defenders, or journalists.

21 (b) SUPPORT FOR INTERPOL INSTITUTIONAL RE-  
22 FORMS.—The Attorney General and the Secretary of State  
23 shall—

24 (1) use the voice, vote, and influence of the  
25 United States, as appropriate, within INTERPOL’s

1 General Assembly and Executive Committee to pro-  
2 mote reforms aimed at improving the transparency  
3 of INTERPOL and ensuring its operation consistent  
4 with its Constitution, particularly articles 2 and 3,  
5 and Rules on the Processing of Data, including—

6 (A) supporting INTERPOL’s reforms en-  
7 hancing the screening process for Notices, Dif-  
8 fusions, and other INTERPOL communications  
9 to ensure they comply with INTERPOL’s Con-  
10 stitution and Rules on the Processing of Data  
11 (RPD);

12 (B) supporting and strengthening  
13 INTERPOL’s coordination with the Commis-  
14 sion for Control of INTERPOL’s Files (CCF)  
15 in cases in which INTERPOL or the CCF has  
16 determined that a member country issued a No-  
17 tice, Diffusion, or other INTERPOL commu-  
18 nication against an individual in violation of ar-  
19 ticles 2 or 3 of the INTERPOL Constitution,  
20 or the RPD, to prohibit such member country  
21 from seeking the publication or issuance of any  
22 subsequent Notices, Diffusions, or other  
23 INTERPOL communication against the same  
24 individual based on the same set of claims or  
25 facts;

1 (C) increasing, to the extent practicable,  
2 dedicated funding to the CCF and the Notices  
3 and Diffusions Task Force in order to further  
4 expand operations related to the review of re-  
5 quests for red notices and red diffusions;

6 (D) supporting candidates for positions  
7 within INTERPOL's structures, including the  
8 Presidency, Executive Committee, General Sec-  
9 retariat, and CCF who have demonstrated expe-  
10 rience relating to and respect for the rule of  
11 law;

12 (E) seeking to require INTERPOL in its  
13 annual report to provide a detailed account,  
14 disaggregated by member country or entity of—

15 (i) the number of Notice requests,  
16 disaggregated by color, that it received;

17 (ii) the number of Notice requests,  
18 disaggregated by color, that it rejected;

19 (iii) the category of violation identified  
20 in each instance of a rejected Notice;

21 (iv) the number of Diffusions that it  
22 cancelled without reference to decisions by  
23 the CCF; and

24 (v) the sources of all INTERPOL in-  
25 come during the reporting period; and

1 (F) supporting greater transparency by the  
2 CCF in its annual report by providing a de-  
3 tailed account, disaggregated by country, of—

4 (i) the number of admissible requests  
5 for correction or deletion of data received  
6 by the CCF regarding issued Notices, Dif-  
7 fusions, and other INTERPOL commu-  
8 nications; and

9 (ii) the category of violation alleged in  
10 each such complaint;

11 (2) inform the INTERPOL General Secretariat  
12 about incidents in which member countries abuse  
13 INTERPOL communications for politically moti-  
14 vated or other unlawful purposes so that, as appro-  
15 priate, action can be taken by INTERPOL; and

16 (3) request to censure member countries that  
17 repeatedly abuse and misuse INTERPOL's red no-  
18 tice and red diffusion mechanisms, including re-  
19 stricting the access of those countries to  
20 INTERPOL's data and information systems.

21 (c) REPORT ON INTERPOL.—

22 (1) IN GENERAL.—Not later than 180 days  
23 after the date of enactment of this Act, and bian-  
24 nually thereafter for a period of 4 years, the Attor-  
25 ney General and the Secretary of State, in consulta-



1           tion with the heads of other relevant United States  
2           Government departments or agencies, shall submit  
3           to the appropriate committees of Congress a report  
4           containing an assessment of how INTERPOL mem-  
5           ber countries abuse INTERPOL Red Notices, Diffu-  
6           sions, and other INTERPOL communications for  
7           political motives and other unlawful purposes within  
8           the past three years.

9           (2) ELEMENTS.—The report required under  
10          paragraph (1) shall include the following elements:

11                 (A) A list of countries that the Attorney  
12                 General and the Secretary determine have re-  
13                 peatedly abused and misused the red notice and  
14                 red diffusion mechanisms for political purposes.

15                 (B) A description of the most common tac-  
16                 tics employed by member countries in con-  
17                 ducting such abuse, including the crimes most  
18                 commonly alleged and the INTERPOL commu-  
19                 nications most commonly exploited.

20                 (C) An assessment of the adequacy of  
21                 INTERPOL mechanisms for challenging abu-  
22                 sive requests, including the Commission for the  
23                 Control of INTERPOL's Files (CCF), an as-  
24                 sessment of the CCF's March 2017 Operating

1 Rules, and any shortcoming the United States  
2 believes should be addressed.

3 (D) A description of how INTERPOL's  
4 General Secretariat identifies requests for red  
5 notice or red diffusions that are politically moti-  
6 vated or are otherwise in violation of  
7 INTERPOL's rules and how INTERPOL re-  
8 views and addresses cases in which a member  
9 country has abused or misused the red notice  
10 and red diffusion mechanisms for overtly polit-  
11 ical purposes.

12 (E) A description of any incidents in which  
13 the Department of Justice assesses that United  
14 States courts and executive departments or  
15 agencies have relied on INTERPOL commu-  
16 nications in contravention of existing law or  
17 policy to seek the detention of individuals or  
18 render judgments concerning their immigration  
19 status or requests for asylum, with holding of  
20 removal, or convention against torture claims  
21 and any measures the Department of Justice or  
22 other executive departments or agencies took in  
23 response to these incidents.

24 (F) A description of how the United States  
25 monitors and responds to likely instances of

1 abuse of INTERPOL communications by mem-  
2 ber countries that could affect the interests of  
3 the United States, including citizens and na-  
4 tionals of the United States, employees of the  
5 United States Government, aliens lawfully ad-  
6 mitted for permanent residence in the United  
7 States, aliens who are lawfully present in the  
8 United States, or aliens with pending asylum,  
9 withholding of removal, or convention against  
10 torture claims, though they may be unlawfully  
11 present in the United States.

12 (G) A description of what actions the  
13 United States takes in response to credible in-  
14 formation it receives concerning likely abuse of  
15 INTERPOL communications targeting employ-  
16 ees of the United States Government for activi-  
17 ties they undertook in an official capacity.

18 (H) A description of United States advo-  
19 cacy for reform and good governance within  
20 INTERPOL.

21 (I) A strategy for improving interagency  
22 coordination to identify and address instances  
23 of INTERPOL abuse that affect the interests  
24 of the United States, including international re-  
25 spect for human rights and fundamental free-

1           doms, citizens and nationals of the United  
2           States, employees of the United States Govern-  
3           ment, aliens lawfully admitted for permanent  
4           residence in the United States, aliens who are  
5           lawfully present in the United States, or aliens  
6           with pending asylum, withholding of removal, or  
7           convention against torture claims, though they  
8           may be unlawfully present in the United States.

9           (3) FORM OF REPORT.—Each report required  
10          under this subsection shall be submitted in unclassi-  
11          fied form, but may include a classified annex, as ap-  
12          propriate. The unclassified portion of the report  
13          shall be posted on a publicly available website of the  
14          Department of State and of the Department of Jus-  
15          tice.

16          (4) BRIEFING.—Not later than 30 days after  
17          the submission of each report under paragraph (1),  
18          the Department of Justice and the Department of  
19          State, in coordination with other relevant United  
20          States Government departments and agencies, shall  
21          brief the appropriate committees of Congress on the  
22          content of the reports and recent instances of  
23          INTERPOL abuse by member countries and United  
24          States efforts to identify and challenge such abuse,

1 including efforts to promote reform and good gov-  
2 ernance within INTERPOL.

3 (d) PROHIBITION REGARDING BASIS FOR EXTRA-  
4 DITION.—No United States Government department or  
5 agency may extradite an individual based solely on an  
6 INTERPOL Red Notice or Diffusion issued by another  
7 INTERPOL member country for such individual.

8 (e) DEFINITIONS.—In this section:

9 (1) APPROPRIATE COMMITTEES OF CON-  
10 GRESS.—The term “appropriate committees of Con-  
11 gress” means—

12 (A) the Committee on Foreign Relations  
13 and the Committee on the Judiciary of the Sen-  
14 ate; and

15 (B) the Committee on Foreign Affairs and  
16 the Committee on the Judiciary of the House of  
17 Representatives.

18 (2) INTERPOL COMMUNICATIONS.—The term  
19 “INTERPOL communications” means any  
20 INTERPOL Notice or Diffusion or any entry into  
21 any INTERPOL database or other communications  
22 system maintained by INTERPOL.

1 **SEC. 6504. HUMAN RIGHTS AWARENESS FOR AMERICAN**  
2 **ATHLETIC DELEGATIONS.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that individuals representing the United States at  
5 international athletic competitions in foreign countries  
6 should have the opportunity to be informed about human  
7 rights and security concerns in such countries and how  
8 best to safeguard their personal security and privacy.

9 (b) IN GENERAL.—

10 (1) IN GENERAL.—Not later than 120 days  
11 after the date of the enactment of this Act, the Sec-  
12 retary of State shall devise and implement a strategy  
13 for disseminating briefing materials, including infor-  
14 mation described in subsection (c), to individuals  
15 representing the United States at international ath-  
16 letic competitions in a covered country.

17 (2) TIMING AND FORM OF MATERIALS.—

18 (A) IN GENERAL.—The briefing materials  
19 referred to in paragraph (1) shall be offered not  
20 later than 180 days prior to the commencement  
21 of an international athletic competition in a  
22 covered country.

23 (B) FORM OF DELIVERY.—Briefing mate-  
24 rials related to the human rights record of cov-  
25 ered countries may be delivered electronically or  
26 disseminated in person, as appropriate.

1 (C) SPECIAL CONSIDERATION.—Informa-  
2 tion briefing materials related to personal secu-  
3 rity risks may be offered electronically, in writ-  
4 ten format, by video teleconference, or  
5 prerecorded video.

6 (3) CONSULTATIONS.—In devising and imple-  
7 menting the strategy required under paragraph (1),  
8 the Secretary of State shall consult with the fol-  
9 lowing:

10 (A) The Committee on Foreign Affairs of  
11 the House of Representatives and the Com-  
12 mittee on Foreign Relations in the Senate, not  
13 later than 90 days after the date of the enact-  
14 ment of this Act.

15 (B) Leading human rights nongovern-  
16 mental organizations and relevant subject-mat-  
17 ter experts in determining the content of the  
18 briefings required under this subsection.

19 (C) The United States Olympic and  
20 Paralympic Committee and the national gov-  
21 erning bodies of amateur sports that play a role  
22 in determining which individuals represent the  
23 United States in international athletic competi-  
24 tions, regarding the most appropriate and effec-  
25 tive method to disseminate briefing materials.

1 (c) CONTENT OF BRIEFINGS.—The briefing mate-  
2 rials required under subsection (b) shall include, with re-  
3 spect to a covered country hosting an international athletic  
4 competition in which individuals may represent the United  
5 States, the following:

6 (1) Information on the human rights concerns  
7 present in such covered country, as described in the  
8 Department of State’s Annual Country Reports on  
9 Human Rights Practices.

10 (2) Information, as applicable, on risks such in-  
11 dividuals may face to their personal and digital pri-  
12 vacy and security, and recommended measures to  
13 safeguard against certain forms of foreign intel-  
14 ligence targeting, as appropriate.

15 (d) COVERED COUNTRY DEFINED.—In this section,  
16 the term “covered country” means, with respect to a coun-  
17 try hosting an international athletic competition in which  
18 individuals representing the United States may partici-  
19 pate, any of the following:

20 (1) Any Communist country specified in sub-  
21 section (f) of section 620 of the Foreign Assistance  
22 Act of 1961 (22 U.S.C. 2370(f)).

23 (2) Any country ranked as a Tier 3 country in  
24 the most recent Department of State’s annual Traf-  
25 ficking in Persons Report.



1           (3) Any other country the Secretary of State  
2 determines presents serious human rights concerns  
3 for the purpose of informing such individuals.

4           (4) Any country the Secretary of State, in con-  
5 sultation with other cabinet officials as appropriate,  
6 determines presents a serious counterintelligence  
7 risk.

8 **SEC. 6505. COOPERATION BETWEEN THE UNITED STATES**  
9                                   **AND UKRAINE REGARDING THE TITANIUM IN-**  
10                                   **DUSTRY.**

11       (a) STATEMENT OF POLICY.—It is the policy of the  
12 United States to engage with the Government of Ukraine  
13 on cooperation in the titanium industry as a potential al-  
14 ternative to Chinese and Russian sources on which the  
15 United States and Europe currently depend.

16       (b) REPORTING REQUIREMENT.—Not later than 180  
17 days after the date of the enactment of this Act, the Sec-  
18 retary of State shall submit to the appropriate congres-  
19 sional committees a report that describes the feasibility  
20 of utilizing titanium sources from Ukraine as a potential  
21 alternative to Chinese and Russian sources.

22       (c) FORM.—The report required by subsection (b)  
23 shall be submitted in unclassified form, but may include  
24 a classified annex.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-  
3 mittees” means—

4 (1) the Committee on Foreign Relations and  
5 the Committee on Armed Services of the Senate; and

6 (2) the Committee on Foreign Affairs and the  
7 Committee on Armed Services of the House of Rep-  
8 resentatives.

9 **SEC. 6506. UPDATES TO THE NATIONAL STRATEGY FOR**  
10 **COMBATING TERRORIST AND OTHER ILLICIT**  
11 **FINANCING.**

12 The Countering Russian Influence in Europe and  
13 Eurasia Act of 2017 (22 U.S.C. 9501 et seq.) is amend-  
14 ed—

15 (1) in section 261(b)(2)—

16 (A) by striking “2020” and inserting  
17 “2024”; and

18 (B) by striking “2022” and inserting  
19 “2026”;

20 (2) in section 262—

21 (A) in paragraph (1)—

22 (i) by striking “in the documents enti-  
23 tled ‘2015 National Money Laundering  
24 Risk Assessment’ and ‘2015 National Ter-  
25 rorist Financing Risk Assessment,’” and

1 inserting “in the documents entitled ‘2020  
2 National Strategy for Combating Terrorist  
3 and Other Illicit Financing’ and ‘2022 Na-  
4 tional Strategy for Combating Terrorist  
5 and Other Illicit Financing’”; and

6 (ii) by striking “the broader counter  
7 terrorism strategy of the United States”  
8 and inserting “the broader counter ter-  
9 rorism and national security strategies of  
10 the United States”;

11 (B) in paragraph (6)—

12 (i) by striking “PREVENTION OF IL-  
13 LICIT FINANCE” and inserting “PREVEN-  
14 TION, DETECTION, AND DISRUPTION OF IL-  
15 LICIT FINANCE”;

16 (ii) by striking “private financial sec-  
17 tor” and inserting “private sector, includ-  
18 ing financial and other relevant indus-  
19 tries,”; and

20 (iii) by striking “with regard to the  
21 prevention and detection of illicit finance”  
22 and inserting “with regard to the preven-  
23 tion, detection, and disruption of illicit fi-  
24 nance”; and

1 (C) in paragraph (8), by striking “such as  
2 so-called cryptocurrencies, other methods that  
3 are computer, telecommunications, or Internet-  
4 based, cyber crime,”.

5 **SEC. 6507. REPORT ON NET WORTH OF SYRIAN PRESIDENT**  
6 **BASHAR AL-ASSAD.**

7 (a) IN GENERAL.—Not later than 120 days after the  
8 date of the enactment of this Act, the Secretary of State  
9 shall submit to the Committee on Foreign Affairs of the  
10 House of Representatives and the Committee on Foreign  
11 Relations of the Senate a report on the estimated net  
12 worth and known sources of income of Syrian President  
13 Bashar al-Assad and his family members (including  
14 spouse, children, siblings, and paternal and maternal cous-  
15 ins), including income from corrupt or illicit activities and  
16 including assets, investments, other business interests,  
17 and relevant beneficial ownership information.

18 (b) FORM.—The report required by subsection (a)  
19 shall be submitted in unclassified form, but may contain  
20 a classified annex if necessary. The unclassified portion  
21 of such report shall be made available on a publicly avail-  
22 able internet website of the Federal Government.

1 **SEC. 6508. ANNUAL REPORT ON UNITED STATES POLICY**  
2 **TOWARD SOUTH SUDAN.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that—

5 (1) the signatories to the Revitalized Agreement  
6 on the Resolution of the Conflict in the Republic of  
7 South Sudan, signed on September 12, 2018, have  
8 delayed implementation, leading to continued conflict  
9 and instability in South Sudan;

10 (2) despite years of fighting, 2 peace agree-  
11 ments, punitive actions by the international commu-  
12 nity, and widespread suffering among civilian popu-  
13 lations, the leaders of South Sudan have failed to  
14 build sustainable peace;

15 (3) the United Nations arms embargo on South  
16 Sudan, most recently extended by 1 year to May 31,  
17 2022, through United Nations Security Council Res-  
18 olution 2577 (2021), is necessary to stem the illicit  
19 transfer and destabilizing accumulation and misuse  
20 of small arms and light weapons in perpetuation of  
21 the conflict in South Sudan;

22 (4) the United States should call on other mem-  
23 ber states of the United Nations to redouble efforts  
24 to enforce the United Nations arms embargo on  
25 South Sudan; and

1           (5) the United States, through the United  
2 States Mission to the United Nations, should use its  
3 voice and vote in the United Nations Security Coun-  
4 cil in favor of maintaining the United Nations arms  
5 embargo on South Sudan until—

6           (A) the Revitalized Agreement on the Res-  
7 olution of the Conflict in the Republic of South  
8 Sudan is fully implemented; or

9           (B) credible, fair, and transparent demo-  
10 cratic elections are held in South Sudan.

11 (b) REPORT REQUIRED.—

12           (1) IN GENERAL.—Not later than 90 days after  
13 the date of the enactment of this Act and annually  
14 thereafter for 5 years, the Secretary of State, in con-  
15 sultation with the Administrator of the United  
16 States Agency for International Development and  
17 the heads of other Federal department and agencies  
18 as necessary, shall submit to the appropriate con-  
19 gressional committees a report on United States poli-  
20 cy toward South Sudan, including the most recent  
21 approved interagency strategy developed to address  
22 political, security, and humanitarian issues prevalent  
23 in the country since it gained independence from  
24 Sudan in July 2011.

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

3           (A) An assessment of the situation in  
4 South Sudan, including the role of South Suda-  
5 nese government officials in intercommunal vio-  
6 lence, corruption, and obstruction of the peace  
7 process.

8           (B) An assessment of the status of the im-  
9 plementation of the 2018 R-ARCSS and the on-  
10 going peace processes.

11           (C) A detailed description of United States  
12 assistance and other efforts to support peace  
13 processes in South Sudan, including an assess-  
14 ment of the efficacy of stakeholder engagement  
15 and United States assistance to advance  
16 peacebuilding, conflict mitigation, and other re-  
17 lated activities.

18           (D) An assessment of the United Nations  
19 Mission in South Sudan capacity and progress  
20 in fulfilling its mandate over the last 3 fiscal  
21 years.

22           (E) A detailed description of United States  
23 funding for emergency and non-emergency hu-  
24 manitarian and development assistance to  
25 South Sudan, as well as support provided to

1 improve anti-corruption and fiscal transparency  
2 efforts in South Sudan over the last 5 fiscal  
3 years.

4 (F) A summary of United States efforts to  
5 promote accountability for human rights abuses  
6 and an assessment of efforts by the Govern-  
7 ment of South Sudan and the African Union,  
8 respectively, to hold responsible parties account-  
9 able.

10 (G) Analysis of the impact of domestic and  
11 international sanctions on deterring and com-  
12 bating corruption, mitigating and reducing con-  
13 flict, and holding those responsible for human  
14 rights abuses accountable.

15 (H) An assessment of the prospects for,  
16 and impediments to, holding credible general  
17 elections.

18 (3) FORM.—The report required by paragraph  
19 (1) shall be submitted in unclassified form and post-  
20 ed to a website of the Department of State, may in-  
21 clude a classified annex, and shall be accompanied  
22 by a briefing as determined necessary.

23 (c) BRIEFING.—Not later than 90 days after the date  
24 of the enactment of this Act and annually thereafter for  
25 2 years, the Secretary of the Treasury, in consultation



1 with the Secretary of State and the heads of other Federal  
2 department and agencies as necessary, shall brief the ap-  
3 propriate congressional committees on United States ef-  
4 forts, including assistance provided by the Department of  
5 Treasury and United States law enforcement and intel-  
6 ligence communities, to detect and deter money laundering  
7 and counter illicit financial flows, trafficking in persons,  
8 weapons, and other illicit goods, and the financing of ter-  
9 rorists and armed groups. Such briefing shall be provided  
10 in unclassified setting and may include a classified briefing  
11 as determined necessary.

12 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
13 DEFINED.—In this section, the term “appropriate con-  
14 gressional committees” means—

15 (1) the Committee on Foreign Relations, the  
16 Committee on Banking, and the Committee on Ap-  
17 propriations of the Senate;

18 (2) the Committee on Foreign Affairs, the  
19 Committee on Financial Services, and the Com-  
20 mittee on Appropriations of the House of Represent-  
21 atives.

22 **SEC. 6509. STRATEGY FOR ENGAGEMENT WITH SOUTHEAST**  
23 **ASIA AND ASEAN.**

24 (a) IN GENERAL.—Not later than 180 days after the  
25 date of the enactment of this Act, the Secretary of State,

1 in consultation with the heads of other Federal depart-  
2 ments and agencies as appropriate, shall develop and sub-  
3 mit to the appropriate congressional committees a com-  
4 prehensive strategy for engagement with Southeast Asia  
5 and the Association of Southeast Asian Nations  
6 (ASEAN).

7 (b) MATTERS TO BE INCLUDED.—The strategy re-  
8 quired by subsection (a) shall include the following:

9 (1) A statement of enduring United States in-  
10 terests in Southeast Asia and a description of efforts  
11 to bolster the effectiveness of ASEAN.

12 (2) A description of efforts to—

13 (A) deepen and expand Southeast Asian al-  
14 liances, partnerships, and multilateral engage-  
15 ments, including efforts to expand broad based  
16 and inclusive economic growth, security ties, se-  
17 curity cooperation and interoperability, eco-  
18 nomic connectivity, and expand opportunities  
19 for ASEAN to work with other like-minded  
20 partners in the region; and

21 (B) encourage like-minded partners outside  
22 of the Indo-Pacific region to engage with  
23 ASEAN.

24 (3) A summary of initiatives across the whole  
25 of the United States Government to strengthen the

1 United States partnership with Southeast Asian na-  
2 tions and ASEAN, including to promote broad based  
3 and inclusive economic growth, trade, investment,  
4 energy innovation and sustainability, public-private  
5 partnerships, physical and digital infrastructure de-  
6 velopment, education, disaster management, public  
7 health and global health security, and economic, po-  
8 litical, and public diplomacy in Southeast Asia.

9 (4) A summary of initiatives across the whole  
10 of the United States Government to enhance the ca-  
11 pacity of Southeast Asian nations with respect to en-  
12 forcing international law and multilateral sanctions,  
13 and initiatives to cooperate with ASEAN as an insti-  
14 tution in these areas.

15 (5) A summary of initiatives across the whole  
16 of the United States Government to promote human  
17 rights and democracy, to strengthen the rule of law,  
18 civil society, and transparent governance, to combat  
19 disinformation and to protect the integrity of elec-  
20 tions from outside influence.

21 (6) A summary of initiatives to promote secu-  
22 rity cooperation and security assistance within  
23 Southeast Asian nations, including—

24 (A) maritime security and maritime do-  
25 main awareness initiatives for protecting the

1 maritime commons and supporting international  
2 law and freedom of navigation in the South  
3 China Sea; and

4 (B) efforts to combat terrorism, human  
5 trafficking, piracy, and illegal fishing, and pro-  
6 mote more open, reliable routes for sea lines of  
7 communication.

8 (c) DISTRIBUTION OF STRATEGY.—For the purposes  
9 of assuring allies and partners in Southeast Asia and  
10 deepening United States engagement with ASEAN, the  
11 Secretary of State shall direct each United States chief  
12 of mission to ASEAN and its member states to distribute  
13 the strategy required by subsection (a) to host govern-  
14 ments.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES  
16 DEFINED.—In this section, the term “appropriate con-  
17 gressional committees” means—

18 (1) the Committee on Foreign Affairs and the  
19 Committee on Armed Services of the House of Rep-  
20 resentatives; and

21 (2) the Committee on Foreign Relations and  
22 the Committee on Armed Services of the Senate.

23 **SEC. 6510. SUPPORTING DEMOCRACY IN BURMA.**

24 (a) DEFINED TERM.—In this section, the term “ap-  
25 propriate congressional committees” means—

1           (1) the Committee on Foreign Relations of the  
2       Senate;

3           (2) the Committee on Foreign Affairs of the  
4       House of Representatives;

5           (3) the Committee on Appropriations of the  
6       Senate;

7           (4) the Committee on Appropriations of the  
8       House of Representatives;

9           (5) the Committee on Armed Services of the  
10      Senate;

11          (6) the Committee on Armed Services of the  
12      House of Representatives;

13          (7) the Committee on Banking, Housing, and  
14      Urban Affairs of the Senate; and

15          (8) the Committee on Financial Services of the  
16      House of Representatives.

17      (b) BRIEFING REQUIRED.—

18          (1) IN GENERAL.—Not later than 60 days after  
19      the date of the enactment of this Act, the following  
20      officials shall jointly brief the appropriate congress-  
21      sional committees regarding actions taken by the  
22      United States Government to further United States  
23      policy and security objectives in Burma (officially  
24      known as the “Republic of the Union of Myanmar”):

1 (A) The Assistant Secretary of State for  
2 East Asian and Pacific Affairs.

3 (B) The Counselor of the Department of  
4 State.

5 (C) The Under Secretary of the Treasury  
6 for Terrorism and Financial Intelligence.

7 (D) The Assistant to the Administrator for  
8 the Bureau for Conflict Prevention and Sta-  
9 bilization.

10 (E) Additional officials from the Depart-  
11 ment of Defense or the Intelligence Community,  
12 as appropriate.

13 (2) INFORMATION REQUIRED.—The briefing re-  
14 quired under paragraph (1) shall include—

15 (A) a detailed description of the specific  
16 United States policy and security objectives in  
17 Burma;

18 (B) information about any actions taken  
19 by the United States, either directly or in co-  
20 ordination with other countries—

21 (i) to support and legitimize the Na-  
22 tional Unity Government of the Republic  
23 of the Union of Myanmar, The Civil Dis-  
24 obedience Movement in Myanmar, and  
25 other entities promoting democracy in

1 Burma, while simultaneously denying legit-  
2 imacy and resources to the Myanmar's  
3 military junta;

4 (ii) to impose costs on Myanmar's  
5 military junta, including—

6 (I) an assessment of the impact  
7 of existing United States and inter-  
8 national sanctions; and

9 (II) a description of potential  
10 prospects for additional sanctions;

11 (iii) to secure the restoration of de-  
12 mocracy, the establishment of inclusive and  
13 representative civilian government, with a  
14 reformed military reflecting the diversity of  
15 Burma and under civilian control, and the  
16 enactment of constitutional, political, and  
17 economic reform in Burma;

18 (iv) to secure the unconditional re-  
19 lease of all political prisoners in Burma;

20 (v) to promote genuine national rec-  
21 onciliation among Burma's diverse ethnic  
22 and religious groups;

23 (vi) to ensure accountability for atroc-  
24 ities, human rights violations, and crimes

1 against humanity committed by Myanmar's  
2 military junta; and

3 (vii) to avert a large-scale humani-  
4 tarian disaster;

5 (C) an update on the current status of  
6 United States assistance programs in Burma,  
7 including—

8 (i) humanitarian assistance for af-  
9 fected populations, including internally dis-  
10 placed persons and efforts to mitigate hu-  
11 manitarian and health crises in neigh-  
12 boring countries and among refugee popu-  
13 lations;

14 (ii) democracy assistance, including  
15 support to the National Unity Government  
16 of the Republic of the Union of Myanmar  
17 and civil society groups in Burma;

18 (iii) economic assistance; and

19 (iv) global health assistance, including  
20 COVID-19 relief; and

21 (D) a description of the strategic interests  
22 in Burma of the People's Republic of China and  
23 the Russian Federation, including—

24 (i) access to natural resources and  
25 lines of communications to sea routes; and



1 (ii) actions taken by such countries—

2 (I) to support Myanmar’s mili-  
3 tary junta in order to preserve or pro-  
4 mote such interests;

5 (II) to undermine the sovereignty  
6 and territorial integrity of Burma;  
7 and

8 (III) to promote ethnic conflict  
9 within Burma.

10 (c) CLASSIFICATION AND FORMAT.—The briefing re-  
11 quired under subsection (b)—

12 (1) shall be provided in an unclassified setting;  
13 and

14 (2) may be accompanied by a separate classified  
15 briefing, as appropriate.

16 **SEC. 6511. UNITED STATES GRAND STRATEGY WITH RE-**  
17 **SPECT TO CHINA.**

18 (a) STRATEGY REQUIRED.—

19 (1) IN GENERAL.—Not later than 30 days after  
20 the date on which the President first submits to  
21 Congress a national security strategy under section  
22 108 of the National Security Act of 1947 (50 U.S.C.  
23 3043) after the date of the enactment of this Act,  
24 the President shall commence developing a com-  
25 prehensive report that articulates the strategy of the

1 United States with respect to the People’s Republic  
2 of China (in this section referred to as the “China  
3 Strategy”) that builds on the work of such national  
4 security strategy.

5 (2) SUBMITTAL.—Not later than 270 days after  
6 the date on which the President first submits to  
7 Congress a national security strategy under section  
8 108 of the National Security Act of 1947 (50 U.S.C.  
9 3043) after the date of the enactment of this Act,  
10 the President shall submit to Congress the China  
11 Strategy developed under paragraph (1).

12 (3) FORM.—The China Strategy shall be sub-  
13 mitted in classified form and shall include an unclas-  
14 sified summary.

15 (b) CONTENTS.—The China Strategy developed  
16 under subsection (a) shall set forth the national security  
17 strategy of the United States with respect to the People’s  
18 Republic of China and shall include a comprehensive de-  
19 scription and discussion of the following:

20 (1) The strategy of the People’s Republic of  
21 China regarding the military, economic, and political  
22 power of China in the Indo-Pacific region and world-  
23 wide, including why the People’s Republic of China  
24 has decided on such strategy and what the strategy

1 means for the long-term interests, values, goals, and  
2 objectives of the United States.

3 (2) The worldwide interests, values, goals, and  
4 objectives of the United States as they relate to  
5 geostrategic and geoeconomic competition with the  
6 People's Republic of China.

7 (3) The foreign and economic policy, worldwide  
8 commitments, and national defense capabilities of  
9 the United States necessary to deter aggression and  
10 to implement the national security strategy of the  
11 United States as they relate to the new era of com-  
12 petition with the People's Republic of China.

13 (4) How the United States will exercise the po-  
14 litical, economic, military, diplomatic, and other ele-  
15 ments of its national power to protect or advance its  
16 interests and values and achieve the goals and objec-  
17 tives referred to in paragraph (1).

18 (5) The adequacy of the capabilities of the  
19 United States Government to carry out the national  
20 security strategy of the United States within the  
21 context of new and emergent challenges to the inter-  
22 national order posed by the People's Republic of  
23 China, including an evaluation—

1 (A) of the balance among the capabilities  
2 of all elements of national power of the United  
3 States; and

4 (B) the balance of all United States ele-  
5 ments of national power in comparison to equiv-  
6 alent elements of national power of the People's  
7 Republic of China.

8 (6) The assumptions and end-state or end-  
9 states of the strategy of the United States globally  
10 and in the Indo-Pacific region with respect to the  
11 People's Republic of China.

12 (7) Such other information as the President  
13 considers necessary to help inform Congress on mat-  
14 ters relating to the national security strategy of the  
15 United States with respect to the People's Republic  
16 of China.

17 (c) ADVISORY BOARD ON UNITED STATES GRAND  
18 STRATEGY WITH RESPECT TO CHINA.—

19 (1) ESTABLISHMENT.—The President may es-  
20 tablish in the executive branch an advisory board to  
21 be known as the “Advisory Board on United States  
22 Grand Strategy with respect to China” (in this sec-  
23 tion referred to as the “Board”).

1           (2) PURPOSE.—The purpose of the Board is to  
2           convene outside experts to advise the President on  
3           development of the China Strategy.

4           (3) DUTIES.—

5           (A) REVIEW.—The Board shall review the  
6           current national security strategy of the United  
7           States with respect to the People’s Republic of  
8           China, including assumptions, capabilities,  
9           strategy, and end-state or end-states.

10          (B) ASSESSMENT AND RECOMMENDA-  
11          TIONS.—The Board shall analyze the United  
12          States national security strategy with respect to  
13          the People’s Republic of China, including chal-  
14          lenging its assumptions and approach, and  
15          make recommendations to the President for the  
16          China Strategy.

17          (C) CLASSIFIED BRIEFING.—

18           (i) IN GENERAL.—Not later than 30  
19           days after the date on which the President  
20           submits the China Strategy to Congress  
21           under subsection (a)(2), the Board shall  
22           provide the appropriate congressional com-  
23           mittees a classified briefing on its review,  
24           assessment, and recommendations.

1 (ii) APPROPRIATE CONGRESSIONAL  
2 COMMITTEES DEFINED.—In this subpara-  
3 graph, the term “appropriate congressional  
4 committees” means—

5 (I) the congressional defense  
6 committees;

7 (II) the Committee on Foreign  
8 Relations and the Select Committee  
9 on Intelligence of the Senate; and

10 (III) the Committee on Foreign  
11 Affairs and the Permanent Select  
12 Committee on Intelligence of the  
13 House of Representatives.

14 (4) COMPOSITION.—

15 (A) RECOMMENDATIONS.—Not later than  
16 30 days after the date on which the President  
17 first submits to Congress a national security  
18 strategy under section 108 of the National Se-  
19 curity Act of 1947 (50 U.S.C. 3043) after the  
20 date of the enactment of this Act, the majority  
21 leader of the Senate, the minority leader of the  
22 Senate, the Speaker of the House of Represent-  
23 atives, and the minority leader of the House of  
24 Representatives shall each provide to the Presi-  
25 dent 2 candidates for membership on the

1 Board, at least 1 of whom shall be an individual  
2 in the private sector and 1 of whom shall be an  
3 individual in academia or employed by a non-  
4 profit research institution.

5 (B) MEMBERSHIP.—The Board shall be  
6 composed of 9 members appointed by the Presi-  
7 dent as follows:

8 (i) The National Security Advisor or  
9 such other designee as the President con-  
10 siders appropriate, such as the Asia Coor-  
11 dinator from the National Security Coun-  
12 cil.

13 (ii) Four shall be selected from among  
14 individuals in the private sector.

15 (iii) Four shall be selected from  
16 among individuals in academia or em-  
17 ployed by a nonprofit research institution.

18 (iv) Two members shall be selected  
19 from among individuals included in the list  
20 submitted by the majority leader of the  
21 Senate under subparagraph (A), of  
22 whom—

23 (I) one shall be selected from  
24 among individuals in the private sec-  
25 tor; and

1 (II) one shall be selected from  
2 among individuals in academia or em-  
3 ployed by a nonprofit research institu-  
4 tion.

5 (v) Two members shall be selected  
6 from among individuals included in the list  
7 submitted by the minority leader of the  
8 Senate under subparagraph (A), of  
9 whom—

10 (I) one shall be selected from  
11 among individuals in the private sec-  
12 tor; and

13 (II) one shall be selected from  
14 among individuals in academia or em-  
15 ployed by a nonprofit research institu-  
16 tion.

17 (vi) Two members shall be selected  
18 from among individuals included in the list  
19 submitted by the Speaker of the House of  
20 Representatives under subparagraph (A),  
21 or whom—

22 (I) one shall be selected from  
23 among individuals in the private sec-  
24 tor; and



1 (II) one shall be selected from  
2 among individuals in academia or em-  
3 ployed by a nonprofit research institu-  
4 tion.

5 (vii) Two members shall be selected  
6 from among individuals included in the list  
7 submitted by the minority leader of the  
8 House of Representatives under subpara-  
9 graph (A), of whom—

10 (I) one shall be selected from  
11 among individuals in the private sec-  
12 tor; and

13 (II) one shall be selected from  
14 among individuals in academia or em-  
15 ployed by a nonprofit research institu-  
16 tion.

17 (C) CHAIRPERSON.—The Chairperson of  
18 the Board shall be the member of the Board  
19 appointed under subparagraph (B)(i).

20 (D) NONGOVERNMENTAL MEMBERSHIP;  
21 PERIOD OF APPOINTMENT; VACANCIES.—

22 (i) NONGOVERNMENTAL MEMBER-  
23 SHIP.—Except in the case of the Chair-  
24 person of the Board, an individual ap-  
25 pointed to the Board may not be an officer

1 or employee of an instrumentality of gov-  
2 ernment.

3 (ii) PERIOD OF APPOINTMENT.—  
4 Members shall be appointed for the life of  
5 the Board.

6 (iii) VACANCIES.—Any vacancy in the  
7 Board shall be filled in the same manner  
8 as the original appointment.

9 (5) DEADLINE FOR APPOINTMENT.—Not later  
10 than 60 days after the date on which the President  
11 first submits to Congress a national security strat-  
12 egy under section 108 of the National Security Act  
13 of 1947 (50 U.S.C. 3043) after the date of the en-  
14 actment of this Act, the President shall—

15 (A) appoint the members of the Board  
16 pursuant to paragraph (4); and

17 (B) submit to Congress a list of the mem-  
18 bers so appointed.

19 (6) EXPERTS AND CONSULTANTS.—The Board  
20 is authorized to procure temporary and intermittent  
21 services under section 3109 of title 5, United States  
22 Code, but at rates for individuals not to exceed the  
23 daily equivalent of the maximum annual rate of  
24 basic pay under level IV of the Executive Schedule  
25 under section 5315 of title 5, United States Code.

1           (7) SECURITY CLEARANCES.—The appropriate  
2           Federal departments or agencies shall cooperate  
3           with the Board in expeditiously providing to the  
4           Board members and experts and consultants appro-  
5           priate security clearances to the extent possible pur-  
6           suant to existing procedures and requirements, ex-  
7           cept that no person may be provided with access to  
8           classified information under this Act without the ap-  
9           propriate security clearances.

10           (8) RECEIPT, HANDLING, STORAGE, AND DIS-  
11           SEMINATION.—Information shall only be received,  
12           handled, stored, and disseminated by members of  
13           the Board and any experts and consultants con-  
14           sistent with all applicable statutes, regulations, and  
15           Executive orders.

16           (9) UNCOMPENSATED SERVICE.—A member of  
17           the Board who is not an officer or employee of the  
18           Federal Government shall serve without compensa-  
19           tion.

20           (10) COOPERATION FROM GOVERNMENT.—In  
21           carrying out its duties, the Board shall receive the  
22           full and timely cooperation of the heads of relevant  
23           Federal departments and agencies in providing the  
24           Board with analysis, briefings, and other informa-



1                   “(i) the Secretary determines served  
2                   honorably with a special guerrilla unit or  
3                   irregular forces operating from a base in  
4                   Laos in support of the Armed Forces at  
5                   any time during the period beginning on  
6                   February 28, 1961, and ending on May 7,  
7                   1975; and

8                   “(ii) at the time of the individual’s  
9                   death—

10                   “(I) was a citizen of the United  
11                   States or an alien lawfully admitted  
12                   for permanent residence in the United  
13                   States; and

14                   “(II) resided in the United  
15                   States.”.

16           (b) EFFECTIVE DATE.—The amendments made by  
17 this section shall have effect as if included in the enact-  
18 ment of section 251(a) of title II of the Military Construc-  
19 tion, Veterans Affairs, and Related Agencies Appropria-  
20 tions Act, 2018 (division J of Public Law 115–141; 132  
21 Stat. 824).

1 **SEC. 6602. EXPANSION OF SCOPE OF DEPARTMENT OF VET-**  
2 **ERANS AFFAIRS OPEN BURN PIT REGISTRY**  
3 **TO INCLUDE OPEN BURN PITS IN EGYPT AND**  
4 **SYRIA.**

5 Section 201(c)(2) of the Dignified Burial and Other  
6 Veterans' Benefits Improvement Act of 2012 (Public Law  
7 112–260; 38 U.S.C. 527 note) is amended, in the matter  
8 before subparagraph (A), by striking “or Uzbekistan” and  
9 inserting “, Uzbekistan, Egypt, or Syria”.

10 **SEC. 6603. ANOMALOUS HEALTH INCIDENTS INTERAGENCY**  
11 **COORDINATOR.**

12 (a) ANOMALOUS HEALTH INCIDENTS INTERAGENCY  
13 COORDINATOR.—

14 (1) DESIGNATION.—Not later than 30 days  
15 after the date of the enactment of this Act, the  
16 President shall designate an appropriate senior offi-  
17 cial to be known as the Anomalous Health Incidents  
18 Interagency Coordinator (in this section referred to  
19 as the “Interagency Coordinator”).

20 (2) DUTIES.—The Interagency Coordinator,  
21 working through the interagency national security  
22 process, shall, with respect to anomalous health inci-  
23 dents—

24 (A) coordinate the response of the United  
25 States Government to such incidents;

1 (B) coordinate among relevant Federal  
2 agencies to ensure equitable and timely access  
3 to assessment and care for affected United  
4 States Government personnel, dependents of  
5 such personnel, and other appropriate individ-  
6 uals;

7 (C) ensure adequate training and edu-  
8 cation relating to such incidents for United  
9 States Government personnel;

10 (D) ensure that information regarding  
11 such incidents is efficiently shared across rel-  
12 evant Federal agencies in a manner that pro-  
13 vides appropriate protections for classified, sen-  
14 sitive, and personal information;

15 (E) coordinate, in consultation with the  
16 Director of the White House Office of Science  
17 and Technology Policy, the technological and  
18 research efforts of the United States Govern-  
19 ment to address suspected attacks presenting as  
20 such incidents; and

21 (F) develop policy options to prevent, miti-  
22 gate, and deter suspected attacks presenting as  
23 such incidents.

24 (b) DESIGNATION OF AGENCY COORDINATION  
25 LEADS.—

1           (1) DESIGNATION; RESPONSIBILITIES.—The  
2 head of each relevant agency shall designate an offi-  
3 cial appointed by the President, by and with the ad-  
4 vice and consent of the Senate, or other appropriate  
5 senior official, who shall—

6           (A) serve as the Anomalous Health Inci-  
7 dent Agency Coordination Lead (in this section  
8 referred to as the “Agency Coordination Lead”)  
9 for the relevant agency concerned;

10          (B) report directly to the head of such rel-  
11 evant agency regarding activities carried out  
12 under this section;

13          (C) perform functions specific to such rel-  
14 evant agency and related to anomalous health  
15 incidents, consistent with the directives of the  
16 Interagency Coordinator and the interagency  
17 national security process;

18          (D) represent such relevant agency in  
19 meetings convened by the Interagency Coordi-  
20 nator; and

21          (E) participate in interagency briefings to  
22 Congress regarding the response of the United  
23 States Government to anomalous health inci-  
24 dents, including briefings required under sub-  
25 section (c).



1           (2) DELEGATION PROHIBITED.—An Agency Co-  
2           ordination Lead may not delegate any of the respon-  
3           sibilities specified in paragraph (1).

4           (c) BRIEFINGS.—

5           (1) IN GENERAL.—Not later than 60 days after  
6           the date of the enactment of this Act, and quarterly  
7           thereafter for the following two years, the Agency  
8           Coordination Leads shall jointly provide to the ap-  
9           propriate congressional committees a briefing on  
10          progress made in carrying out the duties under sub-  
11          section (b)(2).

12          (2) ELEMENTS.—Each briefing required under  
13          paragraph (1) shall include—

14                (A) an update on the investigation into  
15                anomalous health incidents affecting United  
16                States Government personnel and dependents of  
17                such personnel, including technical causation  
18                and suspected perpetrators;

19                (B) an update on new or persistent anoma-  
20                lous health incidents;

21                (C) a description of threat prevention and  
22                mitigation efforts with respect to anomalous  
23                health incidents, to include personnel training;

1 (D) an identification of any changes to  
2 operational posture as a result of anomalous  
3 health threats;

4 (E) an update on diagnosis and treatment  
5 efforts for individuals affected by anomalous  
6 health incidents, including patient numbers and  
7 wait times to access care;

8 (F) a description of efforts to improve and  
9 encourage reporting of anomalous health inci-  
10 dents;

11 (G) a detailed description of the roles and  
12 responsibilities of the Agency Coordination  
13 Leads;

14 (H) information regarding additional au-  
15 thorities or resources needed to support the  
16 interagency response to anomalous health inci-  
17 dents; and

18 (I) such other matters as the Interagency  
19 Coordinator or the Agency Coordination Leads  
20 may consider appropriate.

21 (3) UNCLASSIFIED BRIEFING SUMMARY.—

22 (A) IN GENERAL.—Not later than 60 days  
23 after the date of the enactment of this Act, and  
24 quarterly thereafter for the following two years,  
25 the Agency Coordination Leads shall provide to

1 the appropriate congressional committees a co-  
2 ordinated written summary of the briefings pro-  
3 vided under paragraph (1).

4 (B) FORM.—The summary under subpara-  
5 graph (A) shall be submitted in an unclassified  
6 form to the extent practicable, consistent with  
7 the protection of intelligence sources and meth-  
8 ods.

9 (d) SECURE REPORTING MECHANISMS.—Not later  
10 than 90 days after the date of the enactment of this sec-  
11 tion, the Interagency Coordinator shall ensure that the  
12 head of each relevant agency—

13 (1) develops a process to provide a secure mech-  
14 anism for personnel of the relevant agency con-  
15 cerned, the dependents of such personnel, and other  
16 appropriate individuals, to self-report any suspected  
17 exposure that could be an anomalous health inci-  
18 dent;

19 (2) shares all relevant data reported through  
20 such mechanism in a timely manner with the Office  
21 of the Director of National Intelligence and other  
22 relevant agencies, through existing processes coordi-  
23 nated by the Interagency Coordinator; and

24 (3) in developing the mechanism pursuant to  
25 paragraph (1), prioritizes secure information collec-

1       tion and handling processes to protect classified,  
2       sensitive, and personal information.

3       (e) WORKFORCE GUIDANCE.—

4           (1) DEVELOPMENT AND DISSEMINATION.—The  
5       President shall direct the heads of the relevant agen-  
6       cies to develop and disseminate to employees of such  
7       relevant agencies who are determined to be at risk  
8       of exposure to anomalous health incidents updated  
9       workforce guidance that describes, at a minimum—

10           (A) the threat posed by anomalous health  
11       incidents;

12           (B) known defensive techniques with re-  
13       spect to anomalous health incidents; and

14           (C) processes to self-report any suspected  
15       exposure that could be an anomalous health in-  
16       cident.

17       (2) DEADLINE.—The workforce guidance speci-  
18       fied under paragraph (1) shall be developed and dis-  
19       seminated pursuant to such paragraph by not later  
20       than 60 days after the date of the enactment of this  
21       Act.

22       (f) RULE OF CONSTRUCTION.—Nothing in this sec-  
23       tion, including the designation of the Interagency Coordi-  
24       nator pursuant to subsection (a)(1), shall be construed to

1 limit the authority of any Federal agency to independently  
2 perform the authorized functions of such agency.

3 (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to the Secretary of State  
5 \$5,000,000 for fiscal year 2022, to be used to—

6 (1) increase capacity and staffing for the  
7 Health Incident Response Task Force of the Depart-  
8 ment of State;

9 (2) support the development and implementa-  
10 tion of efforts by the Department of State to prevent  
11 and mitigate anomalous health incidents affecting  
12 the workforce of the Department;

13 (3) investigate and characterize the cause of  
14 anomalous health incidents, including investigations  
15 of causation and attribution;

16 (4) collect and analyze data related to anoma-  
17 lous health incidents;

18 (5) coordinate with other relevant agencies and  
19 the National Security Council regarding anomalous  
20 health incidents; and

21 (6) support other activities to understand, pre-  
22 vent, deter, and respond to suspected attacks pre-  
23 senting as anomalous health incidents, at the discre-  
24 tion of the Secretary of State.

25 (h) DEFINITIONS.—In this section:

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

3           (A) the Committees on Armed Services,  
4       Foreign Relations, Homeland Security and Gov-  
5       ernmental Affairs, the Judiciary, and Appro-  
6       priations, and the Select Committee on Intel-  
7       ligence, of the Senate; and

8           (B) the Committees on Armed Services,  
9       Foreign Affairs, Homeland Security, the Judici-  
10      ary, and Appropriations, and the Permanent  
11      Select Committee on Intelligence, of the House  
12      of Representatives.

13          (2) The term “relevant Federal agencies”  
14      means—

15           (A) the Department of Defense;

16           (B) the Department of State;

17           (C) the Office of the Director of National  
18      Intelligence;

19           (D) the Central Intelligence Agency;

20           (E) the Department of Justice;

21           (F) the Department of Homeland Security;

22      and

23           (G) such other Federal departments or  
24      agencies as may be designated by the Inter-  
25      agency Coordinator.

1 **SEC. 6604. CHIEF HUMAN CAPITAL OFFICERS COUNCIL AN-**  
2 **NUAL REPORT.**

3 Subsection (d) of section 1303 of the Homeland Se-  
4 curity Act of 2002 (Public Law 107–296; 5 U.S.C. 1401  
5 note) is amended to read as follows:

6 “(d) ANNUAL REPORTS.—

7 “(1) IN GENERAL.—Each year, the Chief  
8 Human Capital Officers Council shall submit to  
9 Congress a report that includes the following:

10 “(A) A description of the activities of the  
11 Council.

12 “(B) A description of employment barriers  
13 that prevent the agencies of its members from  
14 hiring qualified applicants, including those for  
15 digital talent positions, and recommendations  
16 for addressing the barriers that would allow  
17 such agencies to more effectively hire qualified  
18 applicants.

19 “(2) PUBLIC AVAILABILITY.—Not later than 30  
20 days after the date on which the Council submits a  
21 report under paragraph (1), the Director of the Of-  
22 fice of Personnel Management shall make the report  
23 publicly available on the website of the Office of Per-  
24 sonnel Management.”.

1 **SEC. 6605. NATIONAL GLOBAL WAR ON TERRORISM MEMO-**  
2 **RIAL.**

3 (a) SITE.—Notwithstanding section 8908(c) of title  
4 40, United States Code, the National Global War on Ter-  
5 rorism Memorial authorized by section 2(a) of the Global  
6 War on Terrorism War Memorial Act (40 U.S.C. 8903  
7 note; Public Law 115–51; 131 Stat. 1003) (referred to  
8 in this section as the “Memorial”) shall be located within  
9 the Reserve (as defined in section 8902(a) of title 40,  
10 United States Code).

11 (b) APPLICABILITY OF COMMEMORATIVE WORKS  
12 ACT.—Except as provided in subsection (a), chapter 89  
13 of title 40, United States Code (commonly known as the  
14 “Commemorative Works Act”), shall apply to the Memo-  
15 rial.

16 **SEC. 6606. ESTABLISHMENT OF SUBCOMMITTEE ON THE**  
17 **ECONOMIC AND SECURITY IMPLICATIONS OF**  
18 **QUANTUM INFORMATION SCIENCE.**

19 (a) ESTABLISHMENT.—Title I of the National Quan-  
20 tum Initiative Act (15 U.S.C. 8811 et seq.) is amended—

21 (1) by redesignating section 105 as section 106;

22 and

23 (2) by inserting after section 104 the following

24 new section:



1 **“SEC. 105. SUBCOMMITTEE ON THE ECONOMIC AND SECU-**  
2 **RITY IMPLICATIONS OF QUANTUM INFORMA-**  
3 **TION SCIENCE.**

4 “(a) **ESTABLISHMENT.**—The President shall estab-  
5 lish, through the National Science and Technology Coun-  
6 cil, the Subcommittee on the Economic and Security Im-  
7 plications of Quantum Information Science.

8 “(b) **MEMBERSHIP.**—The Subcommittee shall include  
9 a representative of—

10 “(1) the Department of Energy;

11 “(2) the Department of Defense;

12 “(3) the Department of Commerce;

13 “(4) the Department of Homeland Security;

14 “(5) the Office of the Director of National In-  
15 telligence;

16 “(6) the Office of Management and Budget;

17 “(7) the Office of Science and Technology Pol-  
18 icy;

19 “(8) the Department of Justice;

20 “(9) the National Science Foundation;

21 “(10) the National Institute of Standards and  
22 Technology; and

23 “(11) such other Federal department or agency  
24 as the President considers appropriate.

25 “(c) **RESPONSIBILITIES.**—The Subcommittee shall—

1           “(1) in coordination with the Director of the  
2           Office and Management and Budget, the Director of  
3           the National Quantum Coordination Office, and the  
4           Subcommittee on Quantum Information Science,  
5           track investments of the Federal Government in  
6           quantum information science research and develop-  
7           ment;

8           “(2) review and assess any economic or security  
9           implications of such investments;

10           “(3) review and assess any counterintelligence  
11           risks or other foreign threats to such investments;

12           “(4) recommend goals and priorities for the  
13           Federal Government and make recommendations to  
14           Federal departments and agencies and the Director  
15           of the National Quantum Coordination Office to ad-  
16           dress any counterintelligence risks or other foreign  
17           threats identified as a result of an assessment under  
18           paragraph (3);

19           “(5) assess the export of technology associated  
20           with quantum information science and recommend  
21           to the Secretary of Commerce and the Secretary of  
22           State export controls necessary to protect the eco-  
23           nomic and security interests of the United States as  
24           a result of such assessment;

1           “(6) recommend to Federal departments and  
2 agencies investment strategies in quantum informa-  
3 tion science that advance the economic and security  
4 interest of the United States;

5           “(7) recommend to the Director of National In-  
6 telligence and the Secretary of Energy appropriate  
7 protections to address counterintelligence risks or  
8 other foreign threats identified as a result of the as-  
9 sessment under paragraph (3); and

10           “(8) in coordination with the Subcommittee on  
11 Quantum Information Science, ensure the approach  
12 of the United States to investments of the Federal  
13 Government in quantum information science re-  
14 search and development reflects a balance between  
15 scientific progress and the potential economic and  
16 security implications of such progress.

17           “(d) TECHNICAL AND ADMINISTRATIVE SUPPORT.—

18           “(1) IN GENERAL.—The Secretary of Energy,  
19 the Director of National Intelligence, and the Direc-  
20 tor of the National Quantum Coordination Office  
21 may provide to the Subcommittee personnel, equip-  
22 ment, facilities, and such other technical and admin-  
23 istrative support as may be necessary for the Sub-  
24 committee to carry out the responsibilities of the  
25 Subcommittee under this section.

1           “(2) SUPPORT RELATED TO CLASSIFIED INFOR-  
2           MATION.—The Director of the Office of Science and  
3           Technology Policy and the Director of National In-  
4           telligence shall provide to the Subcommittee tech-  
5           nical and administrative support related to the re-  
6           sponsibilities of the Subcommittee that involve clas-  
7           sified information, including support related to sen-  
8           sitive compartmented information facilities and the  
9           storage of classified information.”.

10          (b) SUNSET FOR SUBCOMMITTEE.—

11           (1) INCLUSION IN SUNSET PROVISION.—Such  
12           title is further amended in section 106, as redesi-  
13           gnated by subsection (a), by striking “103, and 104”  
14           and inserting “103, 104, and 105”.

15           (2) EFFECTIVE DATE.—The amendments made  
16           by subsection (a) shall take effect as if included in  
17           the enactment of the National Quantum Initiative  
18           Act (15 U.S.C. 8801 et seq.).

19          (c) CONFORMING AMENDMENTS.—The National  
20          Quantum Initiative Act (15 U.S.C. 8801 et seq.) is further  
21          amended—

22           (1) in section 2, by striking paragraph (7) and  
23           inserting the following new paragraphs:

24           “(7) SUBCOMMITTEE ON ECONOMIC AND SECU-  
25           RITY IMPLICATIONS.—The term ‘Subcommittee on

1 Economic and Security Implications’ means the Sub-  
2 committee on the Economic and Security Implica-  
3 tions of Quantum Information Science established  
4 under section 105(a).

5 “(8) SUBCOMMITTEE ON QUANTUM INFORMA-  
6 TION SCIENCE.—The term ‘Subcommittee on Quan-  
7 tum Information Science’ means the Subcommittee  
8 on Quantum Information Science of the National  
9 Science and Technology Council established under  
10 section 103(a).”;

11 (2) in section 102(b)(1)—

12 (A) in subparagraph (A), by striking “;  
13 and” and inserting “on Quantum Information  
14 Science;”;

15 (B) in subparagraph (B), by inserting  
16 “and” after the semicolon; and

17 (C) by adding at the end the following new  
18 subparagraph:

19 “(C) the Subcommittee on Economic and  
20 Security Implications;”;

21 (3) in section 104(d)(1), by striking “ and the  
22 Subcommittee” and inserting “, the Subcommittee  
23 on Quantum Information Science, and the Sub-  
24 committee on Economic and Security Implications”.

1 (d) CLERICAL AMENDMENT.—The table of contents  
2 in section 1(b) of such Act is amended by striking the  
3 item relating to section 105 and inserting the following  
4 new items:

“105. Subcommittee on the Economic and Security Implications of Quantum In-  
formation Science.

“106. Sunset.”.

5 **SEC. 6607. STUDY AND REPORT ON THE REDISTRIBUTION**  
6 **OF COVID-19 VACCINE DOSES THAT WOULD**  
7 **OTHERWISE EXPIRE TO FOREIGN COUNTRIES**  
8 **AND ECONOMIES.**

9 (a) STUDY.—

10 (1) IN GENERAL.—The Secretary of Health and  
11 Human Services, in consultation with the Secretary  
12 of State and the Administrator of the United States  
13 Agency for International Development, shall conduct  
14 a study to identify and analyze the logistical pre-  
15 requisites for the collection of unused and unexpired  
16 doses of the COVID-19 vaccine in the United States  
17 and for the distribution of such doses to foreign  
18 countries and economies.

19 (2) MATTERS STUDIED.—The matters studied  
20 by the Secretary of Health and Human Services  
21 under paragraph (1) shall include—

22 (A) options for the collection of unused  
23 and unexpired doses of the COVID-19 vaccine  
24 from entities in the United States;

1 (B) methods for the collection and ship-  
2 ment of such doses to foreign countries and  
3 economies;

4 (C) methods for ensuring the appropriate  
5 storage and handling of such doses during and  
6 following the distribution and delivery of the  
7 doses to such countries and economies;

8 (D) the capacity and capability of foreign  
9 countries and economies receiving such doses to  
10 distribute and administer the doses while assur-  
11 ing their safety and quality;

12 (E) the minimum supply of doses of the  
13 COVID–19 vaccine necessary to be retained  
14 within the United States; and

15 (F) other Federal agencies with which the  
16 heads of the relevant agencies should coordinate  
17 to accomplish the tasks described in subpara-  
18 graphs (A) through (E) and the degree of co-  
19 ordination necessary between such agencies.

20 (b) REPORT REQUIRED.—Not later than 180 days  
21 after the date of the enactment of this Act, the Secretary  
22 of Health and Human Services, in consultation with the  
23 other heads of the relevant agencies, shall submit to the  
24 appropriate congressional committees a report on the re-  
25 sults of the study conducted under subsection (a).

1 (c) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
3 TEES.—The term “appropriate congressional com-  
4 mittees” means—

5 (A) the Committee on Health, Education,  
6 Labor, and Pensions, and the Committee on  
7 Foreign Relations of the Senate; and

8 (B) the Committee on Energy and Com-  
9 merce, and the Committee on Foreign Affairs  
10 of the House of Representatives.

11 (2) RELEVANT AGENCIES.—The term “relevant  
12 agencies” means—

13 (A) the Department of Health and Human  
14 Services;

15 (B) the Department of State; and

16 (C) the United States Agency for Inter-  
17 national Development.

18 **SEC. 6608. CATAWBA INDIAN NATION LANDS.**

19 (a) APPLICATION OF CURRENT LAW.—

20 (1) LANDS IN SOUTH CAROLINA.—Section 14 of  
21 the Catawba Indian Tribe of South Carolina Claims  
22 Settlement Act of 1993 (Public Law 103–116) shall  
23 only apply to gaming conducted by the Catawba In-  
24 dian Nation on lands located in South Carolina.



1           (2) LANDS IN STATES OTHER THAN SOUTH  
2 CAROLINA.—Gaming conducted by the Catawba In-  
3 dian Nation on lands located in States other than  
4 South Carolina shall be subject to the Indian Gam-  
5 ing Regulatory Act (25 U.S.C. 2701 et seq.) and  
6 sections 1166 through 1168 of title 18, United  
7 States Code.

8 (b) REAFFIRMATION OF STATUS AND ACTIONS.—

9           (1) RATIFICATION OF TRUST STATUS.—The ac-  
10 tion taken by the Secretary of the Interior on July  
11 10, 2020, to place approximately 17 acres of land lo-  
12 cated in Cleveland County, North Carolina, into  
13 trust for the benefit of the Catawba Indian Nation  
14 is hereby ratified and confirmed as if that action  
15 had been taken under a Federal law specifically au-  
16 thORIZING or directing that action.

17           (2) ADMINISTRATION.—The land placed into  
18 trust for the benefit of the Catawba Indian Nation  
19 by the Secretary on July 10, 2020, shall—

20           (A) be a part of the Catawba Reservation  
21 and administered in accordance with the laws  
22 and regulations generally applicable to land  
23 held in trust by the United States for an Indian  
24 Tribe; and

1           (B) be deemed to have been acquired and  
2 taken into trust as part of the restoration of  
3 lands for an Indian tribe that is restored to  
4 Federal recognition pursuant to section  
5 20(b)(1)(B)(iii) of the Indian Gaming Regu-  
6 latory Act (25 U.S.C. 2719(b)(1)(B)(iii)).

7           (3) RULES OF CONSTRUCTION.—Nothing in  
8 this section shall—

9           (A) enlarge, impair, or otherwise affect any  
10 right or claim of the Catawba Indian Nation to  
11 any land or interest in land in existence before  
12 the date of the enactment of this Act;

13           (B) affect any water right of the Catawba  
14 Indian Nation in existence before the date of  
15 the enactment of this Act;

16           (C) terminate or limit any access in any  
17 way to any right-of-way or right-of-use issued,  
18 granted, or permitted before the date of the en-  
19 actment of this Act; or

20           (D) alter or diminish the right of the Ca-  
21 tawba Indian Nation to seek to have additional  
22 land taken into trust by the United States for  
23 the benefit of the Catawba Indian Nation.

1 **SEC. 6609. PROPERTY DISPOSITION FOR AFFORDABLE**  
2 **HOUSING.**

3 Section 5334(h)(1) of title 49, United States Code,  
4 is amended to read as follows:

5 “(1) IN GENERAL.—If a recipient of assistance  
6 under this chapter decides an asset acquired under  
7 this chapter at least in part with that assistance is  
8 no longer needed for the purpose for which such  
9 asset was acquired, the Secretary may authorize the  
10 recipient to transfer such asset to—

11 “(A) a local governmental authority to be  
12 used for a public purpose with no further obli-  
13 gation to the Government if the Secretary de-  
14 cides—

15 “(i) the asset will remain in public use  
16 for at least 5 years after the date the asset  
17 is transferred;

18 “(ii) there is no purpose eligible for  
19 assistance under this chapter for which the  
20 asset should be used;

21 “(iii) the overall benefit of allowing  
22 the transfer is greater than the interest of  
23 the Government in liquidation and return  
24 of the financial interest of the Government  
25 in the asset, after considering fair market  
26 value and other factors; and

1           “(iv) through an appropriate screen-  
2           ing or survey process, that there is no in-  
3           terest in acquiring the asset for Govern-  
4           ment use if the asset is a facility or land;  
5           or

6           “(B) a local governmental authority, non-  
7           profit organization, or other third party entity  
8           to be used for the purpose of transit-oriented  
9           development with no further obligation to the  
10          Government if the Secretary decides—

11           “(i) the asset is a necessary compo-  
12           nent of a proposed transit-oriented devel-  
13           opment project;

14           “(ii) the transit-oriented development  
15           project will increase transit ridership;

16           “(iii) at least 40 percent of the hous-  
17           ing units offered in the transit-oriented de-  
18           velopment, including housing units owned  
19           by nongovernmental entities, are legally  
20           binding affordability restricted to tenants  
21           with incomes at or below 60 percent of the  
22           area median income and owners with in-  
23           comes at or below 60 percent the area me-  
24           dian income, which shall include at least  
25           20 percent of such housing units offered

1 restricted to tenants with incomes at or  
2 below 30 percent of the area median in-  
3 come and owners with incomes at or below  
4 30 percent the area median income;

5 “(iv) the asset will remain in use as  
6 described in this section for at least 30  
7 years after the date the asset is trans-  
8 ferred; and

9 “(v) with respect to a transfer to a  
10 third party entity—

11 “(I) a local government authority  
12 or nonprofit organization is unable to  
13 receive the property;

14 “(II) the overall benefit of allow-  
15 ing the transfer is greater than the in-  
16 terest of the Government in liquida-  
17 tion and return of the financial inter-  
18 est of the Government in the asset,  
19 after considering fair market value  
20 and other factors; and

21 “(III) the third party has dem-  
22 onstrated a satisfactory history of  
23 construction or operating an afford-  
24 able housing development.”.

1 **SEC. 6610. BLOCKING DEADLY FENTANYL IMPORTS.**

2 (a) **SHORT TITLE.**—This section may be cited as the  
3 “Blocking Deadly Fentanyl Imports Act”.

4 (b) **DEFINITIONS.**—Section 481(e) of the Foreign As-  
5 sistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

6 (1) in paragraph (2)—

7 (A) in the matter preceding subparagraph  
8 (A), by striking “in which”;

9 (B) in subparagraph (A), by inserting “in  
10 which” before “1,000”;

11 (C) in subparagraph (B)—

12 (i) by inserting “in which” before  
13 “1,000”; and

14 (ii) by striking “or” at the end;

15 (D) in subparagraph (C)—

16 (i) by inserting “in which” before  
17 “5,000”; and

18 (ii) by inserting “or” after the semi-  
19 colon; and

20 (E) by adding at the end the following:

21 “(D) that is a significant source of illicit  
22 synthetic opioids significantly affecting the  
23 United States;”; and

24 (2) in paragraph (4)—

25 (A) in subparagraph (C), by striking  
26 “and” at the end; and

1 (B) by adding at the end the following:

2 “(E) assistance that furthers the objectives  
3 set forth in paragraphs (1) through (4) of sec-  
4 tion 664(b) of the Foreign Relations Authoriza-  
5 tion Act, Fiscal Year 2003 (22 U.S.C. 2151n-  
6 2(b));

7 “(F) assistance to combat trafficking au-  
8 thorized under the Victims of Trafficking and  
9 Violence Protection Act of 2000 (22 U.S.C.  
10 7101 et seq.); and

11 “(G) global health assistance authorized  
12 under sections 104 through 104C of the For-  
13 eign Assistance Act of 1961 (22 U.S.C. 2151b  
14 through 22 U.S.C. 2151b-4).”.

15 (c) INTERNATIONAL NARCOTICS CONTROL STRAT-  
16 EGY REPORT.—Section 489(a) of the Foreign Assistance  
17 Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding  
18 at the end the following:

19 “(10) A separate section that contains the fol-  
20 lowing:

21 “(A) An identification of the countries, to  
22 the extent feasible, that are the most significant  
23 sources of illicit fentanyl and fentanyl analogues  
24 significantly affecting the United States during  
25 the preceding calendar year.

1           “(B) A description of the extent to which  
2 each country identified pursuant to subpara-  
3 graph (A) has cooperated with the United  
4 States to prevent the articles or chemicals de-  
5 scribed in subparagraph (A) from being ex-  
6 ported from such country to the United States.

7           “(C) A description of whether each country  
8 identified pursuant to subparagraph (A) has  
9 adopted and utilizes scheduling or other proce-  
10 dures for illicit drugs that are similar in effect  
11 to the procedures authorized under title II of  
12 the Controlled Substances Act (21 U.S.C. 811  
13 et seq.) for adding drugs and other substances  
14 to the controlled substances schedules;

15           “(D) A description of whether each coun-  
16 try identified pursuant to subparagraph (A) is  
17 following steps to prosecute individuals involved  
18 in the illicit manufacture or distribution of con-  
19 trolled substance analogues (as defined in sec-  
20 tion 102(32) of the Controlled Substances Act  
21 (21 U.S.C. 802(32)); and

22           “(E) A description of whether each coun-  
23 try identified pursuant to subparagraph (A) re-  
24 quires the registration of tableting machines  
25 and encapsulating machines or other measures



1 similar in effect to the registration require-  
2 ments set forth in part 1310 of title 21, Code  
3 of Federal Regulations, and has not made good  
4 faith efforts, in the opinion of the Secretary, to  
5 improve regulation of tableting machines and  
6 encapsulating machines.”.

7 (d) WITHHOLDING OF ASSISTANCE.—

8 (1) DESIGNATION OF ILLICIT FENTANYL COUN-  
9 TRIES WITHOUT SCHEDULING PROCEDURES.—Sec-  
10 tion 706(2) of the Foreign Relations Authorization  
11 Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is  
12 amended—

13 (A) in the matter preceding subparagraph  
14 (A), by striking “also”;

15 (B) in subparagraph (A)(ii), by striking  
16 “and” at the end;

17 (C) by redesignating subparagraph (B) as  
18 subparagraph (D);

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

21 “(B) designate each country, if any, identi-  
22 fied under section 489(a)(10) of the Foreign  
23 Assistance Act of 1961 (22 U.S.C.  
24 2291h(a)(10)) that has failed to adopt and uti-  
25 lize scheduling procedures for illicit drugs that

1 are comparable to the procedures authorized  
2 under title II of the Controlled Substances Act  
3 (21 U.S.C. 811 et seq.) for adding drugs and  
4 other substances to the controlled substances  
5 schedules;” and

6 (E) in subparagraph (D), as redesignated,  
7 by striking “so designated” and inserting “des-  
8 igned under subparagraph (A), (B), or (C)”.

9 (2) DESIGNATION OF ILLICIT FENTANYL COUN-  
10 TRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS  
11 FOR THE MANUFACTURE OR DISTRIBUTION OF  
12 FENTANYL ANALOGUES.—Section 706(2) of the For-  
13 eign Relations Authorization Act, Fiscal Year 2003  
14 (22 U.S.C. 2291j–1(2)), as amended by paragraph  
15 (2), is further amended by inserting after subpara-  
16 graph (B) the following:

17 “(C) designate each country, if any, identi-  
18 fied under section 489(a)(10) of the Foreign  
19 Assistance Act of 1961 (22 U.S.C.  
20 2291h(a)(10)) that has not taken significant  
21 steps to prosecute individuals involved in the il-  
22 licit manufacture or distribution of controlled  
23 substance analogues (as defined in section  
24 102(32) of the Controlled Substances Act (21  
25 U.S.C. 802(32));”.

1           (3) LIMITATION ON ASSISTANCE FOR DES-  
2           IGNATED COUNTRIES.—Section 706(3) of the For-  
3           eign Relations Authorization Act, Fiscal Year 2003  
4           (22 U.S.C. 2291j–1(3)) is amended by striking “also  
5           designated under paragraph (2) in the report” and  
6           inserting “designated in the report under paragraph  
7           (2)(A) or thrice designated during a 5-year period in  
8           the report under subparagraph (B) or (C) of para-  
9           graph (2)”.

10           (4) EXCEPTIONS TO THE LIMITATION ON AS-  
11           SISTANCE.—Section 706(5) of the Foreign Relations  
12           Authorization Act, Fiscal Year 2003 (22 U.S.C.  
13           2291j–1(5)) is amended—

14                   (A) by redesignating subparagraph (C) as  
15                   subparagraph (F);

16                   (B) by inserting after subparagraph (B)  
17                   the following:

18                           “(C) Notwithstanding paragraph (3), as-  
19                           sistance to promote democracy (as described in  
20                           section 481(e)(4)(E) of the Foreign Assistance  
21                           Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall  
22                           be provided to countries identified in a report  
23                           under paragraph (1) and designated under sub-  
24                           paragraph (B) or (C) of paragraph (2), to the  
25                           extent such countries are otherwise eligible for

1 such assistance, regardless of whether the  
2 President reports to the appropriate congres-  
3 sional committees in accordance with such para-  
4 graph.

5 “(D) Notwithstanding paragraph (3), as-  
6 sistance to combat trafficking (as described in  
7 section 481(e)(4)(F) of such Act) shall be pro-  
8 vided to countries identified in a report under  
9 paragraph (1) and designated under subpara-  
10 graph (B) or (C) of paragraph (2), to the ex-  
11 tent such countries are otherwise eligible for  
12 such assistance, regardless of whether the  
13 President reports to the appropriate congres-  
14 sional committees in accordance with such para-  
15 graph.

16 “(E) Notwithstanding paragraph (3), glob-  
17 al health assistance (as described in section  
18 481(e)(4)(G) of such Act) shall be provided to  
19 countries identified in a report under paragraph  
20 (1) and designated under subparagraph (B) or  
21 (C) of paragraph (2), to the extent such coun-  
22 tries are otherwise eligible for such assistance,  
23 regardless of whether the President reports to  
24 the appropriate congressional committees in ac-  
25 cordance with such paragraph”; and

1                   (C) in subparagraph (F), as redesignated,  
2                   by striking “section clause (i) or (ii) of” and in-  
3                   serting “clause (i) or (ii) of section”.

4           (e) EFFECTIVE DATE.—The amendments made by  
5 this section shall take effect on the date that is 90 days  
6 after the date of the enactment of this Act.

